

In the House of Representatives, U. S.,

December 18, 2015.

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 2029) entitled “An Act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.”, with the following

HOUSE AMENDMENTS TO SENATE AMENDMENT:

(1) In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

1 SECTION 1. SHORT TITLE.

2 *This Act may be cited as the “Consolidated Appropriations Act, 2016”.*

4 SEC. 2. TABLE OF CONTENTS.

5 *The table of contents of this Act is as follows:*

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. Corrections.

Sec. 9. Adjustments to compensation.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

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 Agencies and Food and Drug Administration
Title VII—General Provisions

*DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED
 AGENCIES APPROPRIATIONS ACT, 2016*

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

*DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT,
 2016*

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

*DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED
 AGENCIES APPROPRIATIONS ACT, 2016*

Title I—Corps of Engineers—Civil
Title II—Department of the Interior
Title III—Department of Energy
Title IV—Independent Agencies
Title V—General Provisions

*DIVISION E—FINANCIAL SERVICES AND GENERAL GOVERNMENT
 APPROPRIATIONS ACT, 2016*

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

*DIVISION F—DEPARTMENT OF HOMELAND SECURITY
 APPROPRIATIONS ACT, 2016*

Title I—Departmental Management and Operations
Title II—Security, Enforcement, and Investigations
Title III—Protection, Preparedness, Response, and Recovery
Title IV—Research, Development, Training, and Services
Title V—General Provisions

*DIVISION G—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND
RELATED AGENCIES APPROPRIATIONS ACT, 2016*

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

*DIVISION H—DEPARTMENTS OF LABOR, HEALTH AND HUMAN
SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016*

Title I—Department of Labor
Title II—Department of Health and Human Services
Title III—Department of Education
Title IV—Related Agencies
Title V—General Provisions

DIVISION I—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2016

Title I—Legislative Branch
Title II—General Provisions

*DIVISION J—MILITARY CONSTRUCTION AND VETERANS AFFAIRS,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2016*

Title I—Department of Defense
Title II—Department of Veterans Affairs
Title III—Related Agencies
Title IV—General Provisions

*DIVISION K—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND
RELATED PROGRAMS APPROPRIATIONS ACT, 2016*

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

*DIVISION L—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2016*

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

*DIVISION M—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
YEAR 2016*

DIVISION N—CYBERSECURITY ACT OF 2015

DIVISION O—OTHER MATTERS

DIVISION P—TAX-RELATED PROVISIONS

*DIVISION Q—PROTECTING AMERICANS FROM TAX HIKES ACT OF
2015*

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 of Representatives section of the Congressional*
9 *Record on or about December 17, 2015 by the Chairman*
10 *of the Committee on Appropriations of the House, shall have*
11 *the same effect with respect to the allocation of funds and*
12 *implementation of divisions A through L of this Act as if*
13 *it 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, 2016.*

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

2 *Each amount designated in this Act 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 shall*
6 *be available (or rescinded, if applicable) only if the Presi-*
7 *dent subsequently so designates all such amounts and trans-*
8 *mits such designations to the Congress.*

9 **SEC. 7. TECHNICAL ALLOWANCE FOR ESTIMATING DIF-**
10 **FERENCES.**

11 *If, for fiscal year 2016, new budget authority provided*
12 *in appropriations Acts exceeds the discretionary spending*
13 *limit for any category set forth in section 251(c) of the Bal-*
14 *anced Budget and Emergency Deficit Control Act of 1985*
15 *due to estimating differences with the Congressional Budget*
16 *Office, an adjustment to the discretionary spending limit*
17 *in such category for fiscal year 2016 shall be made by the*
18 *Director of the Office of Management and Budget in the*
19 *amount of the excess but the total of all such adjustments*
20 *shall not exceed 0.2 percent of the sum of the adjusted dis-*
21 *cretionary spending limits for all categories for that fiscal*
22 *year.*

23 **SEC. 8. CORRECTIONS.**

24 *The Continuing Appropriations Act, 2016 (Public*
25 *Law 114–53) is amended—*

1 (1) by changing the long title so as to read:
2 “Making continuing appropriations for the fiscal
3 year ending September 30, 2016, and for other pur-
4 poses.”;

5 (2) by inserting after the enacting clause (before
6 section 1) the following: “**DIVISION A—TSA**
7 **OFFICE OF INSPECTION ACCOUNT-**
8 **ABILITY ACT OF 2015”;**

9 (3) by inserting after section 8 (before the state-
10 ment of appropriations) the following: “**DIVISION**
11 **B—CONTINUING APPROPRIATIONS**
12 **RESOLUTION, 2016”;** and

13 (4) by inserting after section 150 (before the
14 short title) the following new section: “**SEC. 151. Ex-**
15 **cept as expressly provided otherwise, any reference in**
16 **this division to ‘this Act’ shall be treated as referring**
17 **only to the provisions of this division.”.**

18 **SEC. 9. ADJUSTMENTS TO COMPENSATION.**

19 Notwithstanding any other provision of law, no adjust-
20 ment shall be made under section 601(a) of the Legislative
21 Reorganization Act of 1946 (2 U.S.C. 4501) (relating to
22 cost of living adjustments for Members of Congress) during
23 fiscal year 2016.

1 ***DIVISION A—AGRICULTURE, RURAL DE-***
2 ***VELOPMENT, FOOD AND DRUG ADMIN-***
3 ***ISTRATION, AND RELATED AGENCIES***
4 ***APPROPRIATIONS ACT, 2016***

5 *TITLE I*

6 *AGRICULTURAL PROGRAMS*

7 *PRODUCTION, PROCESSING, AND MARKETING*

8 *OFFICE OF THE SECRETARY*

9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *For necessary expenses of the Office of the Secretary,*
11 *\$45,555,000, of which not to exceed \$5,051,000 shall be*
12 *available for the immediate Office of the Secretary, of which*
13 *not to exceed \$250,000 shall be available for the Military*
14 *Veterans Agricultural Liaison; not to exceed \$502,000 shall*
15 *be available for the Office of Tribal Relations; not to exceed*
16 *\$1,496,000 shall be available for the Office of Homeland Se-*
17 *curity and Emergency Coordination; not to exceed*
18 *\$1,209,000 shall be available for the Office of Advocacy and*
19 *Outreach; not to exceed \$25,928,000 shall be available for*
20 *the Office of the Assistant Secretary for Administration, of*
21 *which \$25,124,000 shall be available for Departmental Ad-*
22 *ministration to provide for necessary expenses for manage-*
23 *ment support services to offices of the Department and for*
24 *general administration, security, repairs and alterations,*
25 *and other miscellaneous supplies and expenses not otherwise*

1 *provided for and necessary for the practical and efficient*
2 *work of the Department; not to exceed \$3,869,000 shall be*
3 *available for the Office of Assistant Secretary for Congres-*
4 *sional Relations to carry out the programs funded by this*
5 *Act, including programs involving intergovernmental af-*
6 *fairs and liaison within the executive branch; and not to*
7 *exceed \$7,500,000 shall be available for the Office of Com-*
8 *munications: Provided, That the Secretary of Agriculture*
9 *is authorized to transfer funds appropriated for any office*
10 *of the Office of the Secretary to any other office of the Office*
11 *of the Secretary: Provided further, That no appropriation*
12 *for any office shall be increased or decreased by more than*
13 *5 percent: Provided further, That not to exceed \$11,000 of*
14 *the amount made available under this paragraph for the*
15 *immediate Office of the Secretary shall be available for offi-*
16 *cial reception and representation expenses, not otherwise*
17 *provided for, as determined by the Secretary: Provided fur-*
18 *ther, That the amount made available under this heading*
19 *for Departmental Administration shall be reimbursed from*
20 *applicable appropriations in this Act for travel expenses in-*
21 *cident to the holding of hearings as required by 5 U.S.C.*
22 *551–558: Provided further, That funds made available*
23 *under this heading for the Office of the Assistant Secretary*
24 *for Congressional Relations may be transferred to agencies*
25 *of the Department of Agriculture funded by this Act to*

1 *maintain personnel at the agency level: Provided further,*
2 *That no funds made available under this heading for the*
3 *Office of Assistant Secretary for Congressional Relations*
4 *may be obligated after 30 days from the date of enactment*
5 *of this Act, unless the Secretary has notified the Committees*
6 *on Appropriations of both Houses of Congress on the alloca-*
7 *tion of these funds by USDA agency: Provided further, That*
8 *within 180 days of the date of enactment of this Act, the*
9 *Secretary shall submit to Congress the report required in*
10 *section 7 U.S.C. 6935(b)(3).*

11 *EXECUTIVE OPERATIONS*

12 *OFFICE OF THE CHIEF ECONOMIST*

13 *For necessary expenses of the Office of the Chief Econo-*
14 *mist, \$17,777,000, of which \$4,000,000 shall be for grants*
15 *or cooperative agreements for policy research under 7*
16 *U.S.C. 3155, and of which \$1,000,000, to remain available*
17 *until September 30, 2017, shall be for the purpose set forth*
18 *under this heading in the explanatory statement described*
19 *in section 4 (in the matter preceding division A of the con-*
20 *solidated Act).*

21 *NATIONAL APPEALS DIVISION*

22 *For necessary expenses of the National Appeals Divi-*
23 *sion, \$13,317,000.*

1 *ment which are included in this Act, and for alterations*
2 *and other actions needed for the Department and its agen-*
3 *cies to consolidate unneeded space into configurations suit-*
4 *able for release to the Administrator of General Services,*
5 *and for the operation, maintenance, improvement, and re-*
6 *pair of Agriculture buildings and facilities, and for related*
7 *costs, \$64,189,000, to remain available until expended, for*
8 *buildings operations and maintenance expenses: Provided,*
9 *That the Secretary may use unobligated prior year balances*
10 *of an agency or office that are no longer available for new*
11 *obligation to cover shortfalls incurred in prior or current*
12 *year rental payments for such agency or office.*

13 *HAZARDOUS MATERIALS MANAGEMENT*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For necessary expenses of the Department of Agri-*
16 *culture, to comply with the Comprehensive Environmental*
17 *Response, Compensation, and Liability Act (42 U.S.C.*
18 *9601 et seq.) and the Resource Conservation and Recovery*
19 *Act (42 U.S.C. 6901 et seq.), \$3,618,000, to remain avail-*
20 *able until expended: Provided, That appropriations and*
21 *funds available herein to the Department for Hazardous*
22 *Materials Management may be transferred to any agency*
23 *of the Department for its use in meeting all requirements*
24 *pursuant to the above Acts on Federal and non-Federal*
25 *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, \$95,738,000, 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*
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, \$44,383,000.*

16 *OFFICE OF ETHICS*

17 *For necessary expenses of the Office of Ethics,*
18 *\$3,654,000.*

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, \$85,373,000.*

1 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

2 *For necessary expenses of the National Agricultural*
3 *Statistics Service, \$168,443,000, 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 *\$1,143,825,000: 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 \$375,000, except for headhouses*

1 or greenhouses which shall each be limited to \$1,200,000,
2 and except for 10 buildings to be constructed or improved
3 at a cost not to exceed \$750,000 each, and the cost of alter-
4 ing any one building during the fiscal year shall not exceed
5 10 percent of the current replacement value of the building
6 or \$375,000, whichever is greater: Provided further, That
7 the limitations on alterations contained in this Act shall
8 not apply to modernization or replacement of existing fa-
9 cilities at Beltsville, Maryland: Provided further, That ap-
10 propriations hereunder shall be available for granting ease-
11 ments at the Beltsville Agricultural Research Center: Pro-
12 vided further, That the foregoing limitations shall not apply
13 to replacement of buildings needed to carry out the Act of
14 April 24, 1948 (21 U.S.C. 113a): Provided further, That
15 appropriations hereunder shall be available for granting
16 easements at any Agricultural Research Service location for
17 the construction of a research facility by a non-Federal enti-
18 ty for use by, and acceptable to, the Agricultural Research
19 Service and a condition of the easements shall be that upon
20 completion the facility shall be accepted by the Secretary,
21 subject to the availability of funds herein, if the Secretary
22 finds that acceptance of the facility is in the interest of the
23 United States: Provided further, That funds may be re-
24 ceived from any State, other political subdivision, organiza-
25 tion, or individual for the purpose of establishing or oper-

1 *ating any research facility or research project of the Agri-*
2 *cultural Research Service, as authorized by law: Provided*
3 *further, That of the appropriations hereunder, \$57,192,000*
4 *may not be obligated until 30 days after the Secretary of*
5 *Agriculture certifies in writing to the Committees on Ap-*
6 *propriations of both Houses of Congress that the Agricul-*
7 *tural Research Service has updated its animal care policies*
8 *and that all Agricultural Research Service research facili-*
9 *ties at which animal research is conducted have a fully*
10 *functioning Institutional Animal Care and Use Committee,*
11 *including all appropriate and necessary record keeping:*
12 *Provided further, That such certification shall set forth in*
13 *detail the factual basis for the certification and the Depart-*
14 *ment's plan for ensuring these changes are maintained in*
15 *the future: Provided further, That such certification shall*
16 *be subject to prior consultation with the Committees on Ap-*
17 *propriations of both Houses of Congress.*

18 *BUILDINGS AND FACILITIES*

19 *For the acquisition of land, construction, repair, im-*
20 *provement, extension, alteration, and purchase of fixed*
21 *equipment or facilities as necessary to carry out the agricul-*
22 *tural research programs of the Department of Agriculture,*
23 *where not otherwise provided, \$212,101,000 to remain*
24 *available until expended.*

1 *NATIONAL INSTITUTE OF FOOD AND AGRICULTURE*
2 *RESEARCH AND EDUCATION ACTIVITIES*

3 *For payments to agricultural experiment stations, for*
4 *cooperative forestry and other research, for facilities, and*
5 *for other expenses, \$819,685,000, which shall be for the pur-*
6 *poses, and in the amounts, specified in the table titled “Na-*
7 *tional Institute of Food and Agriculture, Research and*
8 *Education Activities” in the explanatory statement de-*
9 *scribed in section 4 (in the matter preceding division A of*
10 *this consolidated Act): Provided, That funds for research*
11 *grants for 1994 institutions, education grants for 1890 in-*
12 *stitutions, capacity building for non-land-grant colleges of*
13 *agriculture, the agriculture and food research initiative,*
14 *veterinary medicine loan repayment, multicultural schol-*
15 *ars, graduate fellowship and institution challenge grants,*
16 *and grants management systems shall remain available*
17 *until expended: Provided further, That each institution eli-*
18 *gible to receive funds under the Evans-Allen program re-*
19 *ceives no less than \$1,000,000: Provided further, That funds*
20 *for education grants for Alaska Native and Native Hawai-*
21 *ian-serving institutions be made available to individual eli-*
22 *gible institutions or consortia of eligible institutions with*
23 *funds awarded equally to each of the States of Alaska and*
24 *Hawaii: Provided further, That funds for education grants*
25 *for 1890 institutions shall be made available to institutions*

1 *eligible to receive funds under 7 U.S.C. 3221 and 3222: Pro-*
 2 *vided further, That not more than 5 percent of the amounts*
 3 *made available by this or any other Act to carry out the*
 4 *Agriculture and Food Research Initiative under 7 U.S.C.*
 5 *450i(b) may be retained by the Secretary of Agriculture to*
 6 *pay administrative costs incurred by the Secretary in car-*
 7 *rying out that authority.*

8 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

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

12 *EXTENSION ACTIVITIES*

13 *For payments to States, the District of Columbia,*
 14 *Puerto Rico, Guam, the Virgin Islands, Micronesia, the*
 15 *Northern Marianas, and American Samoa, \$475,891,000,*
 16 *which shall be for the purposes, and in the amounts, speci-*
 17 *fied in the table titled “National Institute of Food and Agri-*
 18 *culture, Extension Activities” in the explanatory statement*
 19 *described in section 4 (in the matter preceding division A*
 20 *of this consolidated Act): Provided, That funds for facility*
 21 *improvements at 1890 institutions shall remain available*
 22 *until expended: Provided further, That institutions eligible*
 23 *to receive funds under 7 U.S.C. 3221 for cooperative exten-*
 24 *sion receive no less than \$1,000,000: Provided further, That*
 25 *funds for cooperative extension under sections 3(b) and (c)*

1 *of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and sec-*
2 *tion 208(c) of Public Law 93–471 shall be available for re-*
3 *tirement and employees’ compensation costs for extension*
4 *agents.*

5 *INTEGRATED ACTIVITIES*

6 *For the integrated research, education, and extension*
7 *grants programs, including necessary administrative ex-*
8 *penses, \$30,900,000, which shall be for the purposes, and*
9 *in the amounts, specified in the table titled “National Insti-*
10 *tute of Food and Agriculture, Integrated Activities” in the*
11 *explanatory statement described in section 4 (in the matter*
12 *preceding division A of this consolidated Act): Provided,*
13 *That funds for the Food and Agriculture Defense Initiative*
14 *shall remain available until September 30, 2017: Provided*
15 *further, That notwithstanding any other provision of law,*
16 *indirect costs shall not be charged against any Extension*
17 *Implementation Program Area grant awarded under the*
18 *Crop Protection/Pest Management Program (7 U.S.C.*
19 *7626).*

20 *OFFICE OF THE UNDER SECRETARY FOR MARKETING AND*
21 *REGULATORY PROGRAMS*

22 *For necessary expenses of the Office of the Under Sec-*
23 *retary for Marketing and Regulatory Programs, \$893,000.*

1 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*2 *SALARIES AND EXPENSES*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For necessary expenses of the Animal and Plant*
5 *Health Inspection Service, including up to \$30,000 for rep-*
6 *resentation allowances and for expenses pursuant to the*
7 *Foreign Service Act of 1980 (22 U.S.C. 4085),*
8 *\$894,415,000, of which \$470,000, to remain available until*
9 *expended, shall be available for the control of outbreaks of*
10 *insects, plant diseases, animal diseases and for control of*
11 *pest animals and birds (“contingency fund”) to the extent*
12 *necessary to meet emergency conditions; of which*
13 *\$11,520,000, to remain available until expended, shall be*
14 *used for the cotton pests program for cost share purposes*
15 *or for debt retirement for active eradication zones; of which*
16 *\$35,339,000, to remain available until expended, shall be*
17 *for Animal Health Technical Services; of which \$697,000*
18 *shall be for activities under the authority of the Horse Pro-*
19 *tection Act of 1970, as amended (15 U.S.C. 1831); of which*
20 *\$55,340,000, to remain available until expended, shall be*
21 *used to support avian health; of which \$4,251,000, to re-*
22 *main available until expended, shall be for information*
23 *technology infrastructure; of which \$158,000,000, to remain*
24 *available until expended, shall be for specialty crop pests;*
25 *of which, \$8,826,000, to remain available until expended,*

1 shall be for field crop and rangeland ecosystem pests; of
2 which \$54,000,000, to remain available until expended,
3 shall be for tree and wood pests; of which \$3,973,000, to
4 remain available until expended, shall be for the National
5 Veterinary Stockpile; of which up to \$1,500,000, to remain
6 available until expended, shall be for the scrapie program
7 for indemnities; of which \$2,500,000, to remain available
8 until expended, shall be for the wildlife damage manage-
9 ment program for aviation safety: Provided, That of
10 amounts available under this heading for wildlife services
11 methods development, \$1,000,000 shall remain available
12 until expended: Provided further, That of amounts available
13 under this heading for the screwworm program, \$4,990,000
14 shall remain available until expended: Provided further,
15 That no funds shall be used to formulate or administer a
16 brucellosis eradication program for the current fiscal year
17 that does not require minimum matching by the States of
18 at least 40 percent: Provided further, That this appropria-
19 tion shall be available for the operation and maintenance
20 of aircraft and the purchase of not to exceed five, of which
21 two shall be for replacement only: Provided further, That
22 in addition, in emergencies which threaten any segment of
23 the agricultural production industry of this country, the
24 Secretary may transfer from other appropriations or funds
25 available to the agencies or corporations of the Department

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

17 *In fiscal year 2016, 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, \$81,223,000: Provided, That this appropriation*
14 *shall be available pursuant to law (7 U.S.C. 2250) for the*
15 *alteration and repair of buildings and improvements, but*
16 *the cost of altering any one building during the fiscal year*
17 *shall not exceed 10 percent of the current replacement value*
18 *of the building.*

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

22 *LIMITATION ON ADMINISTRATIVE EXPENSES*

23 *Not to exceed \$60,982,000 (from fees collected) shall be*
24 *obligated during the current fiscal year for administrative*
25 *expenses: Provided, That if crop size is understated and/*

1 *or other uncontrollable events occur, the agency may exceed*
2 *this limitation by up to 10 percent with notification to the*
3 *Committees on Appropriations of both Houses of Congress.*

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

6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *Funds available under section 32 of the Act of August*
8 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*
9 *program expenses as authorized therein, and other related*
10 *operating expenses, except for: (1) transfers to the Depart-*
11 *ment of Commerce as authorized by the Fish and Wildlife*
12 *Act of August 8, 1956; (2) transfers otherwise provided in*
13 *this Act; and (3) not more than \$20,489,000 for formulation*
14 *and administration of marketing agreements and orders*
15 *pursuant to the Agricultural Marketing Agreement Act of*
16 *1937 and the Agricultural Act of 1961.*

17 *PAYMENTS TO STATES AND POSSESSIONS*

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

1 *Inspection Act, and the Egg Products Inspection Act, in-*
2 *cluding not to exceed \$50,000 for representation allowances*
3 *and for expenses pursuant to section 8 of the Act approved*
4 *August 3, 1956 (7 U.S.C. 1766), \$1,014,871,000; and in*
5 *addition, \$1,000,000 may be credited to this account from*
6 *fees collected for the cost of laboratory accreditation as au-*
7 *thorized by section 1327 of the Food, Agriculture, Conserva-*
8 *tion and Trade Act of 1990 (7 U.S.C. 138f): Provided, That*
9 *funds provided for the Public Health Data Communication*
10 *Infrastructure system shall remain available until ex-*
11 *pende: Provided further, That no fewer than 148 full-time*
12 *equivalent positions shall be employed during fiscal year*
13 *2016 for purposes dedicated solely to inspections and en-*
14 *forcement related to the Humane Methods of Slaughter Act:*
15 *Provided further, That the Food Safety and Inspection*
16 *Service shall continue implementation of section 11016 of*
17 *Public Law 110–246 as further clarified by the amendments*
18 *made in section 12106 of Public Law 113–79: Provided fur-*
19 *ther, That this appropriation shall be available pursuant*
20 *to law (7 U.S.C. 2250) for the alteration and repair of*
21 *buildings and improvements, but the cost of altering any*
22 *one building during the fiscal year shall not exceed 10 per-*
23 *cent of the current replacement value of the building.*

1 *OFFICE OF THE UNDER SECRETARY FOR FARM AND*
2 *FOREIGN AGRICULTURAL SERVICES*

3 *For necessary expenses of the Office of the Under Sec-*
4 *retary for Farm and Foreign Agricultural Services,*
5 *\$898,000.*

6 *FARM SERVICE AGENCY*

7 *SALARIES AND EXPENSES*

8 *(INCLUDING TRANSFERS OF FUNDS)*

9 *For necessary expenses of the Farm Service Agency,*
10 *\$1,200,180,000: Provided, That not more than 50 percent*
11 *of the \$129,546,000 made available under this heading for*
12 *information technology related to farm program delivery,*
13 *including the Modernize and Innovate the Delivery of Agri-*
14 *cultural Systems and other farm program delivery systems,*
15 *may be obligated until the Secretary submits to the Com-*
16 *mittees on Appropriations of both Houses of Congress a*
17 *plan for expenditure that (1) identifies for each project/in-*
18 *vestment over \$25,000 (a) the functional and performance*
19 *capabilities to be delivered and the mission benefits to be*
20 *realized, (b) the estimated lifecycle cost, including estimates*
21 *for development as well as maintenance and operations,*
22 *and (c) key milestones to be met; (2) demonstrates that each*
23 *project/investment is, (a) consistent with the Farm Service*
24 *Agency Information Technology Roadmap, (b) being man-*
25 *aged in accordance with applicable lifecycle management*

1 *policies and guidance, and (c) subject to the applicable De-*
2 *partment's capital planning and investment control re-*
3 *quirements; and (3) has been reviewed by the Government*
4 *Accountability Office and approved by the Committees on*
5 *Appropriations of both Houses of Congress: Provided fur-*
6 *ther, That the agency shall submit a report by the end of*
7 *the fourth quarter of fiscal year 2016 to the Committees on*
8 *Appropriations and the Government Accountability Office,*
9 *that identifies for each project/investment that is oper-*
10 *ational (a) current performance against key indicators of*
11 *customer satisfaction, (b) current performance of service*
12 *level agreements or other technical metrics, (c) current per-*
13 *formance against a pre-established cost baseline, (d) a de-*
14 *tailed breakdown of current and planned spending on oper-*
15 *ational enhancements or upgrades, and (e) an assessment*
16 *of whether the investment continues to meet business needs*
17 *as intended as well as alternatives to the investment: Pro-*
18 *vided further, That the Secretary is authorized to use the*
19 *services, facilities, and authorities (but not the funds) of*
20 *the Commodity Credit Corporation to make program pay-*
21 *ments for all programs administered by the Agency: Pro-*
22 *vided further, That other funds made available to the Agen-*
23 *cy for authorized activities may be advanced to and merged*
24 *with this account: Provided further, That funds made avail-*
25 *able to county committees shall remain available until ex-*

1 *pended: Provided further, That none of the funds available*
2 *to the Farm Service Agency shall be used to close Farm*
3 *Service Agency county offices: Provided further, That none*
4 *of the funds available to the Farm Service Agency shall be*
5 *used to permanently relocate county based employees that*
6 *would result in an office with two or fewer employees with-*
7 *out prior notification and approval of the Committees on*
8 *Appropriations of both Houses of Congress.*

9 *STATE MEDIATION GRANTS*

10 *For grants pursuant to section 502(b) of the Agricul-*
11 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*
12 *\$3,404,000.*

13 *GRASSROOTS SOURCE WATER PROTECTION PROGRAM*

14 *For necessary expenses to carry out wellhead or*
15 *groundwater protection activities under section 1240O of*
16 *the Food Security Act of 1985 (16 U.S.C. 3839bb–2),*
17 *\$6,500,000, to remain available until expended.*

18 *DAIRY INDEMNITY PROGRAM*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For necessary expenses involved in making indemnity*
21 *payments to dairy farmers and manufacturers of dairy*
22 *products under a dairy indemnity program, such sums as*
23 *may be necessary, to remain available until expended: Pro-*
24 *vided, That such program is carried out by the Secretary*
25 *in the same manner as the dairy indemnity program de-*

1 *scribed in the Agriculture, Rural Development, Food and*
2 *Drug Administration, and Related Agencies Appropria-*
3 *tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–*
4 *12).*

5 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

6 *ACCOUNT*

7 *(INCLUDING TRANSFERS OF FUNDS)*

8 *For gross obligations for the principal amount of di-*
9 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*
10 *and operating (7 U.S.C. 1941 et seq.) loans, emergency*
11 *loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition*
12 *loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989),*
13 *guaranteed conservation loans (7 U.S.C. 1924 et seq.), and*
14 *Indian highly fractionated land loans (25 U.S.C. 488) to*
15 *be available from funds in the Agricultural Credit Insur-*
16 *ance Fund, as follows: \$2,000,000,000 for guaranteed farm*
17 *ownership loans and \$1,500,000,000 for farm ownership di-*
18 *rect loans; \$1,393,443,000 for unsubsidized guaranteed op-*
19 *erating loans and \$1,252,004,000 for direct operating loans;*
20 *emergency loans, \$34,667,000; Indian tribe land acquisi-*
21 *tion loans, \$2,000,000; guaranteed conservation loans,*
22 *\$150,000,000; Indian highly fractionated land loans,*
23 *\$10,000,000; and for boll weevil eradication program loans,*
24 *\$60,000,000: Provided, That the Secretary shall deem the*

1 *pink bollworm to be a boll weevil for the purpose of boll*
2 *weevil eradication program loans.*

3 *For the cost of direct and guaranteed loans and grants,*
4 *including the cost of modifying loans as defined in section*
5 *502 of the Congressional Budget Act of 1974, as follows:*
6 *farm operating loans, \$53,961,000 for direct operating*
7 *loans, \$14,352,000 for unsubsidized guaranteed operating*
8 *loans, and emergency loans, \$1,262,000, to remain avail-*
9 *able until expended.*

10 *In addition, for administrative expenses necessary to*
11 *carry out the direct and guaranteed loan programs,*
12 *\$314,918,000, of which \$306,998,000 shall be transferred to*
13 *and merged with the appropriation for “Farm Service*
14 *Agency, Salaries and Expenses”.*

15 *Funds appropriated by this Act to the Agricultural*
16 *Credit Insurance Program Account for farm ownership, op-*
17 *erating and conservation direct loans and guaranteed loans*
18 *may be transferred among these programs: Provided, That*
19 *the Committees on Appropriations of both Houses of Con-*
20 *gress are notified at least 15 days in advance of any trans-*
21 *fer.*

22 *RISK MANAGEMENT AGENCY*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Risk Management Agen-*
25 *cy, \$74,829,000: Provided, That not to exceed \$1,000 shall*

1 *be available for official reception and representation ex-*
2 *penses, as authorized by 7 U.S.C. 1506(i).*

3 **CORPORATIONS**

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

13 **FEDERAL CROP INSURANCE CORPORATION FUND**

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

17 **COMMODITY CREDIT CORPORATION FUND**

18 **REIMBURSEMENT FOR NET REALIZED LOSSES**

19 **(INCLUDING TRANSFERS OF FUNDS)**

20 *For the current fiscal year, such sums as may be nec-*
21 *essary to reimburse the Commodity Credit Corporation for*
22 *net realized losses sustained, but not previously reimbursed,*
23 *pursuant to section 2 of the Act of August 17, 1961 (15*
24 *U.S.C. 713a-11): Provided, That of the funds available to*
25 *the Commodity Credit Corporation under section 11 of the*

1 *Commodity Credit Corporation Charter Act (15 U.S.C.*
2 *714i) for the conduct of its business with the Foreign Agri-*
3 *cultural Service, up to \$5,000,000 may be transferred to*
4 *and used by the Foreign Agricultural Service for informa-*
5 *tion resource management activities of the Foreign Agricul-*
6 *tural Service that are not related to Commodity Credit Cor-*
7 *poration business.*

8 *HAZARDOUS WASTE MANAGEMENT*
9 *(LIMITATION ON EXPENSES)*

10 *For the current fiscal year, the Commodity Credit Cor-*
11 *poration shall not expend more than \$5,000,000 for site in-*
12 *vestigation and cleanup expenses, and operations and*
13 *maintenance expenses to comply with the requirement of*
14 *section 107(g) of the Comprehensive Environmental Re-*
15 *sponse, Compensation, and Liability Act (42 U.S.C.*
16 *9607(g)), and section 6001 of the Resource Conservation*
17 *and Recovery Act (42 U.S.C. 6961).*

18 *TITLE II*
19 *CONSERVATION PROGRAMS*
20 *OFFICE OF THE UNDER SECRETARY FOR NATURAL*
21 *RESOURCES AND ENVIRONMENT*

22 *For necessary expenses of the Office of the Under Sec-*
23 *retary for Natural Resources and Environment, \$898,000.*

1 *NATURAL RESOURCES CONSERVATION SERVICE*2 *CONSERVATION OPERATIONS*

3 *For necessary expenses for carrying out the provisions*
4 *of the Act of April 27, 1935 (16 U.S.C. 590a–f), including*
5 *preparation of conservation plans and establishment of*
6 *measures to conserve soil and water (including farm irriga-*
7 *tion and land drainage and such special measures for soil*
8 *and water management as may be necessary to prevent*
9 *floods and the siltation of reservoirs and to control agricul-*
10 *tural related pollutants); operation of conservation plant*
11 *materials centers; classification and mapping of soil; dis-*
12 *semination of information; acquisition of lands, water, and*
13 *interests therein for use in the plant materials program by*
14 *donation, exchange, or purchase at a nominal cost not to*
15 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*
16 *428a); purchase and erection or alteration or improvement*
17 *of permanent and temporary buildings; and operation and*
18 *maintenance of aircraft, \$850,856,000, to remain available*
19 *until September 30, 2017: Provided, That appropriations*
20 *hereunder shall be available pursuant to 7 U.S.C. 2250 for*
21 *construction and improvement of buildings and public im-*
22 *provements at plant materials centers, except that the cost*
23 *of alterations and improvements to other buildings and*
24 *other public improvements shall not exceed \$250,000: Pro-*
25 *vided further, That when buildings or other structures are*

1 *erected on non-Federal land, that the right to use such land*
2 *is obtained as provided in 7 U.S.C. 2250a: Provided fur-*
3 *ther, That of the amounts made available under this head-*
4 *ing, \$5,600,000, shall remain available until expended for*
5 *the authorities under 16 U.S.C. 1001–1005 and 1007–1009*
6 *for authorized ongoing watershed projects with a primary*
7 *purpose of providing water to rural communities: Provided*
8 *further, That of the amounts made available under this*
9 *heading, \$5,000,000 shall remain available until expended*
10 *for the authorities under section 13 of the Flood Control*
11 *Act of December 22, 1944 (Public Law 78–534) for author-*
12 *ized ongoing projects with a primary purpose of watershed*
13 *protection by stabilizing stream channels, tributaries, and*
14 *banks to reduce erosion and sediment transport.*

15 *WATERSHED REHABILITATION PROGRAM*

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

19 *TITLE III*

20 *RURAL DEVELOPMENT PROGRAMS*

21 *OFFICE OF THE UNDER SECRETARY FOR RURAL*

22 *DEVELOPMENT*

23 *For necessary expenses of the Office of the Under Sec-*
24 *retary for Rural Development, \$893,000.*

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 no less than \$19,500,000 shall*
10 *be for the Comprehensive Loan Accounting System: Pro-*
11 *vided further, That notwithstanding any other provision of*
12 *law, funds appropriated under this heading may be used*
13 *for advertising and promotional activities that support the*
14 *Rural Development mission area: Provided further, That*
15 *any balances available from prior years for the Rural Utili-*
16 *ties Service, Rural Housing Service, and the Rural Busi-*
17 *ness-Cooperative Service salaries and expenses accounts*
18 *shall be transferred to and merged with this appropriation.*

19 *RURAL HOUSING SERVICE*20 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For gross obligations for the principal amount of di-*
23 *rect and guaranteed loans as authorized by title V of the*
24 *Housing Act of 1949, to be available from funds in the rural*
25 *housing insurance fund, as follows: \$900,000,000 shall be*

1 *for direct loans and \$24,000,000,000 shall be for unsub-*
2 *sidized guaranteed loans; \$26,278,000 for section 504 hous-*
3 *ing repair loans; \$28,398,000 for section 515 rental hous-*
4 *ing; \$150,000,000 for section 538 guaranteed multi-family*
5 *housing loans; \$10,000,000 for credit sales of single family*
6 *housing acquired property; \$5,000,000 for section 523 self-*
7 *help housing land development loans; and \$5,000,000 for*
8 *section 524 site development loans.*

9 *For the cost of direct and guaranteed loans, including*
10 *the cost of modifying loans, as defined in section 502 of*
11 *the Congressional Budget Act of 1974, as follows: section*
12 *502 loans, \$60,750,000 shall be for direct loans; section 504*
13 *housing repair loans, \$3,424,000; and repair, rehabilita-*
14 *tion, and new construction of section 515 rental housing,*
15 *\$8,414,000: Provided, That to support the loan program*
16 *level for section 538 guaranteed loans made available under*
17 *this heading the Secretary may charge or adjust any fees*
18 *to cover the projected cost of such loan guarantees pursuant*
19 *to the provisions of the Credit Reform Act of 1990 (2 U.S.C.*
20 *661 et seq.), and the interest on such loans may not be sub-*
21 *sidized: Provided further, That applicants in communities*
22 *that have a current rural area waiver under section 541*
23 *of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treat-*
24 *ed as living in a rural area for purposes of section 502*
25 *guaranteed loans provided under this heading: Provided*

1 further, That of the amounts available under this para-
2 graph for section 502 direct loans, no less than \$5,000,000
3 shall be available for direct loans for individuals whose
4 homes will be built pursuant to a program funded with a
5 mutual and self-help housing grant authorized by section
6 523 of the Housing Act of 1949 until June 1, 2016.

7 In addition, for the cost of direct loans, grants, and
8 contracts, as authorized by 42 U.S.C. 1484 and 1486,
9 \$15,125,000, to remain available until expended, for direct
10 farm labor housing loans and domestic farm labor housing
11 grants and contracts: Provided, That any balances avail-
12 able for the Farm Labor Program Account shall be trans-
13 ferred to and merged with this account.

14 In addition, for administrative expenses necessary to
15 carry out the direct and guaranteed loan programs,
16 \$417,854,000 shall be transferred to and merged with the
17 appropriation for “Rural Development, Salaries and Ex-
18 penses”.

19 RENTAL ASSISTANCE PROGRAM

20 For rental assistance agreements entered into or re-
21 newed pursuant to the authority under section 521(a)(2)
22 or agreements entered into in lieu of debt forgiveness or
23 payments for eligible households as authorized by section
24 502(c)(5)(D) of the Housing Act of 1949, \$1,389,695,000;
25 and in addition such sums as may be necessary, as author-

1 ized by section 521(c) of the Act, to liquidate debt incurred
2 prior to fiscal year 1992 to carry out the rental assistance
3 program under section 521(a)(2) of the Act: Provided, That
4 rental assistance agreements entered into or renewed during
5 the current fiscal year shall be funded for a one-year period:
6 Provided further, That any unexpended balances remaining
7 at the end of such one-year agreements may be transferred
8 and used for purposes of any debt reduction; maintenance,
9 repair, or rehabilitation of any existing projects; preserva-
10 tion; and rental assistance activities authorized under title
11 V of the Act: Provided further, That rental assistance pro-
12 vided under agreements entered into prior to fiscal year
13 2016 for a farm labor multi-family housing project financed
14 under section 514 or 516 of the Act may not be recaptured
15 for use in another project until such assistance has re-
16 mained unused for a period of 12 consecutive months, if
17 such project has a waiting list of tenants seeking such as-
18 sistance or the project has rental assistance eligible tenants
19 who are not receiving such assistance: Provided further,
20 That such recaptured rental assistance shall, to the extent
21 practicable, be applied to another farm labor multi-family
22 housing project financed under section 514 or 516 of the
23 Act: Provided further, That of the total amount provided,
24 up to \$75,000,000 shall be available until September 30,
25 2017, for renewal of rental assistance agreements within the

1 *(including those not receiving rental assistance) residing in*
2 *a property financed with a section 515 loan which has been*
3 *prepaid after September 30, 2005: Provided further, That*
4 *the amount of such voucher shall be the difference between*
5 *comparable market rent for the section 515 unit and the*
6 *tenant paid rent for such unit: Provided further, That funds*
7 *made available for such vouchers shall be subject to the*
8 *availability of annual appropriations: Provided further,*
9 *That the Secretary shall, to the maximum extent prac-*
10 *ticable, administer such vouchers with current regulations*
11 *and administrative guidance applicable to section 8 hous-*
12 *ing vouchers administered by the Secretary of the Depart-*
13 *ment of Housing and Urban Development: Provided fur-*
14 *ther, That if the Secretary determines that the amount*
15 *made available for vouchers in this or any other Act is not*
16 *needed for vouchers, the Secretary may use such funds for*
17 *the demonstration program for the preservation and revital-*
18 *ization of multi-family rental housing properties described*
19 *in this paragraph: Provided further, That of the funds made*
20 *available under this heading, \$22,000,000 shall be available*
21 *for a demonstration program for the preservation and revi-*
22 *talization of the sections 514, 515, and 516 multi-family*
23 *rental housing properties to restructure existing USDA*
24 *multi-family housing loans, as the Secretary deems appro-*
25 *priate, expressly for the purposes of ensuring the project has*

1 *sufficient resources to preserve the project for the purpose*
2 *of providing safe and affordable housing for low-income*
3 *residents and farm laborers including reducing or elimi-*
4 *nating interest; deferring loan payments, subordinating, re-*
5 *ducing or reamortizing loan debt; and other financial as-*
6 *sistance including advances, payments and incentives (in-*
7 *cluding the ability of owners to obtain reasonable returns*
8 *on investment) required by the Secretary: Provided further,*
9 *That the Secretary shall as part of the preservation and*
10 *revitalization agreement obtain a restrictive use agreement*
11 *consistent with the terms of the restructuring: Provided fur-*
12 *ther, That if the Secretary determines that additional funds*
13 *for vouchers described in this paragraph are needed, funds*
14 *for the preservation and revitalization demonstration pro-*
15 *gram may be used for such vouchers: Provided further, That*
16 *if Congress enacts legislation to permanently authorize a*
17 *multi-family rental housing loan restructuring program*
18 *similar to the demonstration program described herein, the*
19 *Secretary may use funds made available for the demonstra-*
20 *tion program under this heading to carry out such legisla-*
21 *tion with the prior approval of the Committees on Appro-*
22 *priations of both Houses of Congress: Provided further, That*
23 *in addition to any other available funds, the Secretary may*
24 *expend not more than \$1,000,000 total, from the program*

1 *funds made available under this heading, for administra-*
2 *tive expenses for activities funded under this heading.*

3 *MUTUAL AND SELF-HELP HOUSING GRANTS*

4 *For grants and contracts pursuant to section*
5 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*
6 *\$27,500,000, to remain available until expended.*

7 *RURAL HOUSING ASSISTANCE GRANTS*

8 *For grants for very low-income housing repair and*
9 *rural housing preservation made by the Rural Housing*
10 *Service, as authorized by 42 U.S.C. 1474, and 1490m,*
11 *\$32,239,000, to remain available until expended.*

12 *RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT*

13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *For gross obligations for the principal amount of di-*
15 *rect and guaranteed loans as authorized by section 306 and*
16 *described in section 381E(d)(1) of the Consolidated Farm*
17 *and Rural Development Act, \$2,200,000,000 for direct loans*
18 *and \$148,305,000 for guaranteed loans.*

19 *For the cost of guaranteed loans, including the cost of*
20 *modifying loans, as defined in section 502 of the Congres-*
21 *sional Budget Act of 1974, \$3,500,000, to remain available*
22 *until expended.*

23 *For the cost of grants for rural community facilities*
24 *programs as authorized by section 306 and described in sec-*
25 *tion 381E(d)(1) of the Consolidated Farm and Rural Devel-*

1 *opment Act, \$38,778,000, to remain available until ex-*
2 *pended: Provided, That \$4,000,000 of the amount appro-*
3 *priated under this heading shall be available for a Rural*
4 *Community Development Initiative: Provided further, That*
5 *such funds shall be used solely to develop the capacity and*
6 *ability of private, nonprofit community-based housing and*
7 *community development organizations, low-income rural*
8 *communities, and Federally Recognized Native American*
9 *Tribes to undertake projects to improve housing, community*
10 *facilities, community and economic development projects in*
11 *rural areas: Provided further, That such funds shall be*
12 *made available to qualified private, nonprofit and public*
13 *intermediary organizations proposing to carry out a pro-*
14 *gram of financial and technical assistance: Provided fur-*
15 *ther, That such intermediary organizations shall provide*
16 *matching funds from other sources, including Federal funds*
17 *for related activities, in an amount not less than funds pro-*
18 *vided: Provided further, That \$5,778,000 of the amount ap-*
19 *propriated under this heading shall be to provide grants*
20 *for facilities in rural communities with extreme unemploy-*
21 *ment and severe economic depression (Public Law 106-*
22 *387), with up to 5 percent for administration and capacity*
23 *building in the State rural development offices: Provided*
24 *further, That \$4,000,000 of the amount appropriated under*
25 *this heading shall be available for community facilities*

1 *grants to tribal colleges, as authorized by section 306(a)(19)*
2 *of such Act: Provided further, That sections 381E–H and*
3 *381N of the Consolidated Farm and Rural Development Act*
4 *are not applicable to the funds made available under this*
5 *heading: Provided further, That for the purposes of deter-*
6 *mining eligibility or level of program assistance the Sec-*
7 *retary shall not include incarcerated prison populations.*

8 *RURAL BUSINESS—COOPERATIVE SERVICE*

9 *RURAL BUSINESS PROGRAM ACCOUNT*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *For the cost of loan guarantees and grants, for the*
12 *rural business development programs authorized by section*
13 *310B and described in subsections (a), (c), (f) and (g) of*
14 *section 310B of the Consolidated Farm and Rural Develop-*
15 *ment Act, \$62,687,000, to remain available until expended:*
16 *Provided, That of the amount appropriated under this*
17 *heading, not to exceed \$500,000 shall be made available for*
18 *one grant to a qualified national organization to provide*
19 *technical assistance for rural transportation in order to*
20 *promote economic development and \$3,000,000 shall be for*
21 *grants to the Delta Regional Authority (7 U.S.C. 2009aa*
22 *et seq.) for any Rural Community Advancement Program*
23 *purpose as described in section 381E(d) of the Consolidated*
24 *Farm and Rural Development Act, of which not more than*
25 *5 percent may be used for administrative expenses: Pro-*

1 *vided further, That \$4,000,000 of the amount appropriated*
2 *under this heading shall be for business grants to benefit*
3 *Federally Recognized Native American Tribes, including*
4 *\$250,000 for a grant to a qualified national organization*
5 *to provide technical assistance for rural transportation in*
6 *order to promote economic development: Provided further,*
7 *That for purposes of determining eligibility or level of pro-*
8 *gram assistance the Secretary shall not include incarcerated*
9 *prison populations: Provided further, That sections 381E–*
10 *H and 381N of the Consolidated Farm and Rural Develop-*
11 *ment Act are not applicable to funds made available under*
12 *this heading.*

13 *INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT*

14 *(INCLUDING TRANSFER OF FUNDS)*

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

18 *For the cost of direct loans, \$5,217,000, as authorized*
19 *by the Intermediary Relending Program Fund Account (7*
20 *U.S.C. 1936b), of which \$531,000 shall be available through*
21 *June 30, 2016, for Federally Recognized Native American*
22 *Tribes; and of which \$1,021,000 shall be available through*
23 *June 30, 2016, for Mississippi Delta Region counties (as*
24 *determined in accordance with Public Law 100–460): Pro-*
25 *vided, That such costs, including the cost of modifying such*

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

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

7 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*

8 *ACCOUNT*

9 *(INCLUDING RESCISSION OF FUNDS)*

10 *For the principal amount of direct loans, as authorized*
11 *under section 313 of the Rural Electrification Act, for the*
12 *purpose of promoting rural economic development and job*
13 *creation projects, \$33,077,000.*

14 *Of the funds derived from interest on the cushion of*
15 *credit payments, as authorized by section 313 of the Rural*
16 *Electrification Act of 1936, \$179,000,000 shall not be obli-*
17 *gated and \$179,000,000 are rescinded.*

18 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

19 *For rural cooperative development grants authorized*
20 *under section 310B(e) of the Consolidated Farm and Rural*
21 *Development Act (7 U.S.C. 1932), \$22,050,000, of which*
22 *\$2,500,000 shall be for cooperative agreements for the ap-*
23 *propriate technology transfer for rural areas program: Pro-*
24 *vided, That not to exceed \$3,000,000 shall be for grants for*
25 *cooperative development centers, individual cooperatives, or*

1 *groups of cooperatives that serve socially disadvantaged*
2 *groups and a majority of the boards of directors or gov-*
3 *erning boards of which are comprised of individuals who*
4 *are members of socially disadvantaged groups; and of which*
5 *\$10,750,000, to remain available until expended, shall be*
6 *for value-added agricultural product market development*
7 *grants, as authorized by section 231 of the Agricultural*
8 *Risk Protection Act of 2000 (7 U.S.C. 1632a).*

9 *RURAL ENERGY FOR AMERICA PROGRAM*

10 *For the cost of a program of loan guarantees, under*
11 *the same terms and conditions as authorized by section*
12 *9007 of the Farm Security and Rural Investment Act of*
13 *2002 (7 U.S.C. 8107), \$500,000: Provided, That the cost*
14 *of loan guarantees, including the cost of modifying such*
15 *loans, shall be as defined in section 502 of the Congressional*
16 *Budget Act of 1974.*

17 *RURAL UTILITIES SERVICE*

18 *RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT*

19 *(INCLUDING TRANSFERS OF FUNDS)*

20 *For the cost of direct loans, loan guarantees, and*
21 *grants for the rural water, waste water, waste disposal, and*
22 *solid waste management programs authorized by sections*
23 *306, 306A, 306C, 306D, 306E, and 310B and described in*
24 *sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the*
25 *Consolidated Farm and Rural Development Act,*

1 \$522,365,000, to remain available until expended, of which
2 not to exceed \$1,000,000 shall be available for the rural util-
3 ities program described in section 306(a)(2)(B) of such Act,
4 and of which not to exceed \$993,000 shall be available for
5 the rural utilities program described in section 306E of
6 such Act: Provided, That not to exceed \$10,000,000 of the
7 amount appropriated under this heading shall be for grants
8 authorized by section 306A(i)(2) of the Consolidated Farm
9 and Rural Development Act in addition to funding author-
10 ized by section 306A(i)(1) of such Act: Provided further,
11 That \$64,000,000 of the amount appropriated under this
12 heading shall be for loans and grants including water and
13 waste disposal systems grants authorized by section
14 306C(a)(2)(B) and section 306D of the Consolidated Farm
15 and Rural Development Act, and Federally Recognized Na-
16 tive American Tribes authorized by 306C(a)(1): Provided
17 further, That funding provided for section 306D of the Con-
18 solidated Farm and Rural Development Act may be pro-
19 vided to a consortium formed pursuant to section 325 of
20 Public Law 105–83: Provided further, That not more than
21 2 percent of the funding provided for section 306D of the
22 Consolidated Farm and Rural Development Act may be
23 used by the State of Alaska for training and technical as-
24 sistance programs and not more than 2 percent of the fund-
25 ing provided for section 306D of the Consolidated Farm and

1 *Rural Development Act may be used by a consortium*
2 *formed pursuant to section 325 of Public Law 105–83 for*
3 *training and technical assistance programs: Provided fur-*
4 *ther, That not to exceed \$20,000,000 of the amount appro-*
5 *priated under this heading shall be for technical assistance*
6 *grants for rural water and waste systems pursuant to sec-*
7 *tion 306(a)(14) of such Act, unless the Secretary makes a*
8 *determination of extreme need, of which \$6,500,000 shall*
9 *be made available for a grant to a qualified nonprofit*
10 *multi-State regional technical assistance organization, with*
11 *experience in working with small communities on water*
12 *and waste water problems, the principal purpose of such*
13 *grant shall be to assist rural communities with populations*
14 *of 3,300 or less, in improving the planning, financing, de-*
15 *velopment, operation, and management of water and waste*
16 *water systems, and of which not less than \$800,000 shall*
17 *be for a qualified national Native American organization*
18 *to provide technical assistance for rural water systems for*
19 *tribal communities: Provided further, That not to exceed*
20 *\$16,397,000 of the amount appropriated under this heading*
21 *shall be for contracting with qualified national organiza-*
22 *tions for a circuit rider program to provide technical assist-*
23 *ance for rural water systems: Provided further, That not*
24 *to exceed \$4,000,000 shall be for solid waste management*
25 *grants: Provided further, That \$10,000,000 of the amount*

1 *appropriated under this heading shall be transferred to, and*
 2 *merged with, the Rural Utilities Service, High Energy Cost*
 3 *Grants Account to provide grants authorized under section*
 4 *19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a):*
 5 *Provided further, That any prior year balances for high-*
 6 *energy cost grants authorized by section 19 of the Rural*
 7 *Electrification Act of 1936 (7 U.S.C. 918a) shall be trans-*
 8 *ferred to and merged with the Rural Utilities Service, High*
 9 *Energy Cost Grants Account: Provided further, That sec-*
 10 *tions 381E–H and 381N of the Consolidated Farm and*
 11 *Rural Development Act are not applicable to the funds*
 12 *made available under this heading.*

13 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*

14 *LOANS PROGRAM ACCOUNT*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *The principal amount of direct and guaranteed loans*
 17 *as authorized by sections 305 and 306 of the Rural Elec-*
 18 *trification Act of 1936 (7 U.S.C. 935 and 936) shall be*
 19 *made as follows: loans made pursuant to section 306 of that*
 20 *Act, rural electric, \$5,500,000,000; guaranteed under-*
 21 *writing loans pursuant to section 313A, \$750,000,000; 5*
 22 *percent rural telecommunications loans, cost of money rural*
 23 *telecommunications loans, and for loans made pursuant to*
 24 *section 306 of that Act, rural telecommunications loans,*
 25 *\$690,000,000: Provided, That up to \$2,000,000,000 shall be*

1 *used for the construction, acquisition, or improvement of*
2 *fossil-fueled electric generating plants (whether new or ex-*
3 *isting) that utilize carbon sequestration systems.*

4 *For the cost of direct loans as authorized by section*
5 *305 of the Rural Electrification Act of 1936 (7 U.S.C. 935),*
6 *including the cost of modifying loans, as defined in section*
7 *502 of the Congressional Budget Act of 1974, cost of money*
8 *rural telecommunications loans, \$104,000.*

9 *In addition, for administrative expenses necessary to*
10 *carry out the direct and guaranteed loan programs,*
11 *\$34,707,000, which shall be transferred to and merged with*
12 *the appropriation for “Rural Development, Salaries and*
13 *Expenses”.*

14 *DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND*
15 *PROGRAM*

16 *For the principal amount of broadband telecommuni-*
17 *cation loans, \$20,576,000.*

18 *For grants for telemedicine and distance learning serv-*
19 *ices in rural areas, as authorized by 7 U.S.C. 950aaa et*
20 *seq., \$22,000,000, to remain available until expended: Pro-*
21 *vided, That \$3,000,000 shall be made available for grants*
22 *authorized by 379G of the Consolidated Farm and Rural*
23 *Development Act: Provided further, That funding provided*
24 *under this heading for grants under 379G of the Consoli-*
25 *dated Farm and Rural Development Act may only be pro-*

1 *vided to entities that meet all of the eligibility criteria for*
2 *a consortium as established by this section.*

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

8 *In addition, \$10,372,000, to remain available until ex-*
9 *pended, for a grant program to finance broadband trans-*
10 *mission in rural areas eligible for Distance Learning and*
11 *Telemedicine Program benefits authorized by 7 U.S.C.*
12 *950aaa.*

13 *TITLE IV*

14 *DOMESTIC FOOD PROGRAMS*

15 *OFFICE OF THE UNDER SECRETARY FOR FOOD,*

16 *NUTRITION, AND CONSUMER SERVICES*

17 *For necessary expenses of the Office of the Under Sec-*
18 *retary for Food, Nutrition, and Consumer Services,*
19 *\$811,000.*

20 *FOOD AND NUTRITION SERVICE*

21 *CHILD NUTRITION PROGRAMS*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For necessary expenses to carry out the Richard B.*
24 *Russell National School Lunch Act (42 U.S.C. 1751 et seq.),*
25 *except section 21, and the Child Nutrition Act of 1966 (42*

1 *U.S.C. 1771 et seq.*), except sections 17 and 21;
2 \$22,149,746,000 to remain available through September 30,
3 2017, of which such sums as are made available under sec-
4 tion 14222(b)(1) of the Food, Conservation, and Energy Act
5 of 2008 (Public Law 110–246), as amended by this Act,
6 shall be merged with and available for the same time period
7 and purposes as provided herein: Provided, That of the total
8 amount available, \$17,004,000 shall be available to carry
9 out section 19 of the Child Nutrition Act of 1966 (42 U.S.C.
10 1771 et seq.): Provided further, That of the total amount
11 available, \$25,000,000 shall be available to provide competi-
12 tive grants to State agencies for subgrants to local edu-
13 cational agencies and schools to purchase the equipment
14 needed to serve healthier meals, improve food safety, and
15 to help support the establishment, maintenance, or expan-
16 sion of the school breakfast program: Provided further, That
17 of the total amount available, \$16,000,000 shall remain
18 available until expended to carry out section 749(g) of the
19 Agriculture Appropriations Act of 2010 (Public Law 111–
20 80): Provided further, That section 26(d) of the Richard B.
21 Russell National School Lunch Act (42 U.S.C. 1769g(d))
22 is amended in the first sentence by striking “2010 through
23 2015” and inserting “2010 through 2016”.

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 *2017: 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.), \$80,849,383,000,*
4 *of which \$3,000,000,000, to remain available through De-*
5 *cember 31, 2017, 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*
8 *available for the contingency reserve under the heading*
9 *“Supplemental Nutrition Assistance Program” of division*
10 *A of Public Law 113–235 shall be available until December*
11 *31, 2016: Provided further, That funds provided herein*
12 *shall be expended in accordance with section 16 of the Food*
13 *and Nutrition Act of 2008: Provided further, That of the*
14 *funds made available under this heading, \$998,000 may be*
15 *used to provide nutrition education services to State agen-*
16 *cies and Federally Recognized Tribes participating in the*
17 *Food Distribution Program on Indian Reservations: Pro-*
18 *vided further, That this appropriation shall be subject to*
19 *any work registration or workfare requirements as may be*
20 *required by law: Provided further, That funds made avail-*
21 *able for Employment and Training under this heading*
22 *shall remain available through September 30, 2017: Pro-*
23 *vided further, That funds made available under this head-*
24 *ing for section 28(d)(1) and section 27(a) of the Food and*
25 *Nutrition Act of 2008 shall remain available through Sep-*

1 tember 30, 2017: *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, \$296,217,000, to remain available through*
18 *September 30, 2017: 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 2016 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, 2017: 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, \$150,824,000: Provided, That of the*
10 *funds provided herein, \$2,000,000 shall be used for the pur-*
11 *poses of section 4404 of Public Law 107-171, as amended*
12 *by section 4401 of Public Law 110-246.*

13 *TITLE V*

14 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*

15 *FOREIGN AGRICULTURAL SERVICE*

16 *SALARIES AND EXPENSES*

17 *(INCLUDING TRANSFERS OF FUNDS)*

18 *For necessary expenses of the Foreign Agricultural*
19 *Service, including not to exceed \$250,000 for representation*
20 *allowances and for expenses pursuant to section 8 of the*
21 *Act approved August 3, 1956 (7 U.S.C. 1766),*
22 *\$191,566,000: Provided, That the Service may utilize ad-*
23 *vances of funds, or reimburse this appropriation for expend-*
24 *itures made on behalf of Federal agencies, public and pri-*
25 *ivate organizations and institutions under agreements exe-*

1 *cuted pursuant to the agricultural food production assist-*
 2 *ance programs (7 U.S.C. 1737) and the foreign assistance*
 3 *programs of the United States Agency for International De-*
 4 *velopment: Provided further, That funds made available for*
 5 *middle-income country training programs, funds made*
 6 *available for the Borlaug International Agricultural*
 7 *Science and Technology Fellowship program, and up to*
 8 *\$2,000,000 of the Foreign Agricultural Service appropria-*
 9 *tion solely for the purpose of offsetting fluctuations in inter-*
 10 *national currency exchange rates, subject to documentation*
 11 *by the Foreign Agricultural Service, shall remain available*
 12 *until expended.*

13 *FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR*
 14 *PROGRESS PROGRAM ACCOUNT*
 15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For administrative expenses to carry out the credit*
 17 *program of title I, Food for Peace Act (Public Law 83–*
 18 *480) and the Food for Progress Act of 1985, \$2,528,000,*
 19 *shall be transferred to and merged with the appropriation*
 20 *for “Farm Service Agency, Salaries and Expenses”.*

21 *FOOD FOR PEACE TITLE II GRANTS*

22 *For expenses during the current fiscal year, not other-*
 23 *wise recoverable, and unrecovered prior years’ costs, includ-*
 24 *ing interest thereon, under the Food for Peace Act (Public*
 25 *Law 83–480), for commodities supplied in connection with*

1 *dispositions abroad under title II of said Act,*
2 *\$1,466,000,000, to remain available until expended.*

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, \$6,748,000; 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 \$6,394,000*

1 *shall be transferred to and merged with the appropriation*
2 *for “Foreign Agricultural Service, Salaries and Expenses”,*
3 *and of which \$354,000 shall be transferred to and merged*
4 *with the appropriation for “Farm Service Agency, Salaries*
5 *and Expenses”.*

6

TITLE VI

7

RELATED AGENCIES 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

\$4,681,392,000: Provided, That of the amount provided

24

under this heading, \$851,481,000 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; \$137,677,000 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 *\$318,363,000 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; \$21,540,000 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; \$22,818,000 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; \$9,705,000 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; \$599,000,000 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 2016 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 2016,
6 including any such fees collected prior to fiscal year 2016
7 but credited for fiscal year 2016, shall be subject to the fiscal
8 year 2016 limitations: Provided further, That the Secretary
9 may accept payment during fiscal year 2016 of user fees
10 specified under this heading and authorized for fiscal year
11 2017, prior to the due date for such fees, and that amounts
12 of such fees assessed for fiscal year 2017 for which the Sec-
13 retary accepts payment in fiscal year 2016 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) \$987,328,000 shall be for the Center for Food
19 Safety and Applied Nutrition and related field activities
20 in the Office of Regulatory Affairs; (2) \$1,394,136,000 shall
21 be for the Center for Drug Evaluation and Research and
22 related field activities in the Office of Regulatory Affairs;
23 (3) \$354,901,000 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) \$187,825,000 shall be for

1 *the Center for Veterinary Medicine and for related field ac-*
2 *tivities in the Office of Regulatory Affairs; (5) \$430,443,000*
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) \$564,117,000 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 *\$171,418,000 shall be for Rent and Related activities, of*
10 *which \$52,346,000 is for White Oak Consolidation, other*
11 *than the amounts paid to the General Services Administra-*
12 *tion for rent; (9) not to exceed \$238,274,000 shall be for*
13 *payments to the General Services Administration for rent;*
14 *and (10) \$289,619,000 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 funds may be*
11 *transferred from one specified activity to another with the*
12 *prior approval of the Committees on Appropriations of both*
13 *Houses of Congress.*

14 *In addition, mammography user fees authorized by 42*
15 *U.S.C. 263b, export certification user fees authorized by 21*
16 *U.S.C. 381, priority review user fees authorized by 21*
17 *U.S.C. 360n and 360ff, food and feed recall fees, food rein-*
18 *spection fees, and voluntary qualified importer program*
19 *fees authorized by 21 U.S.C. 379j–31, outsourcing facility*
20 *fees authorized by 21 U.S.C. 379j–62, prescription drug*
21 *wholesale distributor licensing and inspection fees author-*
22 *ized by 21 U.S.C. 353(e)(3), and third-party logistics pro-*
23 *vider licensing and inspection fees authorized by 21 U.S.C.*
24 *360eee–3(c)(1), and third-party auditor fees authorized by*

1 21 U.S.C. 384d(c)(8), shall be credited to this account, to
2 remain available until expended.

3 *BUILDINGS AND FACILITIES*

4 *For plans, construction, repair, improvement, exten-*
5 *sion, alteration, and purchase of fixed equipment or facili-*
6 *ties of or used by the Food and Drug Administration, where*
7 *not otherwise provided, \$8,788,000, to remain available*
8 *until expended.*

9 *INDEPENDENT AGENCIES*

10 *COMMODITY FUTURES TRADING COMMISSION*

11 *For necessary expenses to carry out the provisions of*
12 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*
13 *the purchase and hire of passenger motor vehicles, and the*
14 *rental of space (to include multiple year leases), in the Dis-*
15 *trict of Columbia and elsewhere, \$250,000,000, including*
16 *not to exceed \$3,000 for official reception and representa-*
17 *tion expenses, and not to exceed \$25,000 for the expenses*
18 *for consultations and meetings hosted by the Commission*
19 *with foreign governmental and other regulatory officials, of*
20 *which not less than \$50,000,000, to remain available until*
21 *September 30, 2017, shall be for the purchase of information*
22 *technology and of which not less than \$2,620,000 shall be*
23 *for expenses of the Office of the Inspector General: Provided,*
24 *That notwithstanding the limitations in 31 U.S.C. 1553,*
25 *amounts provided under this heading are available for the*

1 *liquidation of obligations equal to current year payments*
2 *on leases entered into prior to the date of enactment of this*
3 *Act: Provided further, That for the purpose of recording any*
4 *obligations that should have been recorded against accounts*
5 *closed pursuant to 31 U.S.C. 1552, these accounts may be*
6 *reopened solely for the purpose of correcting any violations*
7 *of 31 U.S.C. 1501(a)(1), and balances canceled pursuant*
8 *to 31 U.S.C. 1552(a) in any accounts reopened pursuant*
9 *to this authority shall remain unavailable to liquidate any*
10 *outstanding obligations.*

11 *FARM CREDIT ADMINISTRATION*

12 *LIMITATION ON ADMINISTRATIVE EXPENSES*

13 *Not to exceed \$65,600,000 (from assessments collected*
14 *from farm credit institutions, including the Federal Agri-*
15 *cultural Mortgage Corporation) shall be obligated during*
16 *the current fiscal year for administrative expenses as au-*
17 *thorized under 12 U.S.C. 2249: Provided, That this limita-*
18 *tion shall not apply to expenses associated with receiver-*
19 *ships: Provided further, That the agency may exceed this*
20 *limitation by up to 10 percent with notification to the Com-*
21 *mittees on Appropriations of both Houses of Congress.*

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

1
2
3
4 *SEC. 701. Within the unit limit of cost fixed by law,*
5 *appropriations and authorizations made for the Depart-*
6 *ment of Agriculture for the current fiscal year under this*
7 *Act shall be available for the purchase, in addition to those*
8 *specifically provided for, of not to exceed 71 passenger*
9 *motor vehicles of which 68 shall be for replacement only,*
10 *and for the hire of such vehicles: Provided, That notwith-*
11 *standing this section, the only purchase of new passenger*
12 *vehicles shall be for those determined by the Secretary to*
13 *be necessary for transportation safety, to reduce operational*
14 *costs, and for the protection of life, property, and public*
15 *safety.*

16 *SEC. 702. Notwithstanding any other provision of this*
17 *Act, the Secretary of Agriculture may transfer unobligated*
18 *balances of discretionary funds appropriated by this Act*
19 *or any other available unobligated discretionary balances*
20 *that are remaining available of the Department of Agri-*
21 *culture to the Working Capital Fund for the acquisition of*
22 *plant and capital equipment necessary for the delivery of*
23 *financial, administrative, and information technology serv-*
24 *ices of primary benefit to the agencies of the Department*
25 *of Agriculture, such transferred funds to remain available*

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

1 *tion unless the Secretary submits written notification of the*
2 *obligation to the Committees on Appropriations of both*
3 *Houses of Congress: Provided further, That the limitation*
4 *on the obligation of funds pending notification to Congres-*
5 *sional Committees shall not apply to any obligation that,*
6 *as determined by the Secretary, is necessary to respond to*
7 *a declared state of emergency that significantly impacts the*
8 *operations of the National Finance Center; or to evacuate*
9 *employees of the National Finance Center to a safe haven*
10 *to continue operations of the National Finance Center.*

11 *SEC. 703. 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. 704. No funds appropriated by this Act may be*
15 *used to pay negotiated indirect cost rates on cooperative*
16 *agreements or similar arrangements between the United*
17 *States Department of Agriculture and nonprofit institu-*
18 *tions in excess of 10 percent of the total direct cost of the*
19 *agreement when the purpose of such cooperative arrange-*
20 *ments is to carry out programs of mutual interest between*
21 *the two parties. This does not preclude appropriate pay-*
22 *ment of indirect costs on grants and contracts with such*
23 *institutions when such indirect costs are computed on a*
24 *similar basis for all agencies for which appropriations are*
25 *provided in this Act.*

1 *SEC. 705. Appropriations to the Department of Agri-*
2 *culture for the cost of direct and guaranteed loans made*
3 *available in the current fiscal year shall remain available*
4 *until expended to disburse obligations made in the current*
5 *fiscal year for the following accounts: the Rural Develop-*
6 *ment Loan Fund program account, the Rural Electrifica-*
7 *tion and Telecommunication Loans program account, and*
8 *the Rural Housing Insurance Fund program account.*

9 *SEC. 706. None of the funds made available to the De-*
10 *partment of Agriculture by this Act may be used to acquire*
11 *new information technology systems or significant up-*
12 *grades, as determined by the Office of the Chief Information*
13 *Officer, without the approval of the Chief Information Offi-*
14 *cer and the concurrence of the Executive Information Tech-*
15 *nology Investment Review Board: Provided, That notwith-*
16 *standing any other provision of law, none of the funds ap-*
17 *propriated or otherwise made available by this Act may be*
18 *transferred to the Office of the Chief Information Officer*
19 *without written notification to and the prior approval of*
20 *the Committees on Appropriations of both Houses of Con-*
21 *gress: Provided further, That, notwithstanding section*
22 *11319 of title 40, United States Code, none of the funds*
23 *available to the Department of Agriculture for information*
24 *technology shall be obligated for projects, contracts, or other*
25 *agreements over \$25,000 prior to receipt of written ap-*

1 *proval by the Chief Information Officer: Provided further,*
2 *That the Chief Information Officer may authorize an agen-*
3 *cy to obligate funds without written approval from the*
4 *Chief Information Officer for projects, contracts, or other*
5 *agreements up to \$250,000 based upon the performance of*
6 *an agency measured against the performance plan require-*
7 *ments described in the explanatory statement accom-*
8 *panying Public Law 113–235.*

9 *SEC. 707. Funds made available under section 524(b)*
10 *of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in*
11 *the current fiscal year shall remain available until ex-*
12 *pended to disburse obligations made in the current fiscal*
13 *year.*

14 *SEC. 708. Notwithstanding any other provision of law,*
15 *any former RUS borrower that has repaid or prepaid an*
16 *insured, direct or guaranteed loan under the Rural Elec-*
17 *trification Act of 1936, or any not-for-profit utility that*
18 *is eligible to receive an insured or direct loan under such*
19 *Act, shall be eligible for assistance under section*
20 *313(b)(2)(B) of such Act in the same manner as a borrower*
21 *under such Act.*

22 *SEC. 709. Except as otherwise specifically provided by*
23 *law, not more than \$20,000,000 in unobligated balances*
24 *from appropriations made available for salaries and ex-*
25 *penses in this Act for the Farm Service Agency shall remain*

1 available through September 30, 2017, for information tech-
2 nology expenses: Provided, That except as otherwise specifi-
3 cally provided by law, unobligated balances from appro-
4 priations made available for salaries and expenses in this
5 Act for the Rural Development mission area shall remain
6 available through September 30, 2017, for information tech-
7 nology expenses.

8 *SEC. 710. None of the funds appropriated or otherwise*
9 *made available by this Act may be used for first-class travel*
10 *by the employees of agencies funded by this Act in con-*
11 *travention of sections 301–10.122 through 301–10.124 of*
12 *title 41, Code of Federal Regulations.*

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

20 *(1) such funds shall be available for salaries and*
21 *related administrative expenses, including technical*
22 *assistance, associated with the implementation of the*
23 *program, without regard to the limitation on the total*
24 *amount of allotments and fund transfers contained in*

1 *section 11 of the Commodity Credit Corporation*
2 *Charter Act (15 U.S.C. 714i); and*

3 *(2) the use of such funds for such purpose shall*
4 *not be considered to be a fund transfer or allotment*
5 *for purposes of applying the limitation on the total*
6 *amount of allotments and fund transfers contained in*
7 *such section.*

8 *SEC. 712. Of the funds made available by this Act, not*
9 *more than \$2,000,000 shall be used to cover necessary ex-*
10 *penses of activities related to all advisory committees, pan-*
11 *els, commissions, and task forces of the Department of Agri-*
12 *culture, except for panels used to comply with negotiated*
13 *rule makings and panels used to evaluate competitively*
14 *awarded grants.*

15 *SEC. 713. None of the funds in this Act shall be avail-*
16 *able to pay indirect costs charged against any agricultural*
17 *research, education, or extension grant awards issued by the*
18 *National Institute of Food and Agriculture that exceed 30*
19 *percent of total Federal funds provided under each award:*
20 *Provided, That notwithstanding section 1462 of the Na-*
21 *tional Agricultural Research, Extension, and Teaching Pol-*
22 *icy Act of 1977 (7 U.S.C. 3310), funds provided by this*
23 *Act for grants awarded competitively by the National Insti-*
24 *tute of Food and Agriculture shall be available to pay full*

1 *allowable indirect costs for each grant awarded under sec-*
2 *tion 9 of the Small Business Act (15 U.S.C. 638).*

3 *SEC. 714. None of the funds appropriated or otherwise*
4 *made available by this or any other Act shall be used to*
5 *pay the salaries and expenses of personnel to carry out the*
6 *following:*

7 *(1) The Watershed Rehabilitation program au-*
8 *thorized by section 14(h)(1) of the Watershed and*
9 *Flood Protection Act (16 U.S.C. 1012(h)(1));*

10 *(2) The Environmental Quality Incentives Pro-*
11 *gram as authorized by sections 1240–1240H of the*
12 *Food Security Act of 1985 (16 U.S.C. 3839aa–*
13 *3839aa–8) in excess of \$1,329,000,000: Provided,*
14 *That this limitation shall apply only to funds pro-*
15 *vided by section 1241(a)(5)(C) of the Food Security*
16 *Act of 1985 (16 U.S.C. 3841(a)(5)(C));*

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

21 *(4) The Biorefinery, Renewable Chemical and*
22 *Biobased Product Manufacturing Assistance program*
23 *as authorized by section 9003 of the Farm Security*
24 *and Rural Investment Act of 2002 (7 U.S.C. 8103) in*
25 *excess of \$27,000,000 of the funding appropriated by*

1 *subsection (g)(1)(A)(ii) of that section for fiscal year*
2 *2016.*

3 *SEC. 715. None of the funds appropriated or otherwise*
4 *made available by this or any other Act shall be used to*
5 *pay the salaries and expenses of personnel to carry out a*
6 *program under subsection (b)(2)(A)(viii) of section 14222*
7 *of Public Law 110–246 in excess of \$884,980,000, as fol-*
8 *lows: Child Nutrition Programs Entitlement Commod-*
9 *ities—\$465,000,000; State Option Contracts—\$5,000,000;*
10 *Removal of Defective Commodities—\$2,500,000: Provided,*
11 *That none of the funds made available in this Act or any*
12 *other Act shall be used for salaries and expenses to carry*
13 *out in this fiscal year section 19(i)(1)(E) of the Richard*
14 *B. Russell National School Lunch Act, as amended, except*
15 *in an amount that excludes the transfer of \$125,000,000*
16 *of the funds to be transferred under subsection (c) of section*
17 *14222 of Public Law 110–246, until October 1, 2016: Pro-*
18 *vided further, That \$125,000,000 made available on October*
19 *1, 2016, to carry out section 19(i)(1)(E) of the Richard B.*
20 *Russell National School Lunch Act, as amended, shall be*
21 *excluded from the limitation described in subsection*
22 *(b)(2)(A)(ix) of section 14222 of Public Law 110–246: Pro-*
23 *vided further, That none of the funds appropriated or other-*
24 *wise made available by this or any other Act shall be used*
25 *to pay the salaries or expenses of any employee of the De-*

1 *partment of Agriculture or officer of the Commodity Credit*
2 *Corporation to carry out clause 3 of section 32 of the Agri-*
3 *cultural Adjustment Act of 1935 (Public Law 74-320, 7*
4 *U.S.C. 612c, as amended), or for any surplus removal ac-*
5 *tivities or price support activities under section 5 of the*
6 *Commodity Credit Corporation Charter Act: Provided fur-*
7 *ther, That the available unobligated balances under*
8 *(b)(2)(A)(viii) of section 14222 of Public Law 110-246 in*
9 *excess of the limitation set forth in this section, except for*
10 *the amounts to be transferred pursuant to the first proviso,*
11 *are hereby permanently rescinded.*

12 *SEC. 716. None of the funds appropriated by this or*
13 *any other Act shall be used to pay the salaries and expenses*
14 *of personnel who prepare or submit appropriations lan-*
15 *guage as part of the President's budget submission to the*
16 *Congress for programs under the jurisdiction of the Appro-*
17 *priations Subcommittees on Agriculture, Rural Develop-*
18 *ment, Food and Drug Administration, and Related Agen-*
19 *cies that assumes revenues or reflects a reduction from the*
20 *previous year due to user fees proposals that have not been*
21 *enacted into law prior to the submission of the budget unless*
22 *such budget submission identifies which additional spend-*
23 *ing reductions should occur in the event the user fees pro-*
24 *posals are not enacted prior to the date of the convening*

1 of a committee of conference for the fiscal year 2017 appro-
2 priations Act.

3 SEC. 717. (a) None of the funds provided by this Act,
4 or provided by previous appropriations Acts to the agencies
5 funded by this Act that remain available for obligation or
6 expenditure in the current fiscal year, or provided from any
7 accounts in the Treasury derived by the collection of fees
8 available to the agencies funded by this Act, shall be avail-
9 able for obligation or expenditure through a reprogram-
10 ming, transfer of funds, or reimbursements as authorized
11 by the Economy Act, or in the case of the Department of
12 Agriculture, through use of the authority provided by sec-
13 tion 702(b) of the Department of Agriculture Organic Act
14 of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-
15 106 (7 U.S.C. 2263), that—

16 (1) creates new programs;

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

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

21 (4) relocates an office or employees;

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

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

1 *unless the Secretary of Agriculture, the Secretary of Health*
2 *and Human Services, or the Chairman of the Commodity*
3 *Futures Trading Commission (as the case may be) notifies*
4 *in writing and receives approval from the Committees on*
5 *Appropriations of both Houses of Congress at least 30 days*
6 *in advance of the reprogramming of such funds or the use*
7 *of such authority.*

8 *(b) None of the funds provided by this Act, or provided*
9 *by previous Appropriations Acts to the agencies funded by*
10 *this Act that remain available for obligation or expenditure*
11 *in the current fiscal year, or provided from any accounts*
12 *in the Treasury derived by the collection of fees available*
13 *to the agencies funded by this Act, shall be available for*
14 *obligation or expenditure for activities, programs, or*
15 *projects through a reprogramming or use of the authorities*
16 *referred to in subsection (a) involving funds in excess of*
17 *\$500,000 or 10 percent, whichever is less, that—*

18 *(1) augments existing programs, projects, or ac-*
19 *tivities;*

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*
25 *in existing programs, activities, or projects as ap-*

1 *proved by Congress; unless the Secretary of Agri-*
2 *culture, the Secretary of Health and Human Services,*
3 *or the Chairman of the Commodity Futures Trading*
4 *Commission (as the case may be) notifies in writing*
5 *and receives approval from the Committees on Appro-*
6 *priations of both Houses of Congress at least 30 days*
7 *in advance of the reprogramming or transfer of such*
8 *funds or the use of such authority.*

9 *(c) The Secretary of Agriculture, the Secretary of*
10 *Health and Human Services, or the Chairman of the Com-*
11 *modity Futures Trading Commission shall notify in writ-*
12 *ing and receive approval from the Committees on Appro-*
13 *priations of both Houses of Congress before implementing*
14 *any program or activity not carried out during the pre-*
15 *vious fiscal year unless the program or activity is funded*
16 *by this Act or specifically funded by any other Act.*

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

23 *(1) modifying major capital investments funding*
24 *levels, including information technology systems, that*
25 *involves increasing or decreasing funds in the current*

1 *fiscal year for the individual investment in excess of*
2 *\$500,000 or 10 percent of the total cost, whichever is*
3 *less;*

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

8 *(3) carrying out activities or functions that were*
9 *not described in the budget request; unless the agencies*
10 *funded by this Act notify, in writing, the Committees*
11 *on Appropriations of both Houses of Congress at least*
12 *30 days in advance of using the funds for these pur-*
13 *poses.*

14 *(e) As described in this section, no funds may be used*
15 *for any activities unless the Secretary of Agriculture, the*
16 *Secretary of Health and Human Services, or the Chairman*
17 *of the Commodity Futures Trading Commission receives*
18 *from the Committee on Appropriations of both Houses of*
19 *Congress written or electronic mail confirmation of receipt*
20 *of the notification as required in this section.*

21 *SEC. 718. Notwithstanding section 310B(g)(5) of the*
22 *Consolidated Farm and Rural Development Act (7 U.S.C.*
23 *1932(g)(5)), the Secretary may assess a one-time fee for any*
24 *guaranteed business and industry loan in an amount that*

1 *does not exceed 3 percent of the guaranteed principal por-*
2 *tion of the loan.*

3 *SEC. 719. None of the funds appropriated or otherwise*
4 *made available to the Department of Agriculture, the Food*
5 *and Drug Administration, the Commodity Futures Trading*
6 *Commission, or the Farm Credit Administration shall be*
7 *used to transmit or otherwise make available reports, ques-*
8 *tions, or responses to questions that are a result of informa-*
9 *tion requested for the appropriations hearing process to any*
10 *non-Department of Agriculture, non-Department of Health*
11 *and Human Services, non-Commodity Futures Trading*
12 *Commission, or non-Farm Credit Administration employee.*

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

21 *SEC. 721. No employee of the Department of Agri-*
22 *culture may be detailed or assigned from an agency or office*
23 *funded by this Act or any other Act to any other agency*
24 *or office of the Department for more than 60 days in a*
25 *fiscal year unless the individual's employing agency or of-*

1 *face is fully reimbursed by the receiving agency or office*
2 *for the salary and expenses of the employee for the period*
3 *of assignment.*

4 *SEC. 722. None of the funds made available by this*
5 *Act may be used to pay the salaries and expenses of per-*
6 *sonnel who provide nonrecourse marketing assistance loans*
7 *for mohair under section 1201 of the Agricultural Act of*
8 *2014 (Public Law 113–79).*

9 *SEC. 723. Not later than 30 days after the date of en-*
10 *actment of this Act, the Secretary of Agriculture, the Com-*
11 *missioner of the Food and Drug Administration, the Chair-*
12 *man of the Commodity Futures Trading Commission, and*
13 *the Chairman of the Farm Credit Administration shall sub-*
14 *mit to the Committees on Appropriations of both Houses*
15 *of Congress a detailed spending plan by program, project,*
16 *and activity for all the funds made available under this*
17 *Act including appropriated user fees, as defined in the ex-*
18 *planatory statement described in section 4 (in the matter*
19 *preceding division A of this consolidated Act).*

20 *SEC. 724. Funds made available under title II of the*
21 *Food for Peace Act (7 U.S.C. 1721 et seq.) may only be*
22 *used to provide assistance to recipient nations if adequate*
23 *monitoring and controls, as determined by the Adminis-*
24 *trator of the U.S. Agency for International Development,*
25 *are in place to ensure that emergency food aid is received*

1 *by the intended beneficiaries in areas affected by food short-*
2 *ages and not diverted for unauthorized or inappropriate*
3 *purposes.*

4 *SEC. 725. There is hereby appropriated \$1,996,000 to*
5 *carry out section 1621 of Public Law 110–246.*

6 *SEC. 726. The Secretary shall establish an inter-*
7 *mediary loan packaging program based on the pilot pro-*
8 *gram in effect for fiscal year 2013 for packaging and re-*
9 *viewing section 502 single family direct loans. The Sec-*
10 *retary shall enter into agreements with current inter-*
11 *mediary organizations and with additional qualified inter-*
12 *mediary organizations. The Secretary shall work with these*
13 *organizations to increase effectiveness of the section 502 sin-*
14 *gle family direct loan program in rural communities and*
15 *shall set aside and make available from the national reserve*
16 *section 502 loans an amount necessary to support the work*
17 *of such intermediaries and provide a priority for review*
18 *of such loans.*

19 *SEC. 727. For loans and loan guarantees that do not*
20 *require budget authority and the program level has been*
21 *established in this Act, the Secretary of Agriculture may*
22 *increase the program level for such loans and loan guaran-*
23 *tees by not more than 25 percent: Provided, That prior to*
24 *the Secretary implementing such an increase, the Secretary*

1 *notifies, in writing, the Committees on Appropriations of*
2 *both Houses of Congress at least 15 days in advance.*

3 *SEC. 728. There is hereby appropriated for the “Emer-*
4 *gency Watershed Protection Program”, \$157,000,000, to re-*
5 *main available until expended; for the “Emergency For-*
6 *estry Restoration Program”, \$6,000,000, to remain avail-*
7 *able until expended; and for the “Emergency Conservation*
8 *Program”, \$108,000,000, to remain available until ex-*
9 *pended: Provided, That \$37,000,000 made available for the*
10 *“Emergency Watershed Protection Program”; \$2,000,000*
11 *made available for the “Emergency Forestry Restoration*
12 *Program”; and \$91,000,000 made available for the “Emer-*
13 *gency Conservation Program” under this section are for*
14 *necessary expenses resulting from a major disaster declared*
15 *pursuant to the Robert T. Stafford Disaster Relief and*
16 *Emergency Assistance Act (42 U.S.C. 5121 et seq.), and are*
17 *designated by the Congress as being for disaster relief pur-*
18 *suant to section 251(b)(2)(D) of the Balanced Budget and*
19 *Emergency Deficit Control Act of 1985.*

20 *SEC. 729. None of the credit card refunds or rebates*
21 *transferred to the Working Capital Fund pursuant to sec-*
22 *tion 729 of the Agriculture, Rural Development, Food and*
23 *Drug Administration, and Related Agencies Appropria-*
24 *tions Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall*
25 *be available for obligation without written notification to,*

1 *and the prior approval of, the Committees on Appropria-*
2 *tions of both Houses of Congress: Provided, That the refunds*
3 *or rebates so transferred shall be available for obligation*
4 *only for the acquisition of plant and capital equipment nec-*
5 *essary for the delivery of financial, administrative, and in-*
6 *formation technology services of primary benefit to the*
7 *agencies of the Department of Agriculture.*

8 *SEC. 730. None of the funds made available by this*
9 *Act may be used to procure processed poultry products im-*
10 *ported into the United States from the People's Republic*
11 *of China for use in the school lunch program under the*
12 *Richard B. Russell National School Lunch Act (42 U.S.C.*
13 *1751 et seq.), the Child and Adult Food Care Program*
14 *under section 17 of such Act (42 U.S.C. 1766), the Summer*
15 *Food Service Program for Children under section 13 of such*
16 *Act (42 U.S.C. 1761), or the school breakfast program under*
17 *the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).*

18 *SEC. 731. In response to an eligible community where*
19 *the drinking water supplies are inadequate due to a natural*
20 *disaster, as determined by the Secretary, including drought*
21 *or severe weather, the Secretary may provide potable water*
22 *through the Emergency Community Water Assistance*
23 *Grant Program for an additional period of time not to ex-*
24 *ceed 120 days beyond the established period provided under*
25 *the Program in order to protect public health.*

1 *SEC. 732. Funds provided by this or any prior Appro-*
2 *priations Act for the Agriculture and Food Research Initia-*
3 *tive under 7 U.S.C. 450i(b) shall be made available without*
4 *regard to section 7128 of the Agricultural Act of 2014 (7*
5 *U.S.C. 3371 note), under the matching requirements in*
6 *laws in effect on the date before the date of enactment of*
7 *such section: Provided, That the requirements of 7 U.S.C.*
8 *450i(b)(9) shall continue to apply.*

9 *SEC. 733. (a) For the period beginning on the date*
10 *of enactment of this Act through school year 2016–2017,*
11 *with respect to the school lunch program established under*
12 *the Richard B. Russell National School Lunch Act (42*
13 *U.S.C. 1751 et seq.) or the school breakfast program estab-*
14 *lished under the Child Nutrition Act of 1966 (42 U.S.C.*
15 *1771 et seq.) and final regulations published by the Depart-*
16 *ment of Agriculture in the Federal Register on January 26,*
17 *2012 (77 Fed. Reg. 4088 et seq.), the Secretary shall allow*
18 *States to grant an exemption from the whole grain require-*
19 *ments that took effect on or after July 1, 2014, and the*
20 *States shall establish a process for evaluating and respond-*
21 *ing, in a reasonable amount of time, to requests for an ex-*
22 *emption: Provided, That school food authorities demonstrate*
23 *hardship, including financial hardship, in procuring spe-*
24 *cific whole grain products which are acceptable to the stu-*
25 *dents and compliant with the whole grain-rich require-*

1 *ments: Provided further, That school food authorities shall*
2 *comply with the applicable grain component or standard*
3 *with respect to the school lunch or school breakfast program*
4 *that was in effect prior to July 1, 2014.*

5 *(b) None of the funds appropriated or otherwise made*
6 *available by this or any other Act shall be used to pay the*
7 *salaries and expenses of personnel to implement any regula-*
8 *tions under the Richard B. Russell National School Lunch*
9 *Act (42 U.S.C. 1751 et seq.), the Child Nutrition Act of*
10 *1966 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free*
11 *Kids Act of 2010 (Public Law 111–296), or any other law*
12 *that would require a reduction in the quantity of sodium*
13 *contained in federally reimbursed meals, foods, and snacks*
14 *sold in schools below Target 1 (as described in section*
15 *220.8(f)(3) of title 7, Code of Federal Regulations (or suc-*
16 *cessor regulations)) until the latest scientific research estab-*
17 *lishes the reduction is beneficial for children.*

18 *SEC. 734. None of the funds made available by this*
19 *or any other Act may be used to release or implement the*
20 *final version of the eighth edition of the Dietary Guidelines*
21 *for Americans, revised pursuant to section 301 of the Na-*
22 *tional Nutrition Monitoring and Related Research Act of*
23 *1990 (7 U.S.C. 5341), unless the Secretary of Agriculture*
24 *and the Secretary of Health and Human Services ensure*
25 *that each revision to any nutritional or dietary information*

1 *or guideline contained in the 2010 edition of the Dietary*
2 *Guidelines for Americans and each new nutritional or die-*
3 *tary information or guideline to be included in the eighth*
4 *edition of the Dietary Guidelines for Americans—*

5 *(1) is based on significant scientific agreement;*

6 *and*

7 *(2) is limited in scope to nutritional and dietary*
8 *information.*

9 *SEC. 735. (a) Not later than 30 days after the date*
10 *of the enactment of this Act, the Secretary of Agriculture*
11 *shall engage the National Academy of Medicine to conduct*
12 *a comprehensive study of the entire process used to establish*
13 *the Advisory Committee for the Dietary Guidelines for*
14 *Americans and the subsequent development of the Dietary*
15 *Guidelines for Americans, most recently revised pursuant*
16 *to section 301 of the National Nutrition Monitoring and*
17 *Related Research Act of 1990 (7 U.S.C. 5341). The panel*
18 *of the National Academy of Medicine selected to conduct*
19 *the study shall include a balanced representation of individ-*
20 *uals with broad experiences and viewpoints regarding nu-*
21 *tritional and dietary information.*

22 *(b) The study required by subsection (a) shall include*
23 *the following:*

24 *(1) An analysis of each of the following:*

1 (A) *How the Dietary Guidelines for Ameri-*
2 *cans can better prevent chronic disease, ensure*
3 *nutritional sufficiency for all Americans, and*
4 *accommodate a range of individual factors, in-*
5 *cluding age, gender, and metabolic health.*

6 (B) *How the advisory committee selection*
7 *process can be improved to provide more trans-*
8 *parency, eliminate bias, and include committee*
9 *members with a range of viewpoints.*

10 (C) *How the Nutrition Evidence Library is*
11 *compiled and utilized, including whether Nutri-*
12 *tion Evidence Library reviews and other system-*
13 *atic reviews and data analysis are conducted ac-*
14 *cording to rigorous and objective scientific stand-*
15 *ards.*

16 (D) *How systematic reviews are conducted*
17 *on longstanding Dietary Guidelines for Ameri-*
18 *cans recommendations, including whether sci-*
19 *entific studies are included from scientists with*
20 *a range of viewpoints.*

21 (2) *Recommendations to improve the process*
22 *used to establish the Dietary Guidelines for Ameri-*
23 *cans and to ensure the Dietary Guidelines for Ameri-*
24 *cans reflect balanced sound science.*

1 (c) *There is hereby appropriated \$1,000,000 to conduct*
2 *the study required by subsection (a).*

3 SEC. 736. *The unobligated balances identified by the*
4 *Treasury Appropriation Fund Symbol 12X0113 are re-*
5 *scinded.*

6 SEC. 737. *None of the funds made available by this*
7 *Act may be used by the Secretary of Agriculture, acting*
8 *through the Food and Nutrition Service, to commence any*
9 *new research and evaluation projects until the Secretary*
10 *submits to the Committees on Appropriations of both*
11 *Houses of Congress a research and evaluation plan for fiscal*
12 *year 2016, prepared in coordination with the Research,*
13 *Education, and Economics mission area of the Department*
14 *of Agriculture, and a period of 30 days beginning on the*
15 *date of the submission of the plan expires to permit Con-*
16 *gressional review of the plan.*

17 SEC. 738. *Of the unobligated prior year funds identi-*
18 *fied by Treasury Appropriation Fund Symbol 12X1980*
19 *where obligations have been cancelled, \$13,000,000 is re-*
20 *scinded.*

21 SEC. 739. *The unobligated balances identified by the*
22 *Treasury Appropriation Fund Symbol 12X3318, 12X1010,*
23 *12X1090, 12X1907, 12X0402, 12X3508, and 12X3322 are*
24 *rescinded.*

1 *SEC. 740. Section 166 of the Federal Agriculture Im-*
2 *provement and Reform Act of 1996 (7 U.S.C. 7286) is*
3 *amended—*

4 *(1) by striking “and title I of the Food, Con-*
5 *serva-tion, and Energy Act of 2008” both places it ap-*
6 *pears and inserting “title I of the Food, Conserva-tion,*
7 *and Energy Act of 2008, and Subtitle B of title I of*
8 *the Agricultural Act of 2014”; and*

9 *(2) by amending paragraph (3) of subsection (c)*
10 *to read as follows:*

11 *“(3) APPLICATION OF AUTHORITY.—Beginning*
12 *with the 2015 crop marketing year, the Secretary*
13 *shall carry out paragraph (1) under the same terms*
14 *and conditions as were in effect for the 2008 crop*
15 *year for loans made to producers under subtitle B of*
16 *title I of the Food, Conserva-tion, and Energy Act of*
17 *2008 (7 U.S.C. 8701 et seq.).”.*

18 *SEC. 741. (a) There is hereby appropriated \$5,000,000*
19 *to provide competitive grants to State agencies for sub-*
20 *grants to local educational agencies and schools to purchase*
21 *the equipment needed to serve healthier meals, improve food*
22 *safety, and to help support the establishment, maintenance,*
23 *or expansion of the school breakfast program, to remain*
24 *available until expended.*

1 (b) *There is hereby appropriated \$7,000,000 to carry*
2 *out section 749(g) of the Agriculture Appropriations Act of*
3 *2010 (Public Law 111–80), to remain available until ex-*
4 *pended.*

5 *SEC. 742. Of the unobligated balances identified by the*
6 *Treasury Appropriation Fund Symbol 12X1072,*
7 *\$20,000,000 is hereby rescinded: Provided, That no*
8 *amounts may be rescinded from amounts that were des-*
9 *ignated by Congress as an emergency requirement or for*
10 *disaster relief requirement pursuant to a Concurrent Reso-*
11 *lution on the Budget or the Balanced Budget and Emer-*
12 *gency Deficit Control Act of 1985.*

13 *SEC. 743. In carrying out subsection (h) of section 502*
14 *of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary*
15 *of Agriculture shall have the same authority with respect*
16 *to loans guaranteed under such section and eligible lenders*
17 *for such loans as the Secretary has under subsections (h)*
18 *and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with*
19 *respect to loans guaranteed under such section 538 and eli-*
20 *gible lenders for such loans.*

21 *SEC. 744. There is hereby appropriated \$8,000,000, to*
22 *remain available until expended, to carry out section 6407*
23 *of the Farm Security and Rural Investment Act of 2002*
24 *(7 U.S.C. 8107a): Provided, That the Secretary launch the*
25 *program authorized by this section during the 2016 fiscal*

1 *year and that it be carried out through the Rural Utilities*
2 *Service: Provided further, That, within 60 days of enact-*
3 *ment of this Act, the Secretary shall provide a report to*
4 *the Committees on Appropriations of both Houses of Con-*
5 *gress on how the Rural Utilities Service will implement sec-*
6 *tion 6407 during the 2016 fiscal year.*

7 *SEC. 745. Of the unobligated balances of appropri-*
8 *ations in Public Law 108–199, Public Law 109–234, and*
9 *Public Law 110–28 made available for the “Emergency Wa-*
10 *tershed Protection Program”, \$2,400,000 shall be available*
11 *for the purposes of such program for any disaster occurring*
12 *fiscal year 2016 or fiscal year 2017, and shall remain avail-*
13 *able until expended.*

14 *SEC. 746. None of the funds made available by this*
15 *Act may be used to propose, promulgate, or implement any*
16 *rule, or take any other action with respect to, allowing or*
17 *requiring information intended for a prescribing health*
18 *care professional, in the case of a drug or biological product*
19 *subject to section 503(b)(1) of the Federal Food, Drug, and*
20 *Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to*
21 *such professional electronically (in lieu of in paper form)*
22 *unless and until a Federal law is enacted to allow or re-*
23 *quire such distribution.*

24 *SEC. 747. None of the funds made available by this*
25 *Act may be used to implement, administer, or enforce the*

1 *final rule entitled “Food Labeling; Nutrition Labeling of*
2 *Standard Menu Items in Restaurants and Similar Retail*
3 *Food Establishments” published by the Food and Drug Ad-*
4 *ministration in the Federal Register on December 1, 2014*
5 *(79 Fed. Reg. 71156 et seq.) until the later of—*

6 (1) *December 1, 2016; or*

7 (2) *the date that is one year after the date on*
8 *which the Secretary of Health and Human Services*
9 *publishes Level 1 guidance with respect to nutrition*
10 *labeling of standard menu items in restaurants and*
11 *similar retail food establishments in accordance with*
12 *paragraphs (g)(1)(i), (g)(1)(ii), (g)(1)(iii), and*
13 *(g)(1)(iv) of section 10.115 of title 21, Code of Federal*
14 *Regulations.*

15 *SEC. 748. In addition to funds appropriated in this*
16 *Act, there is hereby appropriated \$250,000,000, to remain*
17 *available until expended, under the heading “Food for*
18 *Peace Title II Grants”: Provided, That the funds made*
19 *available under this section shall be used for the purposes*
20 *set forth in the Food for Peace Act for both emergency and*
21 *non-emergency purposes: Provided further, That the funds*
22 *made available by this section used for emergency programs*
23 *may be prioritized to respond to emergency food needs in-*
24 *volving conflict in the Middle East and to address other*
25 *urgent food needs around the world: Provided further, That*

1 of the funds made available under this section, \$20,000,000
2 shall be used to reimburse the Commodity Credit Corpora-
3 tion for the release of eligible commodities under section
4 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act
5 (7 U.S.C. 1736f-1).

6 SEC. 749. None of the funds made available by this
7 Act may be used to notify a sponsor or otherwise acknowl-
8 edge receipt of a submission for an exemption for investiga-
9 tional use of a drug or biological product under section
10 505(i) of the Federal Food, Drug, and Cosmetic Act (21
11 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
12 Service Act (42 U.S.C. 262(a)(3)) in research in which a
13 human embryo is intentionally created or modified to in-
14 clude a heritable genetic modification. Any such submission
15 shall be deemed to have not been received by the Secretary,
16 and the exemption may not go into effect.

17 SEC. 750. None of the funds made available by this
18 or any other Act may be used to implement or enforce any
19 provision of the FDA Food Safety Modernization Act (Pub-
20 lic Law 111-353), including the amendments made thereby,
21 with respect to the regulation of the distribution, sale, or
22 receipt of dried spent grain byproducts of the alcoholic bev-
23 erage production process, irrespective of whether such by-
24 products are solely intended for use as animal feed.

1 *SEC. 751. (a) Of the unobligated balances from*
2 *amounts made available in fiscal year 2015 for the supple-*
3 *mental nutrition program as authorized by section 17 of*
4 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*
5 *\$220,000,000 are hereby rescinded.*

6 *(b) In addition to amounts provided elsewhere in this*
7 *Act, there is hereby appropriated for “Special Supple-*
8 *mental Nutrition Program for Women, Infants, and Chil-*
9 *dren”, \$220,000,000, to remain available until expended,*
10 *for management information systems, including WIC elec-*
11 *tronic benefit transfer systems and activities.*

12 *SEC. 752. (a) The Secretary of Agriculture shall—*

13 *(1) within 4 months of the date of enactment of*
14 *this Act, establish a prioritization process for APHIS*
15 *to conduct audits or reviews of countries or regions*
16 *that have received animal health status recognitions*
17 *by APHIS and provide a description of this process*
18 *to the Committee on Appropriations of the House,*
19 *Committee on Appropriations of the Senate, Com-*
20 *mittee on Agriculture of the House, and Committee on*
21 *Agriculture, Nutrition, and Forestry of the Senate;*

22 *(2) conduct audits in a manner that evaluates*
23 *the following factors in the country or region being*
24 *audited, as applicable:*

25 *(A) veterinary control and oversight;*

1 (B) disease history and vaccination prac-
2 tices;

3 (C) livestock demographics and traceability;

4 (D) epidemiological separation from poten-
5 tial sources of infection;

6 (E) surveillance practices;

7 (F) diagnostic laboratory capabilities; and

8 (G) emergency preparedness and response.

9 (3) promptly make publicly available the final
10 reports of any audits or reviews conducted pursuant
11 to subsection (2); and

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

15 SEC. 753. None of the funds made available by this
16 Act may be used to carry out any activities or incur any
17 expense related to the issuance of licenses under section 3
18 of the Animal Welfare Act (7 U.S.C. 2133), or the renewal
19 of such licenses, to class B dealers who sell dogs and cats
20 for use in research, experiments, teaching, or testing.

21 SEC. 754. No partially hydrogenated oils as defined
22 in the order published by the Food and Drug Administra-
23 tion in the Federal Register on June 17, 2015 (80 Fed. Reg.
24 34650 et seq.) shall be deemed unsafe within the meaning
25 of section 409(a) and no food that is introduced or delivered

1 *for introduction into interstate commerce that bears or con-*
2 *tains a partially hydrogenated oil shall be deemed adulter-*
3 *ated under sections 402(a)(1) or 402(a)(2)(C)(i) by virtue*
4 *of bearing or containing a partially hydrogenated oil until*
5 *the compliance date as specified in such order (June 18,*
6 *2018).*

7 *SEC. 755. Notwithstanding any other provision of*
8 *law—*

9 *(1) the Secretary of Agriculture shall implement sec-*
10 *tion 12106 of the Agricultural Act of 2014 and the amend-*
11 *ments made by such section (21 U.S.C. 601 note; Public*
12 *Law 113–79), including any regulation or guidance the*
13 *Secretary of Agriculture issues to carry out such section or*
14 *the amendments made by such section; and*

15 *(2) the Secretary of Health and Human Services shall*
16 *implement section 403(t) of the Federal Food, Drug, and*
17 *Cosmetic Act (21 U.S.C. 343(t)), including any regulation*
18 *or guidance the Secretary of Health and Human Services*
19 *issues to carry out such section.*

20 *SEC. 756. There is hereby appropriated \$600,000 for*
21 *the purposes of section 727 of division A of Public Law*
22 *112–55.*

23 *SEC. 757. In addition to amounts otherwise made*
24 *available by this Act and notwithstanding the last sentence*
25 *of 16 U.S.C. 1310, there is appropriated \$4,000,000, to re-*

1 *main available until expended, to implement non-renewable*
2 *agreements on eligible lands, including flooded agricultural*
3 *lands, as determined by the Secretary, under the Water*
4 *Bank Act (16 U.S.C. 1301–1311).*

5 *SEC. 758. The Secretary shall set aside for Rural Eco-*
6 *nomic Area Partnership (REAP) Zones, until August 15,*
7 *2016, an amount of funds made available in title III under*
8 *the headings of Rural Housing Insurance Fund Program*
9 *Account, Mutual and Self-Help Housing Grants, Rural*
10 *Housing Assistance Grants, Rural Community Facilities*
11 *Program Account, Rural Business Program Account, Rural*
12 *Development Loan Fund Program Account, and Rural*
13 *Water and Waste Disposal Program Account, equal to the*
14 *amount obligated in REAP Zones with respect to funds*
15 *provided under such headings in the most recent fiscal year*
16 *any such funds were obligated under such headings for*
17 *REAP Zones.*

18 *SEC. 759. (a) Section 281 of the Agricultural Mar-*
19 *keting Act of 1946 (7 U.S.C. 1638) is amended—*

20 *(1) by striking paragraphs (1) and (7);*

21 *(2) by redesignating paragraphs (2), (3), (4),*
22 *(5), (6), (8), and (9) as paragraphs (1), (2), (3), (4),*
23 *(5), (6), and (7), respectively; and*

24 *(3) in paragraph (1)(A) (as so redesignated)—*

1 (A) in clause (i), by striking “beef,” and “,
2 pork,”; and

3 (B) in clause (ii), by striking “ground
4 beef,” and “, ground pork,”.

5 (b) Section 282 of the Agricultural Marketing Act of
6 1946 (7 U.S.C. 1638a) is amended—

7 (1) in subsection (a)(2)—

8 (A) in the heading, by striking “BEEF,” and
9 “PORK,”;

10 (B) by striking “beef,” and “pork,” each
11 place it appears in subparagraphs (A), (B), (C),
12 and (D); and

13 (C) in subparagraph (E)—

14 (i) in the heading, by striking “BEEF,
15 PORK,”; and

16 (ii) by striking “ground beef, ground
17 pork,” each place it appears; and

18 (2) in subsection (f)(2)—

19 (A) by striking subparagraphs (B) and (C);
20 and

21 (B) by redesignating subparagraphs (D)
22 and (E) as subparagraphs (B) and (C), respec-
23 tively.

24 SEC. 760. The Secretary of Agriculture and the Sec-
25 retary’s designees are hereby granted the same access to in-

1 *formation and subject to the same requirements applicable*
2 *to the Secretary of Housing and Urban Development as*
3 *provided in section 453(j) of the Social Security Act (42*
4 *U.S.C. 653(j)) and section 6103(l)(7)(D)(ix) of the Internal*
5 *Revenue Code of 1986 (26 U.S.C. 6103(l)(7)(D)(ix)) to*
6 *verify the income for individuals participating in sections*
7 *502, 504, 521, and 542 of the Housing Act of 1949 (42*
8 *U.S.C. 1472, 1474, 1490a, and 1490r).*

9 *SEC. 761. (a) During fiscal year 2016, the Food and*
10 *Drug Administration (FDA) shall not allow the introduc-*
11 *tion or delivery for introduction into interstate commerce*
12 *of any food that contains genetically engineered salmon*
13 *until FDA publishes final labeling guidelines for informing*
14 *consumers of such content; and*

15 *(b) Of the amounts made available to the Food and*
16 *Drug Administration, Salaries and Expenses, not less than*
17 *\$150,000 shall be used to develop labeling guidelines and*
18 *implement a program to disclose to consumers whether*
19 *salmon offered for sale to consumers is a genetically engi-*
20 *neered variety.*

21 *SEC. 762. The Secretary may charge a fee for lenders*
22 *to access Department loan guarantee systems in connection*
23 *with such lenders' participation in loan guarantee pro-*
24 *grams of the Rural Housing Service: Provided, That the*
25 *funds collected from such fees shall be made available to*

1 *the Secretary without further appropriation and such funds*
2 *shall be deposited into the Rural Development Salaries and*
3 *Expense Account and shall remain available until expended*
4 *for obligation and expenditure by the Secretary for admin-*
5 *istrative expenses of the Rural Housing Service Loan Guar-*
6 *antee Program in addition to other available funds: Pro-*
7 *vided further, That such fees collected shall not exceed \$50*
8 *per loan.*

9 *SEC. 763. None of the funds made available by this*
10 *Act or any other Act may be used—*

11 *(1) in contravention of section 7606 of the Agri-*
12 *cultural Act of 2014 (7 U.S.C. 5940); or*

13 *(2) to prohibit the transportation, processing,*
14 *sale, or use of industrial hemp that is grown or cul-*
15 *tivated in accordance with subsection section 7606 of*
16 *the Agricultural Act of 2014, within or outside the*
17 *State in which the industrial hemp is grown or cul-*
18 *tivated.*

19 *SEC. 764. For an additional amount for “Animal and*
20 *Plant Health Inspection Service, Salaries and Expenses”,*
21 *\$5,500,000, to remain available until September 30, 2017,*
22 *for one-time control and management and associated activi-*
23 *ties directly related to the multiple-agency response to citrus*
24 *greening.*

1 *SEC. 765. Section 529(b)(5) of the Federal Food, Drug,*
2 *and Cosmetic Act (21 U.S.C. 360ff(b)(5)) is amended by*
3 *striking “the last day” and all that follows through the pe-*
4 *riod at the end and inserting “September 30, 2016.”.*

5 *SEC. 766. Notwithstanding any other provision of law,*
6 *for purposes of applying the Federal Food, Drug, and Cos-*
7 *metic Act (21 U.S.C. 301 et seq.)—*

8 *(1) the acceptable market name of *Gadus**
9 *chalcogrammus, formerly known as *Theragra**
10 *chalcogramma, is “pollock”; and*

11 *(2) the term “Alaskan Pollock” or “‘Alaska Pol-*
12 *lock’” may be used in labeling to refer solely to “pol-*
13 *lock” harvested in the State waters of Alaska or the*
14 *exclusive economic zone (as that term is defined in*
15 *section 3 of the Magnuson-Stevens Fishery Conserva-*
16 *tion and Management Act (16 U.S.C. 1802)) adjacent*
17 *to Alaska.*

18 *SEC. 767. None of the funds appropriated or otherwise*
19 *made available by this Act shall be used to pay the salaries*
20 *and expenses of personnel—*

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

23 *(2) to inspect horses under section 903 of the*
24 *Federal Agriculture Improvement and Reform Act of*
25 *1996 (7 U.S.C. 1901 note; Public Law 104–127); or*

1 *zens of the United States and aliens by contract for services;*
2 *rental of space abroad for periods not exceeding 10 years,*
3 *and expenses of alteration, repair, or improvement; pur-*
4 *chase or construction of temporary demountable exhibition*
5 *structures for use abroad; payment of tort claims, in the*
6 *manner authorized in the first paragraph of section 2672*
7 *of title 28, United States Code, when such claims arise in*
8 *foreign countries; not to exceed \$294,300 for official rep-*
9 *resentation expenses abroad; purchase of passenger motor*
10 *vehicles for official use abroad, not to exceed \$45,000 per*
11 *vehicle; obtaining insurance on official motor vehicles; and*
12 *rental of tie lines, \$493,000,000, to remain available until*
13 *September 30, 2017, of which \$10,000,000 is to be derived*
14 *from fees to be retained and used by the International Trade*
15 *Administration, notwithstanding section 3302 of title 31,*
16 *United States Code: Provided, That, of amounts provided*
17 *under this heading, not less than \$16,400,000 shall be for*
18 *China antidumping and countervailing duty enforcement*
19 *and compliance activities: Provided further, That of the*
20 *amounts provided for the International Trade Administra-*
21 *tion under this title, \$5,000,000 shall not be available for*
22 *obligation or expenditure until 15 days after the Undersec-*
23 *retary of Commerce for International Trade submits to the*
24 *Committees on Appropriations of the House of Representa-*
25 *tives and the Senate the report and certification detailed*

1 *in the explanatory statement described in section 4 (in the*
2 *matter preceding division A of this consolidated Act): Pro-*
3 *vided further, That the provisions of the first sentence of*
4 *section 105(f) and all of section 108(c) of the Mutual Edu-*
5 *cational and Cultural Exchange Act of 1961 (22 U.S.C.*
6 *2455(f) and 2458(c)) shall apply in carrying out these ac-*
7 *tivities; and that for the purpose of this Act, contributions*
8 *under the provisions of the Mutual Educational and Cul-*
9 *tural Exchange Act of 1961 shall include payment for as-*
10 *sessments for services provided as part 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), \$222,000,000, to*

1 *remain available until expended, of which \$15,000,000 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 *\$32,000,000.*

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, \$109,000,000, to remain available until Sep-*
24 *tember 30, 2017.*

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, \$1,100,000,000,*
19 *to remain available until September 30, 2017: 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, \$1,551,000*
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), \$39,500,000, to remain available until*
23 *September 30, 2017: 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, \$3,272,000,000, 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 2016, so as
6 to result in a fiscal year 2016 appropriation from the gen-
7 eral fund estimated at \$0: Provided further, That during
8 fiscal year 2016, should the total amount of such offsetting
9 collections be less than \$3,272,000,000 this amount shall be
10 reduced accordingly: Provided further, That any amount re-
11 ceived in excess of \$3,272,000,000 in fiscal year 2016 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 2016 for official reception and*
2 *representation expenses: Provided further, That in fiscal*
3 *year 2016 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 *CONSTRUCTION OF RESEARCH FACILITIES*

4 *For construction of new research facilities, including*
5 *architectural and engineering design, and for renovation*
6 *and maintenance of existing facilities, not otherwise pro-*
7 *vided for the National Institute of Standards and Tech-*
8 *nology, as authorized by sections 13 through 15 of the Na-*
9 *tional Institute of Standards and Technology Act (15*
10 *U.S.C. 278c–278e), \$119,000,000, to remain available until*
11 *expended: Provided, That the Secretary of Commerce shall*
12 *include in the budget justification materials that the Sec-*
13 *retary submits to Congress in support of the Department*
14 *of Commerce budget (as submitted with the budget of the*
15 *President under section 1105(a) of title 31, United States*
16 *Code) an estimate for each National Institute of Standards*
17 *and Technology construction project having a total multi-*
18 *year program cost of more than \$5,000,000, and simulta-*
19 *neously the budget justification materials shall include an*
20 *estimate of the budgetary requirements for each such project*
21 *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 \$3,305,813,000, to remain available until September 30,
11 2017, except that funds provided for cooperative enforce-
12 ment shall remain available until September 30, 2018: 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 \$3,453,477,000 provided for in direct obligations under this
2 heading, \$3,305,813,000 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 \$226,300,000:
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. 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 *\$2,400,416,000, to remain available until September 30,*

1 2018, 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 \$2,413,416,000 provided for in direct obligations under this
5 heading, \$2,400,416,000 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 \$80,050,000 shall not be available for obligation or expendi-

1 *ture until 15 days after the Under Secretary of Commerce*
2 *for Oceans and Atmosphere submits to the Committees on*
3 *Appropriations of the House of Representatives and the*
4 *Senate a fleet modernization and recapitalization plan:*
5 *Provided further, That, within the amounts appropriated,*
6 *\$1,302,000 shall be transferred to the “Office of Inspector*
7 *General” account for activities associated with carrying out*
8 *investigations and audits related to satellite procurement,*
9 *acquisition and construction.*

10 *PACIFIC COASTAL SALMON RECOVERY*

11 *For necessary expenses associated with the restoration*
12 *of Pacific salmon populations, \$65,000,000, to remain*
13 *available until September 30, 2017: Provided, That, of the*
14 *funds provided herein, the Secretary of Commerce may*
15 *issue grants to the States of Washington, Oregon, Idaho,*
16 *Nevada, California, and Alaska, and to the Federally recog-*
17 *nized tribes of the Columbia River and Pacific Coast (in-*
18 *cluding Alaska), for projects necessary for conservation of*
19 *salmon and steelhead populations that are listed as threat-*
20 *ened or endangered, or that are identified by a State as*
21 *at-risk to be so listed, for maintaining populations nec-*
22 *essary for exercise of tribal treaty fishing rights or native*
23 *subsistence fishing, or for conservation of Pacific coastal*
24 *salmon and steelhead habitat, based on guidelines to be de-*
25 *veloped by the Secretary of Commerce: Provided further,*

1 *That all funds shall be allocated based on scientific and*
2 *other merit principles and shall not be available for mar-*
3 *keting activities: Provided further, That funds disbursed to*
4 *States shall be subject to a matching requirement of funds*
5 *or documented in-kind contributions of at least 33 percent*
6 *of the Federal funds.*

7 *FISHERMEN'S CONTINGENCY FUND*

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

12 *FISHERIES FINANCE PROGRAM ACCOUNT*

13 *Subject to section 502 of the Congressional Budget Act*
14 *of 1974, during fiscal year 2016, obligations of direct loans*
15 *may not exceed \$24,000,000 for Individual Fishing Quota*
16 *loans and not to exceed \$100,000,000 for traditional direct*
17 *loans as authorized by the Merchant Marine Act of 1936.*

18 *DEPARTMENTAL MANAGEMENT*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses for the management of the De-*
21 *partment of Commerce provided for by law, including not*
22 *to exceed \$4,500 for official reception and representation,*
23 *\$58,000,000: Provided, That within amounts provided, the*
24 *Secretary of Commerce may use up to \$2,500,000 to engage*
25 *in activities to provide businesses and communities with*

1 *information about and referrals to relevant Federal, State,*
2 *and local government programs.*

3 *RENOVATION AND MODERNIZATION*

4 *For necessary expenses for the renovation and mod-*
5 *ernization of Department of Commerce facilities,*
6 *\$19,062,000, to remain available until expended.*

7 *OFFICE OF INSPECTOR GENERAL*

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

11 *GENERAL PROVISIONS—DEPARTMENT OF COMMERCE*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *SEC. 101. During the current fiscal year, applicable*
14 *appropriations and funds made available to the Depart-*
15 *ment of Commerce by this Act shall be available for the*
16 *activities specified in the Act of October 26, 1949 (15 U.S.C.*
17 *1514), to the extent and in the manner prescribed by the*
18 *Act, and, notwithstanding 31 U.S.C. 3324, may be used for*
19 *advanced payments not otherwise authorized only upon the*
20 *certification of officials designated by the Secretary of Com-*
21 *merce that such payments are in the public interest.*

22 *SEC. 102. During the current fiscal year, appropria-*
23 *tions made available to the Department of Commerce by*
24 *this Act for salaries and expenses shall be available for hire*
25 *of passenger motor vehicles as authorized by 31 U.S.C. 1343*

1 *and 1344; services as authorized by 5 U.S.C. 3109; and uni-*
2 *forms or allowances therefor, as authorized by law (5 U.S.C.*
3 *5901–5902).*

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

19 *SEC. 104. The requirements set forth by section 105*
20 *of the Commerce, Justice, Science, and Related Agencies*
21 *Appropriations Act, 2012 (Public Law 112–55), as amend-*
22 *ed by section 105 of title I of division B of Public Law*
23 *113–6, are hereby adopted by reference and made applicable*
24 *with respect to fiscal year 2016: Provided, That the life*
25 *cycle cost for the Joint Polar Satellite System is*

1 \$11,322,125,000 and the life cycle cost for the Geostationary
2 Operational Environmental Satellite R-Series Program is
3 \$10,828,059,000.

4 *SEC. 105. Notwithstanding any other provision of law,*
5 *the Secretary may furnish services (including but not lim-*
6 *ited to utilities, telecommunications, and security services)*
7 *necessary to support the operation, maintenance, and im-*
8 *provement of space that persons, firms, or organizations are*
9 *authorized, pursuant to the Public Buildings Cooperative*
10 *Use Act of 1976 or other authority, to use or occupy in*
11 *the Herbert C. Hoover Building, Washington, DC, or other*
12 *buildings, the maintenance, operation, and protection of*
13 *which has been delegated to the Secretary from the Adminis-*
14 *trator of General Services pursuant to the Federal Property*
15 *and Administrative Services Act of 1949 on a reimbursable*
16 *or non-reimbursable basis. Amounts received as reimburse-*
17 *ment for services provided under this section or the author-*
18 *ity under which the use or occupancy of the space is author-*
19 *ized, up to \$200,000, shall be credited to the appropriation*
20 *or fund which initially bears the costs of such services.*

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

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

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

23 *SEC. 109. The Secretary of Commerce may waive the*
24 *requirement for bonds under 40 U.S.C. 3131 with respect*
25 *to contracts for the construction, alteration, or repair of ves-*

1 *sels, regardless of the terms of the contracts as to payment*
2 *or title, when the contract is made under the Coast and*
3 *Geodetic Survey Act of 1947 (33 U.S.C. 883a et seq.).*

4 *SEC. 110. (a) None of the funds made available by this*
5 *Act or any other appropriations Act may be used by the*
6 *Secretary of Commerce for management activities pursuant*
7 *to the Fishery Management Plan for the Reef Fish Re-*
8 *sources of the Gulf of Mexico or any amendment to such*
9 *Plan unless such management is conducted beyond the sea-*
10 *ward boundary of a coastal State as set out under sub-*
11 *section (b).*

12 *(b) Notwithstanding any other provision of law, for*
13 *the purpose of carrying out activities pursuant to the Fish-*
14 *ery Management Plan for the Reef Fish Resources of the*
15 *Gulf of Mexico or any amendment to such Plan, the sea-*
16 *ward boundary of a coastal State in the Gulf of Mexico*
17 *is a line 9 nautical miles seaward from the baseline from*
18 *which the territorial sea of the United States is measured.*

19 *SEC. 111. To carry out the responsibilities of the Na-*
20 *tional Oceanic and Atmospheric Administration (NOAA),*
21 *the Administrator of NOAA is authorized to: (1) enter into*
22 *grants and cooperative agreements with; (2) use on a non-*
23 *reimbursable basis land, services, equipment, personnel, and*
24 *facilities provided by; and (3) receive and expend funds*
25 *made available on a consensual basis from: a Federal agen-*

1 *cy, State or subdivision thereof, local government, tribal*
2 *government, territory, or possession or any subdivisions*
3 *thereof: Provided, That funds received for permitting and*
4 *related regulatory activities pursuant to this section shall*
5 *be deposited under the heading “National Oceanic and At-*
6 *mospheric Administration—Operations, Research, and Fa-*
7 *cilities” and shall remain available until September 30,*
8 *2018, for such purposes: Provided further, That all funds*
9 *within this section and their corresponding uses are subject*
10 *to section 505 of this Act.*

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

23 *This title may be cited as the “Department of Com-*
24 *merce Appropriations Act, 2016”.*

1

TITLE II

2

DEPARTMENT OF JUSTICE

3

GENERAL ADMINISTRATION

4

SALARIES AND EXPENSES

5

For expenses necessary for the administration of the

6

Department of Justice, \$111,500,000, of which not to exceed

7

\$4,000,000 for security and construction of Department of

8

Justice facilities shall remain available until expended.

9

JUSTICE INFORMATION SHARING TECHNOLOGY

10

(INCLUDING TRANSFER OF FUNDS)

11

For necessary expenses for information sharing tech-

12

nology, including planning, development, deployment and

13

departmental direction, \$31,000,000, to remain available

14

until expended: Provided, That the Attorney General may

15

transfer up to \$35,400,000 to this account, from funds

16

available to the Department of Justice for information tech-

17

nology, to remain available until expended, for enterprise-

18

wide information technology initiatives: Provided further,

19

That the transfer authority in the preceding proviso is in

20

addition to any other transfer authority contained in this

21

Act.

22

ADMINISTRATIVE REVIEW AND APPEALS

23

(INCLUDING TRANSFER OF FUNDS)

24

For expenses necessary for the administration of par-

25

don and clemency petitions and immigration-related activi-

1 *ties, \$426,791,000, of which \$4,000,000 shall be derived by*
2 *transfer from the Executive Office for Immigration Review*
3 *fees deposited in the “Immigration Examinations Fee” ac-*
4 *count: Provided, That of the amount available for the Exec-*
5 *utive Office for Immigration Review, not to exceed*
6 *\$15,000,000 shall remain available until expended.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-*
9 *eral, \$93,709,000, including not to exceed \$10,000 to meet*
10 *unforeseen emergencies of a confidential character.*

11 *UNITED STATES PAROLE COMMISSION*

12 *SALARIES AND EXPENSES*

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

19 *LEGAL ACTIVITIES*

20 *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

21 *For expenses necessary for the legal activities of the*
22 *Department of Justice, not otherwise provided for, includ-*
23 *ing not to exceed \$20,000 for expenses of collecting evidence,*
24 *to be expended under the direction of, and to be accounted*
25 *for solely under the certificate of, the Attorney General; and*

1 *rent of private or Government-owned space in the District*
2 *of Columbia, \$893,000,000, of which not to exceed*
3 *\$20,000,000 for litigation support contracts shall remain*
4 *available until expended: Provided, That of the amount pro-*
5 *vided for INTERPOL Washington dues payments, not to*
6 *exceed \$685,000 shall remain available until expended: Pro-*
7 *vided further, That of the total amount appropriated, not*
8 *to exceed \$9,000 shall be available to INTERPOL Wash-*
9 *ington for official reception and representation expenses:*
10 *Provided further, That notwithstanding section 205 of this*
11 *Act, upon a determination by the Attorney General that*
12 *emergent circumstances require additional funding for liti-*
13 *gation activities of the Civil Division, the Attorney General*
14 *may transfer such amounts to “Salaries and Expenses,*
15 *General Legal Activities” 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: Provided further, That of the amount*
23 *appropriated, such sums as may be necessary shall be avail-*
24 *able to the Civil Rights Division for salaries and expenses*
25 *associated with the election monitoring program under sec-*

1 *tion 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305)*
2 *and to reimburse the Office of Personnel Management for*
3 *such salaries and expenses: Provided further, That of the*
4 *amounts provided under this heading for the election moni-*
5 *toring program, \$3,390,000 shall remain available until ex-*
6 *pended.*

7 *In addition, for reimbursement of expenses of the De-*
8 *partment of Justice associated with processing cases under*
9 *the National Childhood Vaccine Injury Act of 1986, not to*
10 *exceed \$9,358,000, to be appropriated from the Vaccine In-*
11 *jury Compensation Trust Fund.*

12 *SALARIES AND EXPENSES, ANTITRUST DIVISION*

13 *For expenses necessary for the enforcement of antitrust*
14 *and kindred laws, \$164,977,000, to remain available until*
15 *expended: Provided, That notwithstanding any other provi-*
16 *sion of law, fees collected for premerger notification filings*
17 *under the Hart-Scott-Rodino Antitrust Improvements Act*
18 *of 1976 (15 U.S.C. 18a), regardless of the year of collection*
19 *(and estimated to be \$124,000,000 in fiscal year 2016),*
20 *shall be retained and used for necessary expenses in this*
21 *appropriation, and shall remain available until expended:*
22 *Provided further, That the sum herein appropriated from*
23 *the general fund shall be reduced as such offsetting collec-*
24 *tions are received during fiscal year 2016, so as to result*

1 *in a final fiscal year 2016 appropriation from the general*
2 *fund estimated at \$40,977,000.*

3 *SALARIES AND EXPENSES, UNITED STATES ATTORNEYS*

4 *For necessary expenses of the Offices of the United*
5 *States Attorneys, including inter-governmental and cooper-*
6 *ative agreements, \$2,000,000,000: Provided, That of the*
7 *total amount appropriated, not to exceed \$7,200 shall be*
8 *available for official reception and representation expenses:*
9 *Provided further, That not to exceed \$25,000,000 shall re-*
10 *main available until expended: Provided further, That each*
11 *United States Attorney shall establish or participate in a*
12 *task force on human trafficking.*

13 *UNITED STATES TRUSTEE SYSTEM FUND*

14 *For necessary expenses of the United States Trustee*
15 *Program, as authorized, \$225,908,000, to remain available*
16 *until expended: Provided, That, notwithstanding any other*
17 *provision of law, deposits to the United States Trustee Sys-*
18 *tem Fund and amounts herein appropriated shall be avail-*
19 *able in such amounts as may be necessary to pay refunds*
20 *due depositors: Provided further, That, notwithstanding*
21 *any other provision of law, fees collected pursuant to section*
22 *589a(b) of title 28, United States Code, shall be retained*
23 *and used for necessary expenses in this appropriation and*
24 *shall remain available until expended: Provided further,*
25 *That to the extent that fees collected in fiscal year 2016,*

1 *net of amounts necessary to pay refunds due depositors, ex-*
2 *ceed \$225,908,000, those excess amounts shall be available*
3 *in future fiscal years only to the extent provided in advance*
4 *in appropriations Acts: Provided further, That the sum*
5 *herein appropriated from the general fund shall be reduced*
6 *(1) as such fees are received during fiscal year 2016, net*
7 *of amounts necessary to pay refunds due depositors, (esti-*
8 *mated at \$162,400,000) and (2) to the extent that any re-*
9 *maining general fund appropriations can be derived from*
10 *amounts deposited in the Fund in previous fiscal years that*
11 *are not otherwise appropriated, so as to result in a final*
12 *fiscal year 2016 appropriation from the general fund esti-*
13 *mated at \$0.*

14 *SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT*

15 *COMMISSION*

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

20 *FEES AND EXPENSES OF WITNESSES*

21 *For fees and expenses of witnesses, for expenses of con-*
22 *tracts for the procurement and supervision of expert wit-*
23 *nesses, for private counsel expenses, including advances,*
24 *and for expenses of foreign counsel, \$270,000,000, to remain*
25 *available until expended, of which not to exceed \$16,000,000*

1 *is for construction of buildings for protected witness*
2 *safesites; not to exceed \$3,000,000 is for the purchase and*
3 *maintenance of armored and other vehicles for witness secu-*
4 *rity caravans; and not to exceed \$13,000,000 is for the pur-*
5 *chase, installation, maintenance, and upgrade of secure*
6 *telecommunications equipment and a secure automated in-*
7 *formation network to store and retrieve the identities and*
8 *locations of protected witnesses: Provided, That amounts*
9 *made available under this heading may not be transferred*
10 *pursuant to section 205 of this Act.*

11 *SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE*
12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For necessary expenses of the Community Relations*
14 *Service, \$14,446,000: Provided, That notwithstanding sec-*
15 *tion 205 of this Act, upon a determination by the Attorney*
16 *General that emergent circumstances require additional*
17 *funding for conflict resolution and violence prevention ac-*
18 *tivities of the Community Relations Service, the Attorney*
19 *General may transfer such amounts to the Community Re-*
20 *lations Service, from available appropriations for the cur-*
21 *rent fiscal year for the Department of Justice, as may be*
22 *necessary to respond to such circumstances: Provided fur-*
23 *ther, That any transfer pursuant to the preceding proviso*
24 *shall be treated as a reprogramming under section 505 of*
25 *this Act and shall not be available for obligation or expendi-*

1 *ture except in compliance with the procedures set forth in*
2 *that section.*

3 *ASSETS FORFEITURE FUND*

4 *For expenses authorized by subparagraphs (B), (F),*
5 *and (G) of section 524(c)(1) of title 28, United States Code,*
6 *\$20,514,000, to be derived from the Department of Justice*
7 *Assets Forfeiture Fund.*

8 *UNITED STATES MARSHALS SERVICE*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the United States Marshals*
11 *Service, \$1,230,581,000, of which not to exceed \$6,000 shall*
12 *be available for official reception and representation ex-*
13 *penses, and not to exceed \$15,000,000 shall remain avail-*
14 *able until expended.*

15 *CONSTRUCTION*

16 *For construction in space controlled, occupied or uti-*
17 *lized by the United States Marshals Service for prisoner*
18 *holding and related support, \$15,000,000, to remain avail-*
19 *able until expended.*

20 *FEDERAL PRISONER DETENTION*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For necessary expenses related to United States pris-*
23 *oners in the custody of the United States Marshals Service*
24 *as authorized by section 4013 of title 18, United States*
25 *Code, \$1,454,414,000, to remain available until expended:*

1 *Provided, That not to exceed \$20,000,000 shall be considered*
2 *“funds appropriated for State and local law enforcement*
3 *assistance” pursuant to section 4013(b) of title 18, United*
4 *States Code: Provided further, That the United States Mar-*
5 *shals Service shall be responsible for managing the Justice*
6 *Prisoner and Alien Transportation System: Provided fur-*
7 *ther, That any unobligated balances available from funds*
8 *appropriated under the heading “General Administration,*
9 *Detention Trustee” shall be transferred to and merged with*
10 *the appropriation under this heading.*

11 *NATIONAL SECURITY DIVISION*

12 *SALARIES AND EXPENSES*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For expenses necessary to carry out the activities of*
15 *the National Security Division, \$95,000,000, of which not*
16 *to exceed \$5,000,000 for information technology systems*
17 *shall remain available until expended: Provided, That not-*
18 *withstanding section 205 of this Act, upon a determination*
19 *by the Attorney General that emergent circumstances re-*
20 *quire additional funding for the activities of the National*
21 *Security Division, the Attorney General may transfer such*
22 *amounts to this heading from available appropriations for*
23 *the current fiscal year for the Department of Justice, as*
24 *may be necessary to respond to such circumstances: Pro-*
25 *vided further, That any transfer pursuant to the preceding*

1 *proviso shall be treated as a reprogramming under section*
2 *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 *INTERAGENCY LAW ENFORCEMENT*

6 *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

7 *For necessary expenses for the identification, inves-*
8 *tigation, and prosecution of individuals associated with the*
9 *most significant drug trafficking and affiliated money*
10 *laundering organizations not otherwise provided for, to in-*
11 *clude inter-governmental agreements with State and local*
12 *law enforcement agencies engaged in the investigation and*
13 *prosecution of individuals involved in organized crime drug*
14 *trafficking, \$512,000,000, of which \$50,000,000 shall re-*
15 *main available until expended: Provided, That any*
16 *amounts obligated from appropriations under this heading*
17 *may be used under authorities available to the organiza-*
18 *tions reimbursed from this appropriation.*

19 *FEDERAL BUREAU OF INVESTIGATION*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Federal Bureau of Inves-*
22 *tigation for detection, investigation, and prosecution of*
23 *crimes against the United States, \$8,489,786,000, of which*
24 *not to exceed \$216,900,000 shall remain available until ex-*

1 *pended: Provided, That not to exceed \$184,500 shall be*
2 *available for official reception and representation expenses.*

3 *CONSTRUCTION*

4 *For necessary expenses, to include the cost of equip-*
5 *ment, furniture, and information technology requirements,*
6 *related to construction or acquisition of buildings, facilities*
7 *and sites by purchase, or as otherwise authorized by law;*
8 *conversion, modification and extension of federally owned*
9 *buildings; and preliminary planning and design of projects;*
10 *\$308,982,000, to remain available until expended.*

11 *DRUG ENFORCEMENT ADMINISTRATION*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Drug Enforcement Ad-*
14 *ministration, including not to exceed \$70,000 to meet un-*
15 *foreseen emergencies of a confidential character pursuant*
16 *to section 530C of title 28, United States Code; and expenses*
17 *for conducting drug education and training programs, in-*
18 *cluding travel and related expenses for participants in such*
19 *programs and the distribution of items of token value that*
20 *promote the goals of such programs, \$2,080,000,000, of*
21 *which not to exceed \$75,000,000 shall remain available*
22 *until expended and not to exceed \$90,000 shall be available*
23 *for official reception and representation expenses.*

1 *functions, missions, or activities of the Bureau of Alcohol,*
2 *Tobacco, Firearms and Explosives to other agencies or De-*
3 *partments.*

4 *FEDERAL PRISON SYSTEM*

5 *SALARIES AND EXPENSES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses of the Federal Prison System*
8 *for the administration, operation, and maintenance of Fed-*
9 *eral penal and correctional institutions, and for the provi-*
10 *sion of technical assistance and advice on corrections re-*
11 *lated issues to foreign governments, \$6,948,500,000: Pro-*
12 *vided, That the Attorney General may transfer to the De-*
13 *partment of Health and Human Services such amounts as*
14 *may be necessary for direct expenditures by that Depart-*
15 *ment for medical relief for inmates of Federal penal and*
16 *correctional institutions: Provided further, That the Direc-*
17 *tor of the Federal Prison System, where necessary, may*
18 *enter into contracts with a fiscal agent or fiscal inter-*
19 *mediary claims processor to determine the amounts payable*
20 *to persons who, on behalf of the Federal Prison System, fur-*
21 *nish health services to individuals committed to the custody*
22 *of the Federal Prison System: Provided further, That not*
23 *to exceed \$5,400 shall be available for official reception and*
24 *representation expenses: Provided further, That not to ex-*
25 *ceed \$50,000,000 shall remain available for necessary oper-*

1 ations until September 30, 2017: Provided further, That,
2 of the amounts provided for contract confinement, not to
3 exceed \$20,000,000 shall remain available until expended
4 to make payments in advance for grants, contracts and re-
5 imburseable agreements, and other expenses: Provided fur-
6 ther, That the Director of the Federal Prison System may
7 accept donated property and services relating to the oper-
8 ation of the prison card program from a not-for-profit enti-
9 ty which has operated such program in the past, notwith-
10 standing the fact that such not-for-profit entity furnishes
11 services under contracts to the Federal Prison System relat-
12 ing to the operation of pre-release services, halfway houses,
13 or other custodial facilities.

14 *BUILDINGS AND FACILITIES*

15 *For planning, acquisition of sites and construction of*
16 *new facilities; purchase and acquisition of facilities and re-*
17 *modeling, and equipping of such facilities for penal and*
18 *correctional use, including all necessary expenses incident*
19 *thereto, by contract or force account; and constructing, re-*
20 *modeling, and equipping necessary buildings and facilities*
21 *at existing penal and correctional institutions, including*
22 *all necessary expenses incident thereto, by contract or force*
23 *account, \$530,000,000, to remain available until expended,*
24 *of which \$444,000,000 shall be available only for costs re-*
25 *lated to construction of new facilities: Provided, That labor*

1 *of United States prisoners may be used for work performed*
2 *under this appropriation.*

3 *FEDERAL PRISON INDUSTRIES, INCORPORATED*

4 *The Federal Prison Industries, Incorporated, is hereby*
5 *authorized to make such expenditures within the limits of*
6 *funds and borrowing authority available, and in accord*
7 *with the law, and to make such contracts and commitments*
8 *without regard to fiscal year limitations as provided by sec-*
9 *tion 9104 of title 31, United States Code, as may be nec-*
10 *essary in carrying out the program set forth in the budget*
11 *for the current fiscal year for such corporation.*

12 *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*

13 *PRISON INDUSTRIES, INCORPORATED*

14 *Not to exceed \$2,700,000 of the funds of the Federal*
15 *Prison Industries, Incorporated, shall be available for its*
16 *administrative expenses, and for services as authorized by*
17 *section 3109 of title 5, United States Code, to be computed*
18 *on an accrual basis to be determined in accordance with*
19 *the corporation's current prescribed accounting system, and*
20 *such amounts shall be exclusive of depreciation, payment*
21 *of claims, and expenditures which such accounting system*
22 *requires to be capitalized or charged to cost of commodities*
23 *acquired or produced, including selling and shipping ex-*
24 *penses, and expenses in connection with acquisition, con-*
25 *struction, operation, maintenance, improvement, protec-*

1 *tion, or disposition of facilities and other property belong-*
2 *ing to the corporation or in which it has an interest.*

3 *STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES*

4 *OFFICE ON VIOLENCE AGAINST WOMEN*

5 *VIOLENCE AGAINST WOMEN PREVENTION AND*

6 *PROSECUTION PROGRAMS*

7 *For grants, contracts, cooperative agreements, and*
8 *other assistance for the prevention and prosecution of vio-*
9 *lence against women, as authorized by the Omnibus Crime*
10 *Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et*
11 *seq.) (“the 1968 Act”); the Violent Crime Control and Law*
12 *Enforcement Act of 1994 (Public Law 103–322) (“the 1994*
13 *Act”); the Victims of Child Abuse Act of 1990 (Public Law*
14 *101–647) (“the 1990 Act”); the Prosecutorial Remedies and*
15 *Other Tools to end the Exploitation of Children Today Act*
16 *of 2003 (Public Law 108–21); the Juvenile Justice and De-*
17 *linquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.)*
18 *(“the 1974 Act”); the Victims of Trafficking and Violence*
19 *Protection Act of 2000 (Public Law 106–386) (“the 2000*
20 *Act”); the Violence Against Women and Department of Jus-*
21 *tice Reauthorization Act of 2005 (Public Law 109–162)*
22 *(“the 2005 Act”); the Violence Against Women Reauthoriza-*
23 *tion Act of 2013 (Public Law 113–4) (“the 2013 Act”); and*
24 *the Rape Survivor Child Custody Act of 2015 (Public Law*
25 *114–22) (“the 2015 Act”); and for related victims services,*

1 \$480,000,000, to remain available until expended, of which
2 \$379,000,000 shall be derived by transfer from amounts
3 available for obligation in this Act from the Fund estab-
4 lished by section 1402 of chapter XIV of title II of Public
5 Law 98-473 (42 U.S.C. 10601), notwithstanding section
6 1402(d) of such Act of 1984, and merged with the amounts
7 otherwise made available under this heading: Provided,
8 That except as otherwise provided by law, not to exceed 5
9 percent of funds made available under this heading may
10 be used for expenses related to evaluation, training, and
11 technical assistance: Provided further, That of the amount
12 provided—

13 (1) \$215,000,000 is for grants to combat violence
14 against women, as authorized by part T of the 1968
15 Act;

16 (2) \$30,000,000 is for transitional housing as-
17 sistance grants for victims of domestic violence, dat-
18 ing violence, stalking, or sexual assault as authorized
19 by section 40299 of the 1994 Act;

20 (3) \$5,000,000 is for the National Institute of
21 Justice for research and evaluation of violence against
22 women and related issues addressed by grant pro-
23 grams of the Office on Violence Against Women,
24 which shall be transferred to “Research, Evaluation

1 *and Statistics” for administration by the Office of*
2 *Justice Programs;*

3 (4) *\$11,000,000 is for a grant program to pro-*
4 *vide services to advocate for and respond to youth vic-*
5 *tims of domestic violence, dating violence, sexual as-*
6 *sault, and stalking; assistance to children and youth*
7 *exposed to such violence; programs to engage men and*
8 *youth in preventing such violence; and assistance to*
9 *middle and high school students through education*
10 *and other services related to such violence: Provided,*
11 *That unobligated balances available for the programs*
12 *authorized by sections 41201, 41204, 41303, and*
13 *41305 of the 1994 Act, prior to its amendment by the*
14 *2013 Act, shall be available for this program: Pro-*
15 *vided further, That 10 percent of the total amount*
16 *available for this grant program shall be available for*
17 *grants under the program authorized by section 2015*
18 *of the 1968 Act: Provided further, That the definitions*
19 *and grant conditions in section 40002 of the 1994 Act*
20 *shall apply to this program;*

21 (5) *\$51,000,000 is for grants to encourage arrest*
22 *policies as authorized by part U of the 1968 Act, of*
23 *which \$4,000,000 is for a homicide reduction initia-*
24 *tive;*

1 (6) \$35,000,000 is for sexual assault victims as-
2 sistance, as authorized by section 41601 of the 1994
3 Act;

4 (7) \$34,000,000 is for rural domestic violence
5 and child abuse enforcement assistance grants, as au-
6 thorized by section 40295 of the 1994 Act;

7 (8) \$20,000,000 is for grants to reduce violent
8 crimes against women on campus, as authorized by
9 section 304 of the 2005 Act;

10 (9) \$45,000,000 is for legal assistance for vic-
11 tims, as authorized by section 1201 of the 2000 Act;

12 (10) \$5,000,000 is for enhanced training and
13 services to end violence against and abuse of women
14 in later life, as authorized by section 40802 of the
15 1994 Act;

16 (11) \$16,000,000 is for grants to support fami-
17 lies in the justice system, as authorized by section
18 1301 of the 2000 Act: *Provided, That unobligated bal-*
19 *ances available for the programs authorized by section*
20 *1301 of the 2000 Act and section 41002 of the 1994*
21 *Act, prior to their amendment by the 2013 Act, shall*
22 *be available for this program;*

23 (12) \$6,000,000 is for education and training to
24 end violence against and abuse of women with dis-

1 *abilities, as authorized by section 1402 of the 2000*
2 *Act;*

3 *(13) \$500,000 is for the National Resource Cen-*
4 *ter on Workplace Responses to assist victims of do-*
5 *mestic violence, as authorized by section 41501 of the*
6 *1994 Act;*

7 *(14) \$1,000,000 is for analysis and research on*
8 *violence against Indian women, including as author-*
9 *ized by section 904 of the 2005 Act: Provided, That*
10 *such funds may be transferred to “Research, Evalua-*
11 *tion and Statistics” for administration by the Office*
12 *of Justice Programs;*

13 *(15) \$500,000 is for a national clearinghouse*
14 *that provides training and technical assistance on*
15 *issues relating to sexual assault of American Indian*
16 *and Alaska Native women;*

17 *(16) \$2,500,000 is for grants to assist tribal gov-*
18 *ernments in exercising special domestic violence*
19 *criminal jurisdiction, as authorized by section 904 of*
20 *the 2013 Act: Provided, That the grant conditions in*
21 *section 40002(b) of the 1994 Act shall apply to this*
22 *program; and*

23 *(17) \$2,500,000 for the purposes authorized*
24 *under the 2015 Act.*

1 *OFFICE OF JUSTICE PROGRAMS*2 *RESEARCH, EVALUATION AND STATISTICS*

3 *For grants, contracts, cooperative agreements, and*
4 *other assistance authorized by title I of the Omnibus Crime*
5 *Control and Safe Streets Act of 1968 (“the 1968 Act”); the*
6 *Juvenile Justice and Delinquency Prevention Act of 1974*
7 *(“the 1974 Act”); the Missing Children’s Assistance Act (42*
8 *U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other*
9 *Tools to end the Exploitation of Children Today Act of 2003*
10 *(Public Law 108–21); the Justice for All Act of 2004 (Pub-*
11 *lic Law 108–405); the Violence Against Women and De-*
12 *partment of Justice Reauthorization Act of 2005 (Public*
13 *Law 109–162) (“the 2005 Act”); the Victims of Child Abuse*
14 *Act of 1990 (Public Law 101–647); the Second Chance Act*
15 *of 2007 (Public Law 110–199); the Victims of Crime Act*
16 *of 1984 (Public Law 98–473); the Adam Walsh Child Pro-*
17 *tection and Safety Act of 2006 (Public Law 109–248) (“the*
18 *Adam Walsh Act”); the PROTECT Our Children Act of*
19 *2008 (Public Law 110–401); subtitle D of title II of the*
20 *Homeland Security Act of 2002 (Public Law 107–296)*
21 *(“the 2002 Act”); the NICS Improvement Amendments Act*
22 *of 2007 (Public Law 110–180); the Violence Against Women*
23 *Reauthorization Act of 2013 (Public Law 113–4) (“the*
24 *2013 Act”); and other programs, \$116,000,000, to remain*
25 *available until expended, of which—*

1 (1) \$41,000,000 is for criminal justice statistics
2 programs, and other activities, as authorized by part
3 C of title I of the 1968 Act;

4 (2) \$36,000,000 is for research, development, and
5 evaluation programs, and other activities as author-
6 ized by part B of title I of the 1968 Act and subtitle
7 D of title II of the 2002 Act;

8 (3) \$35,000,000 is for regional information shar-
9 ing activities, as authorized by part M of title I of
10 the 1968 Act; and

11 (4) \$4,000,000 is for activities to strengthen and
12 enhance the practice of forensic sciences, of which
13 \$3,000,000 is for transfer to the National Institute of
14 Standards and Technology to support Scientific Area
15 Committees.

16 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

17 For grants, contracts, cooperative agreements, and
18 other assistance authorized by the Violent Crime Control
19 and Law Enforcement Act of 1994 (Public Law 103–322)
20 (“the 1994 Act”); the Omnibus Crime Control and Safe
21 Streets Act of 1968 (“the 1968 Act”); the Justice for All
22 Act of 2004 (Public Law 108–405); the Victims of Child
23 Abuse Act of 1990 (Public Law 101–647) (“the 1990 Act”);
24 the Trafficking Victims Protection Reauthorization Act of
25 2005 (Public Law 109–164); the Violence Against Women

1 *and Department of Justice Reauthorization Act of 2005*
2 *(Public Law 109–162) (“the 2005 Act”); the Adam Walsh*
3 *Child Protection and Safety Act of 2006 (Public Law 109–*
4 *248) (“the Adam Walsh Act”); the Victims of Trafficking*
5 *and Violence Protection Act of 2000 (Public Law 106–386);*
6 *the NICS Improvement Amendments Act of 2007 (Public*
7 *Law 110–180); subtitle D of title II of the Homeland Secu-*
8 *urity Act of 2002 (Public Law 107–296) (“the 2002 Act”);*
9 *the Second Chance Act of 2007 (Public Law 110–199); the*
10 *Prioritizing Resources and Organization for Intellectual*
11 *Property Act of 2008 (Public Law 110–403); the Victims*
12 *of Crime Act of 1984 (Public Law 98–473); the Mentally*
13 *Ill Offender Treatment and Crime Reduction Reauthoriza-*
14 *tion and Improvement Act of 2008 (Public Law 110–416);*
15 *the Violence Against Women Reauthorization Act of 2013*
16 *(Public Law 113–4) (“the 2013 Act”); and other programs,*
17 *\$1,408,500,000, to remain available until expended as fol-*
18 *lows—*

19 (1) *\$476,000,000 for the Edward Byrne Memo-*
20 *rial Justice Assistance Grant program as authorized*
21 *by subpart 1 of part E of title I of the 1968 Act (ex-*
22 *cept that section 1001(c), and the special rules for*
23 *Puerto Rico under section 505(g) of title I of the 1968*
24 *Act shall not apply for purposes of this Act), of*
25 *which, notwithstanding such subpart 1, \$15,000,000*

1 *is for an Officer Robert Wilson III memorial initia-*
2 *tive on Preventing Violence Against Law Enforcement*
3 *Officer Resilience and Survivability (VALOR),*
4 *\$4,000,000 is for use by the National Institute of Jus-*
5 *tice for research targeted toward developing a better*
6 *understanding of the domestic radicalization phe-*
7 *nomenon, and advancing evidence-based strategies for*
8 *effective intervention and prevention, \$5,000,000 is*
9 *for an initiative to support evidence-based policing,*
10 *\$2,500,000 is for an initiative to enhance prosecu-*
11 *torial decision-making, \$100,000,000 is for grants for*
12 *law enforcement activities associated with the presi-*
13 *dential nominating conventions, and \$2,400,000 is*
14 *for the operationalization, maintenance and expan-*
15 *sion of the National Missing and Unidentified Per-*
16 *sons System;*

17 (2) *\$210,000,000 for the State Criminal Alien*
18 *Assistance Program, as authorized by section*
19 *241(i)(5) of the Immigration and Nationality Act (8*
20 *U.S.C. 1231(i)(5)): Provided, That no jurisdiction*
21 *shall request compensation for any cost greater than*
22 *the actual cost for Federal immigration and other de-*
23 *tainees housed in State and local detention facilities;*

24 (3) *\$45,000,000 for victim services programs for*
25 *victims of trafficking, as authorized by section*

1 107(b)(2) of Public Law 106–386, for programs au-
2 thorized under Public Law 109–164, or programs au-
3 thorized under Public Law 113–4;

4 (4) \$42,000,000 for Drug Courts, as authorized
5 by section 1001(a)(25)(A) of title I of the 1968 Act;

6 (5) \$10,000,000 for mental health courts and
7 adult and juvenile collaboration program grants, as
8 authorized by parts V and HH of title I of the 1968
9 Act, and the Mentally Ill Offender Treatment and
10 Crime Reduction Reauthorization and Improvement
11 Act of 2008 (Public Law 110–416);

12 (6) \$12,000,000 for grants for Residential Sub-
13 stance Abuse Treatment for State Prisoners, as au-
14 thorized by part S of title I of the 1968 Act;

15 (7) \$2,500,000 for the Capital Litigation Im-
16 provement Grant Program, as authorized by section
17 426 of Public Law 108–405, and for grants for
18 wrongful conviction review;

19 (8) \$13,000,000 for economic, high technology
20 and Internet crime prevention grants, including as
21 authorized by section 401 of Public Law 110–403;

22 (9) \$2,000,000 for a student loan repayment as-
23 sistance program pursuant to section 952 of Public
24 Law 110–315;

1 (10) \$20,000,000 for sex offender management
2 assistance, as authorized by the Adam Walsh Act, and
3 related activities;

4 (11) \$8,000,000 for an initiative relating to chil-
5 dren exposed to violence;

6 (12) \$22,500,000 for the matching grant pro-
7 gram for law enforcement armor vests, as authorized
8 by section 2501 of title I of the 1968 Act: Provided,
9 That \$1,500,000 is transferred directly to the Na-
10 tional Institute of Standards and Technology's Office
11 of Law Enforcement Standards for research, testing
12 and evaluation programs;

13 (13) \$1,000,000 for the National Sex Offender
14 Public Website;

15 (14) \$6,500,000 for competitive and evidence-
16 based programs to reduce gun crime and gang vio-
17 lence;

18 (15) \$73,000,000 for grants to States to upgrade
19 criminal and mental health records for the National
20 Instant Criminal Background Check System, of which
21 no less than \$25,000,000 shall be for grants made
22 under the authorities of the NICS Improvement
23 Amendments Act of 2007 (Public Law 110–180);

1 (16) \$13,500,000 for Paul Coverdell Forensic
2 *Sciences Improvement Grants under part BB of title*
3 *I of the 1968 Act;*

4 (17) \$125,000,000 for DNA-related and forensic
5 *programs and activities, of which—*

6 (A) \$117,000,000 is for a DNA analysis
7 *and capacity enhancement program and for*
8 *other local, State, and Federal forensic activities,*
9 *including the purposes authorized under section*
10 *2 of the DNA Analysis Backlog Elimination Act*
11 *of 2000 (Public Law 106–546) (the Debbie Smith*
12 *DNA Backlog Grant Program): Provided, That*
13 *up to 4 percent of funds made available under*
14 *this paragraph may be used for the purposes de-*
15 *scribed in the DNA Training and Education for*
16 *Law Enforcement, Correctional Personnel, and*
17 *Court Officers program (Public Law 108–405,*
18 *section 303);*

19 (B) \$4,000,000 is for the purposes described
20 *in the Kirk Bloodsworth Post-Conviction DNA*
21 *Testing Program (Public Law 108–405, section*
22 *412); and*

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

1 (18) \$45,000,000 for a grant program for com-
2 munity-based sexual assault response reform;

3 (19) \$9,000,000 for the court-appointed special
4 advocate program, as authorized by section 217 of the
5 1990 Act;

6 (20) \$30,000,000 for assistance to Indian tribes;

7 (21) \$68,000,000 for offender reentry programs
8 and research, as authorized by the Second Chance Act
9 of 2007 (Public Law 110–199), without regard to the
10 time limitations specified at section 6(1) of such Act,
11 of which not to exceed \$6,000,000 is for a program to
12 improve State, local, and tribal probation or parole
13 supervision efforts and strategies, \$5,000,000 is for
14 Children of Incarcerated Parents Demonstrations to
15 enhance and maintain parental and family relation-
16 ships for incarcerated parents as a reentry or recidi-
17 vism reduction strategy, and \$4,000,000 is for addi-
18 tional replication sites employing the Project HOPE
19 Opportunity Probation with Enforcement model im-
20 plementing swift and certain sanctions in probation,
21 and for a research project on the effectiveness of the
22 model: Provided, That up to \$7,500,000 of funds
23 made available in this paragraph may be used for
24 performance-based awards for Pay for Success
25 projects, of which up to \$5,000,000 shall be for Pay

1 *for Success programs implementing the Permanent*
2 *Supportive Housing Model;*

3 (22) \$6,000,000 for a veterans treatment courts
4 *program;*

5 (23) \$13,000,000 for a program to monitor pre-
6 *scription drugs and scheduled listed chemical prod-*
7 *ucts;*

8 (24) \$10,500,000 for prison rape prevention and
9 *prosecution grants to States and units of local govern-*
10 *ment, and other programs, as authorized by the Pris-*
11 *on Rape Elimination Act of 2003 (Public Law 108-*
12 *79);*

13 (25) \$75,000,000 for the Comprehensive School
14 *Safety Initiative: Provided, That section 213 of this*
15 *Act shall not apply with respect to the amount made*
16 *available in this paragraph; and*

17 (26) \$70,000,000 for initiatives to improve po-
18 *lice-community relations, of which \$22,500,000 is for*
19 *a competitive matching grant program for purchases*
20 *of body-worn cameras for State, local and tribal law*
21 *enforcement, \$27,500,000 is for a justice reinvestment*
22 *initiative, for activities related to criminal justice re-*
23 *form and recidivism reduction, \$5,000,000 is for re-*
24 *search and statistics on body-worn cameras and com-*
25 *munity trust issues, and \$15,000,000 is for an Ed-*

1 *justice programs, \$270,160,000, to remain available until*
2 *expended as follows—*

3 (1) *\$58,000,000 for programs authorized by sec-*
4 *tion 221 of the 1974 Act, and for training and tech-*
5 *nical assistance to assist small, nonprofit organiza-*
6 *tions with the Federal grants process: Provided, That*
7 *of the amounts provided under this paragraph,*
8 *\$500,000 shall be for a competitive demonstration*
9 *grant program to support emergency planning among*
10 *State, local and tribal juvenile justice residential fa-*
11 *cilities;*

12 (2) *\$90,000,000 for youth mentoring grants;*

13 (3) *\$17,500,000 for delinquency prevention, as*
14 *authorized by section 505 of the 1974 Act, of which,*
15 *pursuant to sections 261 and 262 thereof—*

16 (A) *\$10,000,000 shall be for the Tribal*
17 *Youth Program;*

18 (B) *\$5,000,000 shall be for gang and youth*
19 *violence education, prevention and intervention,*
20 *and related activities;*

21 (C) *\$500,000 shall be for an Internet site*
22 *providing information and resources on children*
23 *of incarcerated parents; and*

1 (D) \$2,000,000 shall be for competitive
2 grants focusing on girls in the juvenile justice
3 system;

4 (4) \$20,000,000 for programs authorized by the
5 Victims of Child Abuse Act of 1990;

6 (5) \$8,000,000 for community-based violence pre-
7 vention initiatives, including for public health ap-
8 proaches to reducing shootings and violence;

9 (6) \$72,160,000 for missing and exploited chil-
10 dren programs, including as authorized by sections
11 404(b) and 405(a) of the 1974 Act (except that section
12 102(b)(4)(B) of the PROTECT Our Children Act of
13 2008 (Public Law 110–401) shall not apply for pur-
14 poses of this Act);

15 (7) \$2,000,000 for child abuse training programs
16 for judicial personnel and practitioners, as authorized
17 by section 222 of the 1990 Act; and

18 (8) \$2,500,000 for a program to improve juvenile
19 indigent defense:

20 Provided, That not more than 10 percent of each amount
21 may be used for research, evaluation, and statistics activi-
22 ties designed to benefit the programs or activities author-
23 ized: Provided further, That not more than 2 percent of the
24 amounts designated under paragraphs (1) through (4) and
25 (7) may be used for training and technical assistance: Pro-

1 *vided further, That the two preceding provisos shall not*
2 *apply to grants and projects administered pursuant to sec-*
3 *tions 261 and 262 of the 1974 Act and to missing and ex-*
4 *ploited children programs.*

5 *PUBLIC SAFETY OFFICER BENEFITS*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For payments and expenses authorized under section*
8 *1001(a)(4) of title I of the Omnibus Crime Control and Safe*
9 *Streets Act of 1968, such sums as are necessary (including*
10 *amounts for administrative costs), to remain available*
11 *until expended; and \$16,300,000 for payments authorized*
12 *by section 1201(b) of such Act and for educational assist-*
13 *ance authorized by section 1218 of such Act, to remain*
14 *available until expended: Provided, That notwithstanding*
15 *section 205 of this Act, upon a determination by the Attor-*
16 *ney General that emergent circumstances require additional*
17 *funding for such disability and education payments, the At-*
18 *torney General may transfer such amounts to "Public Safe-*
19 *ty Officer Benefits" from available appropriations for the*
20 *Department of Justice as may be necessary to respond to*
21 *such circumstances: Provided further, That any transfer*
22 *pursuant to the preceding proviso shall be treated as a re-*
23 *programming under section 505 of this Act and shall not*
24 *be available for obligation or expenditure except in compli-*
25 *ance with the procedures set forth in that section.*

1 *COMMUNITY ORIENTED POLICING SERVICES*
2 *COMMUNITY ORIENTED POLICING SERVICES PROGRAMS*
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For activities authorized by the Violent Crime Control*
5 *and Law Enforcement Act of 1994 (Public Law 103–322);*
6 *the Omnibus Crime Control and Safe Streets Act of 1968*
7 *(“the 1968 Act”); and the Violence Against Women and De-*
8 *partment of Justice Reauthorization Act of 2005 (Public*
9 *Law 109–162) (“the 2005 Act”), \$212,000,000, to remain*
10 *available until expended: Provided, That any balances*
11 *made available through prior year deobligations shall only*
12 *be available in accordance with section 505 of this Act: Pro-*
13 *vided further, That of the amount provided under this head-*
14 *ing—*

15 (1) *\$11,000,000 is for anti-methamphetamine-re-*
16 *lated activities, which shall be transferred to the Drug*
17 *Enforcement Administration upon enactment of this*
18 *Act;*

19 (2) *\$187,000,000 is for grants under section*
20 *1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for*
21 *the hiring and rehiring of additional career law en-*
22 *forcement officers under part Q of such title notwith-*
23 *standing subsection (i) of such section: Provided,*
24 *That, notwithstanding section 1704(c) of such title*
25 *(42 U.S.C. 3796dd–3(c)), funding for hiring or rehiring—*

1 *ing a career law enforcement officer may not exceed*
2 *\$125,000 unless the Director of the Office of Commu-*
3 *nity Oriented Policing Services grants a waiver from*
4 *this limitation: Provided further, That within the*
5 *amounts appropriated under this paragraph,*
6 *\$30,000,000 is for improving tribal law enforcement,*
7 *including hiring, equipment, training, and anti-*
8 *methamphetamine activities: Provided further, That*
9 *of the amounts appropriated under this paragraph,*
10 *\$10,000,000 is for community policing development*
11 *activities in furtherance of the purposes in section*
12 *1701: Provided further, That within the amounts ap-*
13 *propriated under this paragraph, \$10,000,000 is for*
14 *the collaborative reform model of technical assistance*
15 *in furtherance of the purposes in section 1701;*

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

1 (4) \$7,000,000 is for competitive grants to state-
2 wide law enforcement agencies in States with high
3 rates of primary treatment admissions for heroin and
4 other opioids: Provided, That these funds shall be uti-
5 lized for investigative purposes to locate or investigate
6 illicit activities, including activities related to the dis-
7 tribution of heroin or unlawful distribution of pre-
8 scription opioids, or unlawful heroin and prescription
9 opioid traffickers through statewide collaboration.

10 **GENERAL PROVISIONS—DEPARTMENT OF JUSTICE**

11 *(INCLUDING TRANSFER OF FUNDS)*

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

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

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

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

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

21 *SEC. 206. Funds appropriated by this or any other*
22 *Act, with respect to any fiscal year, under the heading “Bu-*
23 *reau of Alcohol, Tobacco, Firearms and Explosives, Salaries*
24 *and Expenses” shall be available for retention pay for any*
25 *employee who would otherwise be subject to a reduction in*

1 *pay upon termination of the Bureau's Personnel Manage-*
2 *ment Demonstration Project (as transferred to the Attorney*
3 *General by section 1115 of the Homeland Security Act of*
4 *2002, Public Law 107-296 (28 U.S.C. 599B)): Provided,*
5 *That such retention pay shall comply with section 5363 of*
6 *title 5, United States Code, and related Office of Personnel*
7 *Management regulations, except as provided in this section:*
8 *Provided further, That such retention pay shall be paid at*
9 *the employee's rate of pay immediately prior to the termi-*
10 *nation of the demonstration project and shall not be subject*
11 *to the limitation set forth in section 5304(g)(1) of title 5,*
12 *United States Code, and related regulations.*

13 *SEC. 207. None of the funds made available under this*
14 *title may be used by the Federal Bureau of Prisons or the*
15 *United States Marshals Service for the purpose of trans-*
16 *porting an individual who is a prisoner pursuant to convic-*
17 *tion for crime under State or Federal law and is classified*
18 *as a maximum or high security prisoner, other than to a*
19 *prison or other facility certified by the Federal Bureau of*
20 *Prisons as appropriately secure for housing such a prisoner.*

21 *SEC. 208. (a) None of the funds appropriated by this*
22 *Act may be used by Federal prisons to purchase cable tele-*
23 *vision services, or to rent or purchase audiovisual or elec-*
24 *tronic media or equipment used primarily for recreational*
25 *purposes.*

1 **(b)** *Subsection (a) does not preclude the rental, mainte-*
2 *nance, or purchase of audiovisual or electronic media or*
3 *equipment for inmate training, religious, or educational*
4 *programs.*

5 **SEC. 209.** *None of the funds made available under this*
6 *title shall be obligated or expended for any new or enhanced*
7 *information technology program having total estimated de-*
8 *velopment costs in excess of \$100,000,000, unless the Deputy*
9 *Attorney General and the investment review board certify*
10 *to the Committees on Appropriations of the House of Rep-*
11 *resentatives and the Senate that the information technology*
12 *program has appropriate program management controls*
13 *and contractor oversight mechanisms in place, and that the*
14 *program is compatible with the enterprise architecture of*
15 *the Department of Justice.*

16 **SEC. 210.** *The notification thresholds and procedures*
17 *set forth in section 505 of this Act shall apply to deviations*
18 *from the amounts designated for specific activities in this*
19 *Act and in the explanatory statement described in section*
20 *4 (in the matter preceding division A of this consolidated*
21 *Act), and to any use of deobligated balances of funds pro-*
22 *vided under this title in previous years.*

23 **SEC. 211.** *None of the funds appropriated by this Act*
24 *may be used to plan for, begin, continue, finish, process,*
25 *or approve a public-private competition under the Office*

1 of Management and Budget Circular A-76 or any successor
2 administrative regulation, directive, or policy for work per-
3 formed by employees of the Bureau of Prisons or of Federal
4 Prison Industries, Incorporated.

5 SEC. 212. Notwithstanding any other provision of law,
6 no funds shall be available for the salary, benefits, or ex-
7 penses of any United States Attorney assigned dual or addi-
8 tional responsibilities by the Attorney General or his des-
9 ignee that exempt that United States Attorney from the
10 residency requirements of section 545 of title 28, United
11 States Code.

12 SEC. 213. At the discretion of the Attorney General,
13 and in addition to any amounts that otherwise may be
14 available (or authorized to be made available) by law, with
15 respect to funds appropriated by this title under the head-
16 ings “Research, Evaluation and Statistics”, “State and
17 Local Law Enforcement Assistance”, and “Juvenile Justice
18 Programs”—

19 (1) up to 3 percent of funds made available to
20 the Office of Justice Programs for grant or reimburse-
21 ment programs may be used by such Office to provide
22 training and technical assistance; and

23 (2) up to 2 percent of funds made available for
24 grant or reimbursement programs under such head-
25 ings, except for amounts appropriated specifically for

1 *research, evaluation, or statistical programs adminis-*
2 *tered by the National Institute of Justice and the Bu-*
3 *reau of Justice Statistics, shall be transferred to and*
4 *merged with funds provided to the National Institute*
5 *of Justice and the Bureau of Justice Statistics, to be*
6 *used by them for research, evaluation, or statistical*
7 *purposes, without regard to the authorizations for*
8 *such grant or reimbursement programs.*

9 *SEC. 214. Upon request by a grantee for whom the At-*
10 *torney General has determined there is a fiscal hardship,*
11 *the Attorney General may, with respect to funds appro-*
12 *priated in this or any other Act making appropriations for*
13 *fiscal years 2013 through 2016 for the following programs,*
14 *waive the following requirements:*

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

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

24 *(3) For the prosecution drug treatment alter-*
25 *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 2016, 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 2016, 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 2016, 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 (d) Subsections (a) through (c) of this section shall
20 sunset on September 30, 2016.

21 SEC. 218. (a) Of the funds appropriated by this Act
22 under each of the headings “General Administration—Sal-
23 aries and Expenses”, “United States Marshals Service—
24 Salaries and Expenses”, “Federal Bureau of Investiga-
25 tion—Salaries and Expenses”, “Drug Enforcement Admin-

1 *istration—Salaries and Expenses”, and “Bureau of Alco-*
2 *hol, Tobacco, Firearms and Explosives—Salaries and Ex-*
3 *penses”, \$20,000,000 shall not be available for obligation*
4 *until the Attorney General demonstrates to the Committees*
5 *on Appropriations of the House of Representatives and the*
6 *Senate that all recommendations included in the Office of*
7 *Inspector General of the Department of Justice, Evaluation*
8 *and Inspections Division Report 15–04 entitled “The Han-*
9 *dling of Sexual Harassment and Misconduct Allegations by*
10 *the Department’s Law Enforcement Components”, dated*
11 *March, 2015, have been implemented or are in the process*
12 *of being implemented.*

13 *(b) The Inspector General of the Department of Justice*
14 *shall report to the Committees on Appropriations of the*
15 *House of Representatives and the Senate not later than 90*
16 *days after the date of enactment of this Act on the status*
17 *of the Department’s implementation of recommendations*
18 *included in the report specified in subsection (a).*

19 *SEC. 219. 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, and*
24 *such authorities as are enacted for Performance Partnership*
25 *Pilots in an appropriations Act for fiscal year 2016.*

1 of passenger motor vehicles; and purchase, lease, charter,
2 maintenance, and operation of mission and administrative
3 aircraft, \$5,589,400,000, to remain available until Sep-
4 tember 30, 2017: Provided, That the formulation and devel-
5 opment costs (with development cost as defined under sec-
6 tion 30104 of title 51, United States Code) for the James
7 Webb Space Telescope shall not exceed \$8,000,000,000: Pro-
8 vided further, That should the individual identified under
9 subsection (c)(2)(E) of section 30104 of title 51, United
10 States Code, as responsible for the James Webb Space Tele-
11 scope determine that the development cost of the program
12 is likely to exceed that limitation, the individual shall im-
13 mediately notify the Administrator and the increase shall
14 be treated as if it meets the 30 percent threshold described
15 in subsection (f) of section 30104: Provided further, That,
16 of the amounts provided, \$175,000,000 is for an orbiter
17 with a lander to meet the science goals for the Jupiter Eu-
18 ropa mission as outlined in the most recent planetary
19 science decadal survey: Provided further, That the National
20 Aeronautics and Space Administration shall use the Space
21 Launch System as the launch vehicle for the Jupiter Eu-
22 ropa mission, plan for a launch no later than 2022, and
23 include in the fiscal year 2017 budget the 5-year funding
24 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, \$640,000,000, to remain available until September*
14 *30, 2017.*

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, 2017: Provided, That \$133,000,000 shall be for the RE-*
4 *STORE satellite servicing program for completion of pre-*
5 *formulation and initiation of formulation activities for*
6 *RESTORE and such funds shall not support activities sole-*
7 *ly needed for the 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, \$4,030,000,000, to remain available until Sep-*
21 *tember 30, 2017: Provided, That not less than*
22 *\$1,270,000,000 shall be for the Orion Multi-Purpose Crew*
23 *Vehicle: Provided further, That not less than \$2,000,000,000*
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 enhanced
2 upper stage developed simultaneously: Provided further,
3 That of the amounts provided for SLS, not less than
4 \$85,000,000 shall be for enhanced upper stage development:
5 Provided further, That \$410,000,000 shall be for explo-
6 ration ground systems: Provided further, That the National
7 Aeronautics and Space Administration shall provide to the
8 Committees on Appropriations of the House of Representa-
9 tives and the Senate, concurrent with the annual budget
10 submission, a 5-year budget profile and funding projection
11 that adheres to a 70 percent Joint Confidence Level and
12 is consistent with the Key Decision Point C (KDP-C) for
13 the SLS and with the management agreement contained in
14 the KDP-C for the Orion Multi-Purpose Crew Vehicle: Pro-
15 vided further, That \$350,000,000 shall be for exploration
16 research and development.

17 *SPACE OPERATIONS*

18 *For necessary expenses, not otherwise provided for, in*
19 *the conduct and support of space operations research and*
20 *development activities, including research, development, op-*
21 *erations, support and services; space flight, spacecraft con-*
22 *trol and communications activities, including operations,*
23 *production, and services; maintenance and repair, facility*
24 *planning and design; program management; personnel and*
25 *related costs, including uniforms or allowances therefor, as*

1 *authorized by sections 5901 and 5902 of title 5, United*
2 *States Code; travel expenses; purchase and hire of passenger*
3 *motor vehicles; and purchase, lease, charter, maintenance*
4 *and operation of mission and administrative aircraft,*
5 *\$5,029,200,000, to remain available until September 30,*
6 *2017.*

7 *EDUCATION*

8 *For necessary expenses, not otherwise provided for, in*
9 *the conduct and support of aerospace and aeronautical edu-*
10 *cation research and development activities, including re-*
11 *search, development, operations, support, and services; pro-*
12 *gram management; personnel and related costs, including*
13 *uniforms or allowances therefor, as authorized by sections*
14 *5901 and 5902 of title 5, United States Code; travel ex-*
15 *penses; purchase and hire of passenger motor vehicles; and*
16 *purchase, lease, charter, maintenance, and operation of*
17 *mission and administrative aircraft, \$115,000,000, to re-*
18 *main available until September 30, 2017, of which*
19 *\$18,000,000 shall be for the Experimental Program to*
20 *Stimulate Competitive Research and \$40,000,000 shall be*
21 *for the National Space Grant College program.*

22 *SAFETY, SECURITY AND MISSION SERVICES*

23 *For necessary expenses, not otherwise provided for, in*
24 *the conduct and support of science, aeronautics, space tech-*
25 *nology, exploration, space operations and education re-*

1 *search and development activities, including research, devel-*
2 *opment, operations, support, and services; maintenance and*
3 *repair, facility planning and design; space flight, spacecraft*
4 *control, and communications activities; program manage-*
5 *ment; personnel and related costs, including uniforms or*
6 *allowances therefor, as authorized by sections 5901 and*
7 *5902 of title 5, United States Code; travel expenses; pur-*
8 *chase and hire of passenger motor vehicles; not to exceed*
9 *\$63,000 for official reception and representation expenses;*
10 *and purchase, lease, charter, maintenance, and operation*
11 *of mission and administrative aircraft, \$2,768,600,000, to*
12 *remain available until September 30, 2017.*

13 *CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND*
14 *RESTORATION*

15 *For necessary expenses for construction of facilities in-*
16 *cluding repair, rehabilitation, revitalization, and modifica-*
17 *tion of facilities, construction of new facilities and addi-*
18 *tions to existing facilities, facility planning and design,*
19 *and restoration, and acquisition or condemnation of real*
20 *property, as authorized by law, and environmental compli-*
21 *ance and restoration, \$388,900,000, to remain available*
22 *until September 30, 2021: Provided, That proceeds from*
23 *leases deposited into this account shall be available for a*
24 *period of 5 years to the extent and in amounts as provided*
25 *in annual appropriations Acts: Provided further, That such*

1 *proceeds referred to in the preceding proviso shall be avail-*
2 *able for obligation for fiscal year 2016 in an amount not*
3 *to exceed \$9,470,300: Provided further, That each annual*
4 *budget request shall include an annual estimate of gross re-*
5 *ceipts and collections and proposed use of all funds collected*
6 *pursuant to section 20145 of title 51, United States Code.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-*
9 *eral in carrying out the Inspector General Act of 1978,*
10 *\$37,400,000, of which \$500,000 shall remain available until*
11 *September 30, 2017.*

12 *ADMINISTRATIVE PROVISIONS*

13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *Funds for any announced prize otherwise authorized*
15 *shall remain available, without fiscal year limitation, until*
16 *the prize is claimed or the offer is withdrawn.*

17 *Not to exceed 5 percent of any appropriation made*
18 *available for the current fiscal year for the National Aero-*
19 *nautics and Space Administration in this Act may be*
20 *transferred between such appropriations, but no such ap-*
21 *propriation, except as otherwise specifically provided, shall*
22 *be increased by more than 10 percent by any such transfers.*
23 *Balances so transferred shall be merged with and available*
24 *for the same purposes and the same time period as the ap-*
25 *propriations to which transferred. Any transfer pursuant*

1 *to this provision shall be treated as a reprogramming of*
2 *funds under section 505 of this Act and shall not be avail-*
3 *able for obligation except in compliance with the procedures*
4 *set forth in that section.*

5 *The spending plan required by this Act shall be pro-*
6 *vided by NASA at the theme, program, project and activity*
7 *level. The spending plan, as well as any subsequent change*
8 *of an amount established in that spending plan that meets*
9 *the notification requirements of section 505 of this Act, 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.*

14 *The unexpired balances for Commercial Spaceflight*
15 *Activities contained within the Exploration account may*
16 *be transferred to the Space Operations account for such ac-*
17 *tivities. Balances so transferred shall be merged with the*
18 *funds in the Space Operations account and shall be avail-*
19 *able under the same terms, conditions and period of time*
20 *as previously appropriated.*

21 *For the closeout of all Space Shuttle contracts and as-*
22 *sociated programs, amounts that have expired but have not*
23 *been cancelled in the Exploration, Space Operations,*
24 *Human Space Flight, Space Flight Capabilities, and Ex-*
25 *ploration Capabilities appropriations accounts shall re-*

1 *main available through fiscal year 2025 for the liquidation*
2 *of valid obligations incurred during the period of fiscal year*
3 *2001 through fiscal year 2013.*

4 *NATIONAL SCIENCE FOUNDATION*

5 *RESEARCH AND RELATED ACTIVITIES*

6 *For necessary expenses in carrying out the National*
7 *Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),*
8 *and Public Law 86–209 (42 U.S.C. 1880 et seq.); services*
9 *as authorized by section 3109 of title 5, United States Code;*
10 *maintenance and operation of aircraft and purchase of*
11 *flight services for research support; acquisition of aircraft;*
12 *and authorized travel; \$6,033,645,000, to remain available*
13 *until September 30, 2017, of which not to exceed*
14 *\$540,000,000 shall remain available until expended for*
15 *polar research and operations support, and for reimburse-*
16 *ment to other Federal agencies for operational and science*
17 *support and logistical and other related activities for the*
18 *United States Antarctic program: Provided, That receipts*
19 *for scientific support services and materials furnished by*
20 *the National Research Centers and other National Science*
21 *Foundation supported research facilities may be credited to*
22 *this appropriation.*

1 *bia; and reimbursement of the Department of Homeland Se-*
2 *curity for security guard services; \$330,000,000: Provided,*
3 *That not to exceed \$8,280 is for official reception and rep-*
4 *resentation expenses: Provided further, That contracts may*
5 *be entered into under this heading in fiscal year 2016 for*
6 *maintenance and operation of facilities and for other serv-*
7 *ices to be provided during the next fiscal year: Provided*
8 *further, That of the amount provided for costs associated*
9 *with the acquisition, occupancy, and related costs of new*
10 *headquarters space, not more than \$30,770,000 shall re-*
11 *main available until expended.*

12 *OFFICE OF THE NATIONAL SCIENCE BOARD*

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

23 *OFFICE OF INSPECTOR GENERAL*

24 *For necessary expenses of the Office of Inspector Gen-*
25 *eral as authorized by the Inspector General Act of 1978,*

1 \$15,160,000, of which \$400,000 shall remain available until
2 September 30, 2017.

3 *ADMINISTRATIVE PROVISION*

4 *Not to exceed 5 percent of any appropriation made*
5 *available for the current fiscal year for the National Science*
6 *Foundation in this Act may be transferred between such*
7 *appropriations, but no such appropriation shall be in-*
8 *creased by more than 10 percent by any such transfers. Any*
9 *transfer pursuant to this section shall be treated as a re-*
10 *programming of funds under section 505 of this Act and*
11 *shall not be available for obligation except in compliance*
12 *with the procedures set forth in that section.*

13 *This title may be cited as the “Science Appropriations*
14 *Act, 2016”.*

15 *TITLE IV*

16 *RELATED AGENCIES*

17 *COMMISSION ON CIVIL RIGHTS*

18 *SALARIES AND EXPENSES*

19 *For necessary expenses of the Commission on Civil*
20 *Rights, including hire of passenger motor vehicles,*
21 *\$9,200,000: Provided, That none of the funds appropriated*
22 *in this paragraph may be used to employ any individuals*
23 *under Schedule C of subpart C of part 213 of title 5 of*
24 *the Code of Federal Regulations exclusive of one special as-*
25 *sistant for each Commissioner: Provided further, That none*

1 *of the funds appropriated in this paragraph shall be used*
2 *to reimburse Commissioners for more than 75 billable days,*
3 *with the exception of the chairperson, who is permitted 125*
4 *billable days: Provided further, That none of the funds ap-*
5 *propriated in this paragraph shall be used for any activity*
6 *or expense that is not explicitly authorized by section 3 of*
7 *the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).*

8 *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Equal Employment Op-*
11 *portunity Commission as authorized by title VII of the*
12 *Civil Rights Act of 1964, the Age Discrimination in Em-*
13 *ployment Act of 1967, the Equal Pay Act of 1963, the Amer-*
14 *icans with Disabilities Act of 1990, section 501 of the Reha-*
15 *ilitation Act of 1973, the Civil Rights Act of 1991, the*
16 *Genetic Information Non-Discrimination Act (GINA) of*
17 *2008 (Public Law 110–233), the ADA Amendments Act of*
18 *2008 (Public Law 110–325), and the Lilly Ledbetter Fair*
19 *Pay Act of 2009 (Public Law 111–2), including services*
20 *as authorized by section 3109 of title 5, United States Code;*
21 *hire of passenger motor vehicles as authorized by section*
22 *1343(b) of title 31, United States Code; nonmonetary*
23 *awards to private citizens; and up to \$29,500,000 for pay-*
24 *ments to State and local enforcement agencies for author-*
25 *ized services to the Commission, \$364,500,000: Provided,*

1 *That the Commission is authorized to make available for*
2 *official reception and representation expenses not to exceed*
3 *\$2,250 from available funds: Provided further, That the*
4 *Commission may take no action to implement any work-*
5 *force repositioning, restructuring, or reorganization until*
6 *such time as the Committees on Appropriations of the*
7 *House of Representatives and the Senate have been notified*
8 *of such proposals, in accordance with the reprogramming*
9 *requirements of section 505 of this Act: Provided further,*
10 *That the Chair is authorized to accept and use any gift*
11 *or donation to carry out the work of the Commission.*

12 *INTERNATIONAL TRADE COMMISSION*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the International Trade*
15 *Commission, including hire of passenger motor vehicles and*
16 *services as authorized by section 3109 of title 5, United*
17 *States Code, and not to exceed \$2,250 for official reception*
18 *and representation expenses, \$88,500,000, to remain avail-*
19 *able until expended.*

20 *LEGAL SERVICES CORPORATION*

21 *PAYMENT TO THE LEGAL SERVICES CORPORATION*

22 *For payment to the Legal Services Corporation to*
23 *carry out the purposes of the Legal Services Corporation*
24 *Act of 1974, \$385,000,000, of which \$352,000,000 is for*
25 *basic field programs and required independent audits;*

1 \$5,000,000 is for the Office of Inspector General, of which
2 such amounts as may be necessary may be used to conduct
3 additional audits of recipients; \$19,000,000 is for manage-
4 ment and grants oversight; \$4,000,000 is for client self-help
5 and information technology; \$4,000,000 is for a Pro Bono
6 Innovation Fund; and \$1,000,000 is for loan repayment as-
7 sistance: Provided, That the Legal Services Corporation
8 may continue to provide locality pay to officers and em-
9 ployees at a rate no greater than that provided by the Fed-
10 eral Government to Washington, DC-based employees as au-
11 thorized by section 5304 of title 5, United States Code, not-
12 withstanding section 1005(d) of the Legal Services Corpora-
13 tion Act (42 U.S.C. 2996(d)): Provided further, That the
14 authorities provided in section 205 of this Act shall be ap-
15 plicable to the Legal Services Corporation: Provided fur-
16 ther, That, for the purposes of section 505 of this Act, the
17 Legal Services Corporation shall be considered an agency
18 of the United States Government.

19 ADMINISTRATIVE PROVISION—LEGAL SERVICES

20 CORPORATION

21 None of the funds appropriated in this Act to the Legal
22 Services Corporation shall be expended for any purpose pro-
23 hibited or limited by, or contrary to any of the provisions
24 of, sections 501, 502, 503, 504, 505, and 506 of Public Law
25 105–119, and all funds appropriated in this Act to the

1 *Legal Services Corporation shall be subject to the same*
2 *terms and conditions set forth in such sections, except that*
3 *all references in sections 502 and 503 to 1997 and 1998*
4 *shall be deemed to refer instead to 2015 and 2016, respec-*
5 *tively.*

6 *MARINE MAMMAL COMMISSION*

7 *SALARIES AND EXPENSES*

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

11 *OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Office of the United*
14 *States Trade Representative, including the hire of passenger*
15 *motor vehicles and the employment of experts and consult-*
16 *ants as authorized by section 3109 of title 5, United States*
17 *Code, \$54,500,000, of which \$1,000,000 shall remain avail-*
18 *able until expended: Provided, That not to exceed \$124,000*
19 *shall be available for official reception and representation*
20 *expenses.*

21 *STATE JUSTICE INSTITUTE*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the State Justice Institute,*
24 *as authorized by the State Justice Institute Authorization*
25 *Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of which*

1 \$500,000 shall remain available until September 30, 2017:
2 Provided, That not to exceed \$2,250 shall be available for
3 official reception and representation expenses: Provided fur-
4 ther, That, for the purposes of section 505 of this Act, the
5 State Justice Institute shall be considered an agency of the
6 United States Government.

7 *TITLE V*

8 *GENERAL PROVISIONS*

9 *(INCLUDING RESCISSIONS)*

10 *(INCLUDING TRANSFER OF FUNDS)*

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

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

17 *SEC. 503. The expenditure of any appropriation under*
18 *this Act for any consulting service through procurement*
19 *contract, pursuant to section 3109 of title 5, United States*
20 *Code, shall be limited to those contracts where such expendi-*
21 *tures are a matter of public record and available for public*
22 *inspection, except where otherwise provided under existing*
23 *law, or under existing Executive order issued pursuant to*
24 *existing law.*

1 *SEC. 504. If any provision of this Act or the applica-*
2 *tion of such provision to any person or circumstances shall*
3 *be held invalid, the remainder of the Act and the applica-*
4 *tion of each provision to persons or circumstances other*
5 *than those as to which it is held invalid shall not be affected*
6 *thereby.*

7 *SEC. 505. None of the funds provided under this Act,*
8 *or provided under previous appropriations Acts to the agen-*
9 *cies funded by this Act that remain available for obligation*
10 *or expenditure in fiscal year 2016, or provided from any*
11 *accounts in the Treasury of the United States derived by*
12 *the collection of fees available to the agencies funded by this*
13 *Act, shall be available for obligation or expenditure through*
14 *a reprogramming of funds that: (1) creates or initiates a*
15 *new program, project or activity; (2) eliminates a program,*
16 *project or activity; (3) increases funds or personnel by any*
17 *means for any project or activity for which funds have been*
18 *denied or restricted; (4) relocates an office or employees; (5)*
19 *reorganizes or renames offices, programs or activities; (6)*
20 *contracts out or privatizes any functions or activities pres-*
21 *ently performed by Federal employees; (7) augments exist-*
22 *ing programs, projects or activities in excess of \$500,000*
23 *or 10 percent, whichever is less, or reduces by 10 percent*
24 *funding for any program, project or activity, or numbers*
25 *of personnel by 10 percent; or (8) results from any general*

1 *savings, including savings from a reduction in personnel,*
2 *which would result in a change in existing programs,*
3 *projects or activities as approved by Congress; unless the*
4 *House and Senate Committees on Appropriations are noti-*
5 *fied 15 days in advance of such reprogramming of funds*
6 *by agencies (excluding agencies of the Department of Jus-*
7 *tice) funded by this Act and 45 days in advance of such*
8 *reprogramming of funds by agencies of the Department of*
9 *Justice funded by this Act.*

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

20 *(b)(1) To the extent practicable, with respect to author-*
21 *ized purchases of promotional items, funds made available*
22 *by this Act shall be used to purchase items that are manu-*
23 *factured, produced, or assembled in the United States, its*
24 *territories or possessions.*

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

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

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

18 *(c) If a department or agency is unable to fulfill any*
19 *aspect of a reporting requirement described in subsection*
20 *(a) due to a limitation of a current accounting system, the*
21 *department or agency shall fulfill such aspect to the max-*
22 *imum extent practicable under such accounting system and*
23 *shall identify and describe in each quarterly report the ex-*
24 *tent to which such aspect is not fulfilled.*

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

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

24 *SEC. 510. Notwithstanding any other provision of law,*
25 *amounts deposited or available in the Fund established by*

1 *section 1402 of chapter XIV of title II of Public Law 98–*
2 *473 (42 U.S.C. 10601) in any fiscal year in excess of*
3 *\$3,042,000,000 shall not be available for obligation until*
4 *the following fiscal year: Provided, That notwithstanding*
5 *section 1402(d) of such Act, of the amounts available from*
6 *the Fund for obligation, \$10,000,000 shall remain available*
7 *until expended to the Department of Justice Office of In-*
8 *spector General for oversight and auditing purposes.*

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

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

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

23 *SEC. 514. (a) The Inspectors General of the Depart-*
24 *ment of Commerce, the Department of Justice, the National*
25 *Aeronautics and Space Administration, the National*

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

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

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

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

23 *(c) Any person awarded a grant or contract funded*
24 *by amounts appropriated by this Act shall submit a state-*
25 *ment to the Secretary of Commerce, the Attorney General,*

1 *the Administrator, Director, or President, as appropriate,*
2 *certifying that no funds derived from the grant or contract*
3 *will be made available through a subcontract or in any*
4 *other manner to another person who has a financial interest*
5 *in the person awarded the grant or contract.*

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

15 *SEC. 515. (a) None of the funds appropriated or other-*
16 *wise made available under this Act may be used by the De-*
17 *partments of Commerce and Justice, the National Aero-*
18 *navitics and Space Administration, or the National Science*
19 *Foundation to acquire a high-impact or moderate-impact*
20 *information system, as defined for security categorization*
21 *in the National Institute of Standards and Technology's*
22 *(NIST) Federal Information Processing Standard Publica-*
23 *tion 199, "Standards for Security Categorization of Federal*
24 *Information and Information Systems" unless the agency*
25 *has—*

1 (1) reviewed the supply chain risk for the infor-
2 mation systems against criteria developed by NIST to
3 inform acquisition decisions for high-impact and
4 moderate-impact information systems within the Fed-
5 eral Government;

6 (2) reviewed the supply chain risk from the pre-
7 sumptive awardee against available and relevant
8 threat information provided by the Federal Bureau of
9 Investigation (FBI) and other appropriate agencies;
10 and

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

21 (b) None of the funds appropriated or otherwise made
22 available under this Act may be used to acquire a high-
23 impact or moderate-impact information system reviewed
24 and assessed under subsection (a) unless the head of the as-
25 sessing entity described in subsection (a) has—

1 (1) developed, in consultation with NIST and
2 supply chain risk management experts, a mitigation
3 strategy for any identified risks;

4 (2) determined that the acquisition of such sys-
5 tem is in the national interest of the United States;
6 and

7 (3) reported that determination to the Commit-
8 tees on Appropriations of the House of Representa-
9 tives and the Senate and the agency Inspector Gen-
10 eral.

11 (c) During fiscal year 2016—

12 (1) the FBI shall develop best practices for sup-
13 ply chain risk management; and

14 (2) the Departments of Commerce and Justice,
15 the National Aeronautics and Space Administration,
16 and the National Science Foundation shall incor-
17 porate such practices into their information tech-
18 nology procurement practices to the maximum extent
19 practicable.

20 SEC. 516. None of the funds made available in this
21 Act shall be used in any way whatsoever to support or jus-
22 tify the use of torture by any official or contract employee
23 of the United States Government.

24 SEC. 517. (a) Notwithstanding any other provision of
25 law or treaty, none of the funds appropriated or otherwise

1 *made available under this Act or any other Act may be*
2 *expended or obligated by a department, agency, or instru-*
3 *mentality of the United States to pay administrative ex-*
4 *penses or to compensate an officer or employee of the United*
5 *States in connection with requiring an export license for*
6 *the export to Canada of components, parts, accessories or*
7 *attachments for firearms listed in Category I, section 121.1*
8 *of title 22, Code of Federal Regulations (International Traf-*
9 *ficking in Arms Regulations (ITAR), part 121, as it existed*
10 *on April 1, 2005) with a total value not exceeding \$500*
11 *wholesale in any transaction, provided that the conditions*
12 *of subsection (b) of this section are met by the exporting*
13 *party for such articles.*

14 *(b) The foregoing exemption from obtaining an export*
15 *license—*

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

22 *(2) does not permit the export without a license*
23 *of—*

24 *(A) fully automatic firearms and compo-*
25 *nents and parts for such firearms, other than for*

1 *end use by the Federal Government, or a Provin-*
2 *cial or Municipal Government of Canada;*

3 *(B) barrels, cylinders, receivers (frames) or*
4 *complete breech mechanisms for any firearm list-*
5 *ed in Category I, other than for end use by the*
6 *Federal Government, or a Provincial or Munic-*
7 *ipal Government of Canada; or*

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

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

18 *(d) The President may require export licenses under*
19 *this section on a temporary basis if the President deter-*
20 *mines, upon publication first in the Federal Register, that*
21 *the Government of Canada has implemented or maintained*
22 *inadequate import controls for the articles specified in sub-*
23 *section (a), such that a significant diversion of such articles*
24 *has and continues to take place for use in international*
25 *terrorism or in the escalation of a conflict in another na-*

1 *tion. The President shall terminate the requirements of a*
2 *license when reasons for the temporary requirements have*
3 *ceased.*

4 *SEC. 518. Notwithstanding any other provision of law,*
5 *no department, agency, or instrumentality of the United*
6 *States receiving appropriated funds under this Act or any*
7 *other Act shall obligate or expend in any way such funds*
8 *to pay administrative expenses or the compensation of any*
9 *officer or employee of the United States to deny any appli-*
10 *cation submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and*
11 *qualified pursuant to 27 CFR section 478.112 or .113, for*
12 *a permit to import United States origin “curios or relics”*
13 *firearms, parts, or ammunition.*

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

17 *(1) paragraph 2 of article 16.7 of the United*
18 *States-Singapore Free Trade Agreement;*

19 *(2) paragraph 4 of article 17.9 of the United*
20 *States-Australia Free Trade Agreement; or*

21 *(3) paragraph 4 of article 15.9 of the United*
22 *States-Morocco Free Trade Agreement.*

23 *SEC. 520. None of the funds made available in this*
24 *Act may be used to authorize or issue a national security*
25 *letter in contravention of any of the following laws author-*

1 izing the Federal Bureau of Investigation to issue national
2 security letters: *The Right to Financial Privacy Act*; *The*
3 *Electronic Communications Privacy Act*; *The Fair Credit*
4 *Reporting Act*; *The National Security Act of 1947*; *USA*
5 *PATRIOT Act*; *USA FREEDOM Act of 2015*; and the laws
6 amended by these Acts.

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

1 *management structure is adequate to control total project*
2 *or procurement costs.*

3 *SEC. 522. Funds appropriated by this Act, or made*
4 *available by the transfer of funds in this Act, for intelligence*
5 *or intelligence related activities are deemed to be specifi-*
6 *cally authorized by the Congress for purposes of section 504*
7 *of the National Security Act of 1947 (50 U.S.C. 414) during*
8 *fiscal year 2016 until the enactment of the Intelligence Au-*
9 *thorization Act for fiscal year 2016.*

10 *SEC. 523. None of the funds appropriated or otherwise*
11 *made available by this Act may be used to enter into a*
12 *contract in an amount greater than \$5,000,000 or to award*
13 *a grant in excess of such amount unless the prospective con-*
14 *tractor or grantee certifies in writing to the agency award-*
15 *ing the contract or grant that, to the best of its knowledge*
16 *and belief, the contractor or grantee has filed all Federal*
17 *tax returns required during the three years preceding the*
18 *certification, has not been convicted of a criminal offense*
19 *under the Internal Revenue Code of 1986, and has not, more*
20 *than 90 days prior to certification, been notified of any*
21 *unpaid Federal tax assessment for which the liability re-*
22 *mains unsatisfied, unless the assessment is the subject of*
23 *an installment agreement or offer in compromise that has*
24 *been approved by the Internal Revenue Service and is not*

1 *in default, or the assessment is the subject of a non-frivolous*
2 *administrative or judicial proceeding.*

3 (RESCISSIONS)

4 *SEC. 524. (a) Of the unobligated balances from prior*
5 *year appropriations available to the Department of Com-*
6 *merce’s Economic Development Administration, Economic*
7 *Development Assistance Programs, \$10,000,000 are re-*
8 *scinded, not later than September 30, 2016.*

9 *(b) Of the unobligated balances available to the De-*
10 *partment of Justice, the following funds are hereby re-*
11 *scinded, not later than September 30, 2016, from the fol-*
12 *lowing accounts in the specified amounts—*

13 (1) *“Working Capital Fund”, \$69,000,000;*

14 (2) *“United States Marshals Service, Federal*
15 *Prisoner Detention”, \$195,974,000;*

16 (3) *“Federal Bureau of Investigation, Salaries*
17 *and Expenses”, \$80,767,000 from fees collected to de-*
18 *fray expenses for the automation of fingerprint iden-*
19 *tification and criminal justice information services*
20 *and associated costs;*

21 (4) *“State and Local Law Enforcement Activi-*
22 *ties, Office on Violence Against Women, Violence*
23 *Against Women Prevention and Prosecution Pro-*
24 *grams”, \$15,000,000;*

1 (5) “*State and Local Law Enforcement Activi-*
2 *ties, Office of Justice Programs*”, \$40,000,000;

3 (6) “*State and Local Law Enforcement Activi-*
4 *ties, Community Oriented Policing Services*”,
5 \$10,000,000; and

6 (7) “*Legal Activities, Assets Forfeiture Fund*”,
7 \$458,000,000.

8 (c) *The Departments of Commerce and Justice shall*
9 *submit to the Committees on Appropriations of the House*
10 *of Representatives and the Senate a report no later than*
11 *September 1, 2016, specifying the amount of each rescission*
12 *made pursuant to subsections (a) and (b).*

13 *SEC. 525. None of the funds made available in this*
14 *Act may be used to purchase first class or premium airline*
15 *travel in contravention of sections 301–10.122 through 301–*
16 *10.124 of title 41 of the Code of Federal Regulations.*

17 *SEC. 526. None of the funds made available in this*
18 *Act may be used to send or otherwise pay for the attendance*
19 *of more than 50 employees from a Federal department or*
20 *agency, who are stationed in the United States, at any sin-*
21 *gle conference occurring outside the United States unless*
22 *such conference is a law enforcement training or oper-*
23 *ational conference for law enforcement personnel and the*
24 *majority of Federal employees in attendance are law en-*
25 *forcement personnel stationed outside the United States.*

1 *SEC. 527. None of the funds appropriated or otherwise*
2 *made available in this or any other Act may be used to*
3 *transfer, release, or assist in the transfer or release to or*
4 *within the United States, its territories, or possessions*
5 *Khalid Sheikh Mohammed or any other detainee who—*

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

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

11 *SEC. 528. (a) None of the funds appropriated or other-*
12 *wise made available in this or any other Act may be used*
13 *to construct, acquire, or modify any facility in the United*
14 *States, its territories, or possessions to house any individual*
15 *described in subsection (c) for the purposes of detention or*
16 *imprisonment in the custody or under the effective control*
17 *of the Department of Defense.*

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

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

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

1 (2) is—

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

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

6 *SEC. 529. To the extent practicable, funds made avail-*
7 *able in this Act should be used to purchase light bulbs that*
8 *are “Energy Star” qualified or have the “Federal Energy*
9 *Management Program” designation.*

10 *SEC. 530. The Director of the Office of Management*
11 *and Budget shall instruct any department, agency, or in-*
12 *strumentality of the United States receiving funds appro-*
13 *priated under this Act to track undisbursed balances in ex-*
14 *pired grant accounts and include in its annual performance*
15 *plan and performance and accountability reports the fol-*
16 *lowing:*

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

20 (2) *The method that the department, agency, or*
21 *instrumentality uses to track undisbursed balances in*
22 *expired grant accounts.*

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

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

7 *SEC. 531. (a) None of the funds made available by this*
8 *Act may be used for the National Aeronautics and Space*
9 *Administration (NASA) or the Office of Science and Tech-*
10 *nology Policy (OSTP) to develop, design, plan, promulgate,*
11 *implement, or execute a bilateral policy, program, order,*
12 *or contract of any kind to participate, collaborate, or co-*
13 *ordinate bilaterally in any way with China or any Chinese-*
14 *owned company unless such activities are specifically au-*
15 *thorized by a law enacted after the date of enactment of*
16 *this Act.*

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

20 *(c) The limitations described in subsections (a) and*
21 *(b) shall not apply to activities which NASA or OSTP has*
22 *certified—*

23 *(1) pose no risk of resulting in the transfer of*
24 *technology, data, or other information with national*

1 *security or economic security implications to China*
2 *or a Chinese-owned company; and*

3 (2) *will not involve knowing interactions with*
4 *officials who have been determined by the United*
5 *States to have direct involvement with violations of*
6 *human rights.*

7 (d) *Any certification made under subsection (c) shall*
8 *be submitted to the Committees on Appropriations of the*
9 *House of Representatives and the Senate, and the Federal*
10 *Bureau of Investigation, no later than 30 days prior to the*
11 *activity in question and shall include a description of the*
12 *purpose of the activity, its agenda, its major participants,*
13 *and its location and timing.*

14 SEC. 532. *None of the funds made available by this*
15 *Act may be used to pay the salaries or expenses of personnel*
16 *to deny, or fail to act on, an application for the importation*
17 *of any model of shotgun if—*

18 (1) *all other requirements of law with respect to*
19 *the proposed importation are met; and*

20 (2) *no application for the importation of such*
21 *model of shotgun, in the same configuration, had been*
22 *denied by the Attorney General prior to January 1,*
23 *2011, on the basis that the shotgun was not particu-*
24 *larly suitable for or readily adaptable to sporting*
25 *purposes.*

1 *SEC. 533. (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, adjudication, or other law*
9 *enforcement- or victim assistance-related activity.*

10 *SEC. 534. The Departments of Commerce and Justice,*
11 *the National Aeronautics and Space Administration, the*
12 *National Science Foundation, the Commission on Civil*
13 *Rights, the Equal Employment Opportunity Commission,*
14 *the International Trade Commission, the Legal Services*
15 *Corporation, the Marine Mammal Commission, the Offices*
16 *of Science and Technology Policy and the United States*
17 *Trade Representative, and the State Justice Institute shall*
18 *submit spending plans, signed by the respective department*
19 *or agency head, to the Committees on Appropriations of the*
20 *House of Representatives and the Senate within 45 days*
21 *after the date of enactment of this Act.*

22 *SEC. 535. (a) The head of any executive branch depart-*
23 *ment, agency, board, commission, or office funded by this*
24 *Act shall submit annual reports to the Inspector General*
25 *or senior ethics official for any entity without an Inspector*

1 *General, regarding the costs and contracting procedures re-*
2 *lated to each conference held by any such department, agen-*
3 *cy, board, commission, or office during fiscal year 2016 for*
4 *which the cost to the United States Government was more*
5 *than \$100,000.*

6 *(b) Each report submitted shall include, for each con-*
7 *ference described in subsection (a) held during the applica-*
8 *ble period—*

9 *(1) a description of its purpose;*

10 *(2) the number of participants attending;*

11 *(3) a detailed statement of the costs to the United*
12 *States Government, including—*

13 *(A) the cost of any food or beverages;*

14 *(B) the cost of any audio-visual services;*

15 *(C) the cost of employee or contractor travel*
16 *to and from the conference; and*

17 *(D) a discussion of the methodology used to*
18 *determine which costs relate to the conference;*

19 *and*

20 *(4) a description of the contracting procedures*
21 *used including—*

22 *(A) whether contracts were awarded on a*
23 *competitive basis; and*

24 *(B) a discussion of any cost comparison*
25 *conducted by the departmental component or of-*

1 *office in evaluating potential contractors for the*
2 *conference.*

3 *(c) Within 15 days of the date of a conference held*
4 *by any executive branch department, agency, board, com-*
5 *mission, or office funded by this Act during fiscal year 2016*
6 *for which the cost to the United States Government was*
7 *more than \$20,000, the head of any such department, agen-*
8 *cy, board, commission, or office shall notify the Inspector*
9 *General or senior ethics official for any entity without an*
10 *Inspector General, of the date, location, and number of em-*
11 *ployees attending such conference.*

12 *(d) A grant or contract funded by amounts appro-*
13 *priated by this Act may not be used for the purpose of de-*
14 *fraying the costs of a banquet or conference that is not di-*
15 *rectly and programmatically related to the purpose for*
16 *which the grant or contract was awarded, such as a banquet*
17 *or conference held in connection with planning, training,*
18 *assessment, review, or other routine purposes related to a*
19 *project funded by the grant or contract.*

20 *(e) None of the funds made available in this Act may*
21 *be used for travel and conference activities that are not in*
22 *compliance with Office of Management and Budget Memo-*
23 *randum M-12-12 dated May 11, 2012 or any subsequent*
24 *revisions to that memorandum.*

1 *SEC. 536. None of the funds made available by this*
2 *Act may be obligated or expended to implement the Arms*
3 *Trade Treaty until the Senate approves a resolution of rati-*
4 *fication for the Treaty.*

5 *SEC. 537. The head of any executive branch depart-*
6 *ment, agency, board, commission, or office funded by this*
7 *Act shall require that all contracts within their purview*
8 *that provide award fees link such fees to successful acquisi-*
9 *tion outcomes, specifying the terms of cost, schedule, and*
10 *performance.*

11 *SEC. 538. 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. 539. (a) None of the funds made available by this*
18 *Act may be used to relinquish the responsibility of the Na-*
19 *tional Telecommunications and Information Administra-*
20 *tion, during fiscal year 2016, with respect to Internet do-*
21 *main name system functions, including responsibility with*
22 *respect to the authoritative root zone file and the Internet*
23 *Assigned Numbers Authority functions.*

24 *(b) Notwithstanding any other law, subsection (a) of*
25 *this section shall not apply in fiscal year 2017.*

1 *SEC. 540. No funds provided in this Act shall be used*
2 *to deny an Inspector General funded under this Act timely*
3 *access to any records, documents, or other materials avail-*
4 *able to the department or agency over which that Inspector*
5 *General has responsibilities under the Inspector General Act*
6 *of 1978, or to prevent or impede that Inspector General's*
7 *access to such records, documents, or other materials, under*
8 *any provision of law, except a provision of law that ex-*
9 *pressly refers to the Inspector General and expressly limits*
10 *the Inspector General's right of access. A department or*
11 *agency covered by this section shall provide its Inspector*
12 *General with access to all such records, documents, and*
13 *other materials in a timely manner. Each Inspector Gen-*
14 *eral shall ensure compliance with statutory limitations on*
15 *disclosure relevant to the information provided by the estab-*
16 *lishment over which that Inspector General has responsibil-*
17 *ities under the Inspector General Act of 1978. Each Inspec-*
18 *tor General covered by this section shall report to the Com-*
19 *mittees on Appropriations of the House of Representatives*
20 *and the Senate within 5 calendar days any failures to com-*
21 *ply with this requirement.*

22 *SEC. 541. The Department of Commerce, the National*
23 *Aeronautics and Space Administration, and the National*
24 *Science Foundation shall provide a quarterly report to the*
25 *Committees on Appropriations of the House of Representa-*

1 *tives and the Senate on any official travel to China by any*
2 *employee of such Department or agency, including the pur-*
3 *pose of such travel.*

4 *SEC. 542. None of the funds made available in this*
5 *Act to the Department of Justice may be used, with respect*
6 *to any of the States of Alabama, Alaska, Arizona, Cali-*
7 *fornia, Colorado, Connecticut, Delaware, Florida, Georgia,*
8 *Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Mary-*
9 *land, Massachusetts, Michigan, Minnesota, Mississippi,*
10 *Missouri, Montana, Nevada, New Hampshire, New Jersey,*
11 *New Mexico, New York, North Carolina, Oklahoma, Oregon,*
12 *Rhode Island, South Carolina, Tennessee, Texas, Utah,*
13 *Vermont, Virginia, Washington, Wisconsin, and Wyoming,*
14 *or with respect to the District of Columbia, Guam, or Puer-*
15 *to Rico, to prevent any of them from implementing their*
16 *own laws that authorize the use, distribution, possession,*
17 *or cultivation of medical marijuana.*

18 *SEC. 543. None of the funds made available by this*
19 *Act may be used in contravention of section 7606 (“Legit-*
20 *imacy of Industrial Hemp Research”) of the Agricultural*
21 *Act of 2014 (Public Law 113–79) by the Department of Jus-*
22 *tice or the Drug Enforcement Administration.*

23 *This division may be cited as the “Commerce, Justice,*
24 *Science, and Related Agencies Appropriations Act, 2016”.*

1 ***DIVISION C—DEPARTMENT OF DEFENSE***
2 ***APPROPRIATIONS ACT, 2016***

3 ***TITLE I***

4 ***MILITARY PERSONNEL***

5 ***MILITARY PERSONNEL, ARMY***

6 *For pay, allowances, individual clothing, subsistence,*
7 *interest on deposits, gratuities, permanent change of station*
8 *travel (including all expenses thereof for organizational*
9 *movements), and expenses of temporary duty travel between*
10 *permanent duty stations, for members of the Army on active*
11 *duty (except members of reserve components provided for*
12 *elsewhere), cadets, and aviation cadets; for members of the*
13 *Reserve Officers' Training Corps; and for payments pursu-*
14 *ant to section 156 of Public Law 97–377, as amended (42*
15 *U.S.C. 402 note), and to the Department of Defense Mili-*
16 *tary Retirement Fund, \$41,045,562,000.*

17 ***MILITARY PERSONNEL, NAVY***

18 *For pay, allowances, individual clothing, subsistence,*
19 *interest on deposits, gratuities, permanent change of station*
20 *travel (including all expenses thereof for organizational*
21 *movements), and expenses of temporary duty travel between*
22 *permanent duty stations, for members of the Navy on active*
23 *duty (except members of the Reserve provided for elsewhere),*
24 *midshipmen, and aviation cadets; for members of the Re-*
25 *serve Officers' Training Corps; and for payments pursuant*

1 *to section 156 of Public Law 97–377, as amended (42*
2 *U.S.C. 402 note), and to the Department of Defense Mili-*
3 *tary Retirement Fund, \$27,835,183,000.*

4 *MILITARY PERSONNEL, MARINE CORPS*

5 *For pay, allowances, individual clothing, subsistence,*
6 *interest on deposits, gratuities, permanent change of station*
7 *travel (including all expenses thereof for organizational*
8 *movements), and expenses of temporary duty travel between*
9 *permanent duty stations, for members of the Marine Corps*
10 *on active duty (except members of the Reserve provided for*
11 *elsewhere); and for payments pursuant to section 156 of*
12 *Public Law 97–377, as amended (42 U.S.C. 402 note), and*
13 *to the Department of Defense Military Retirement Fund,*
14 *\$12,859,152,000.*

15 *MILITARY PERSONNEL, AIR FORCE*

16 *For pay, allowances, individual clothing, subsistence,*
17 *interest on deposits, gratuities, permanent change of station*
18 *travel (including all expenses thereof for organizational*
19 *movements), and expenses of temporary duty travel between*
20 *permanent duty stations, for members of the Air Force on*
21 *active duty (except members of reserve components provided*
22 *for elsewhere), cadets, and aviation cadets; for members of*
23 *the Reserve Officers' Training Corps; and for payments*
24 *pursuant to section 156 of Public Law 97–377, as amended*

1 *(42 U.S.C. 402 note), and to the Department of Defense*
2 *Military Retirement Fund, \$27,679,066,000.*

3 *RESERVE PERSONNEL, ARMY*

4 *For pay, allowances, clothing, subsistence, gratuities,*
5 *travel, and related expenses for personnel of the Army Re-*
6 *serve on active duty under sections 10211, 10302, and 3038*
7 *of title 10, United States Code, or while serving on active*
8 *duty under section 12301(d) of title 10, United States Code,*
9 *in connection with performing duty specified in section*
10 *12310(a) of title 10, United States Code, or while under-*
11 *going reserve training, or while performing drills or equiva-*
12 *lent duty or other duty, and expenses authorized by section*
13 *16131 of title 10, United States Code; and for payments*
14 *to the Department of Defense Military Retirement Fund,*
15 *\$4,463,164,000.*

16 *RESERVE PERSONNEL, NAVY*

17 *For pay, allowances, clothing, subsistence, gratuities,*
18 *travel, and related expenses for personnel of the Navy Re-*
19 *serve on active duty under section 10211 of title 10, United*
20 *States Code, or while serving on active duty under section*
21 *12301(d) of title 10, United States Code, in connection with*
22 *performing duty specified in section 12310(a) of title 10,*
23 *United States Code, or while undergoing reserve training,*
24 *or while performing drills or equivalent duty, and expenses*
25 *authorized by section 16131 of title 10, United States Code;*

1 *and for payments to the Department of Defense Military*
2 *Retirement Fund, \$1,866,891,000.*

3 *RESERVE PERSONNEL, MARINE CORPS*

4 *For pay, allowances, clothing, subsistence, gratuities,*
5 *travel, and related expenses for personnel of the Marine*
6 *Corps Reserve on active duty under section 10211 of title*
7 *10, United States Code, or while serving on active duty*
8 *under section 12301(d) of title 10, United States Code, in*
9 *connection with performing duty specified in section*
10 *12310(a) of title 10, United States Code, or while under-*
11 *going reserve training, or while performing drills or equiva-*
12 *lent duty, and for members of the Marine Corps platoon*
13 *leaders class, and expenses authorized by section 16131 of*
14 *title 10, United States Code; and for payments to the De-*
15 *partment of Defense Military Retirement Fund,*
16 *\$702,481,000.*

17 *RESERVE PERSONNEL, AIR FORCE*

18 *For pay, allowances, clothing, subsistence, gratuities,*
19 *travel, and related expenses for personnel of the Air Force*
20 *Reserve on active duty under sections 10211, 10305, and*
21 *8038 of title 10, United States Code, or while serving on*
22 *active duty under section 12301(d) of title 10, United States*
23 *Code, in connection with performing duty specified in sec-*
24 *tion 12310(a) of title 10, United States Code, or while un-*
25 *dergoing reserve training, or while performing drills or*

1 *equivalent duty or other duty, and expenses authorized by*
2 *section 16131 of title 10, United States Code; and for pay-*
3 *ments to the Department of Defense Military Retirement*
4 *Fund, \$1,682,942,000.*

5 *NATIONAL GUARD PERSONNEL, ARMY*

6 *For pay, allowances, clothing, subsistence, gratuities,*
7 *travel, and related expenses for personnel of the Army Na-*
8 *tional Guard while on duty under sections 10211, 10302,*
9 *or 12402 of title 10 or section 708 of title 32, United States*
10 *Code, or while serving on duty under section 12301(d) of*
11 *title 10 or section 502(f) of title 32, United States Code,*
12 *in connection with performing duty specified in section*
13 *12310(a) of title 10, United States Code, or while under-*
14 *going training, or while performing drills or equivalent*
15 *duty or other duty, and expenses authorized by section*
16 *16131 of title 10, United States Code; and for payments*
17 *to the Department of Defense Military Retirement Fund,*
18 *\$7,892,327,000.*

19 *NATIONAL GUARD PERSONNEL, AIR FORCE*

20 *For pay, allowances, clothing, subsistence, gratuities,*
21 *travel, and related expenses for personnel of the Air Na-*
22 *tional Guard on duty under sections 10211, 10305, or*
23 *12402 of title 10 or section 708 of title 32, United States*
24 *Code, or while serving on duty under section 12301(d) of*
25 *title 10 or section 502(f) of title 32, United States Code,*

1 *in connection with performing duty specified in section*
2 *12310(a) of title 10, United States Code, or while under-*
3 *going training, or while performing drills or equivalent*
4 *duty or other duty, and expenses authorized by section*
5 *16131 of title 10, United States Code; and for payments*
6 *to the Department of Defense Military Retirement Fund,*
7 *\$3,201,890,000.*

8 *TITLE II*

9 *OPERATION AND MAINTENANCE*

10 *OPERATION AND MAINTENANCE, ARMY*

11 *For expenses, not otherwise provided for, necessary for*
12 *the operation and maintenance of the Army, as authorized*
13 *by law, \$32,399,440,000: Provided, That not to exceed*
14 *\$12,478,000 can be used for emergencies and extraordinary*
15 *expenses, to be expended on the approval or authority of*
16 *the Secretary of the Army, and payments may be made on*
17 *his certificate of necessity for confidential military pur-*
18 *poses.*

19 *OPERATION AND MAINTENANCE, NAVY*

20 *For expenses, not otherwise provided for, necessary for*
21 *the operation and maintenance of the Navy and the Marine*
22 *Corps, as authorized by law, \$39,600,172,000: Provided,*
23 *That not to exceed \$15,055,000 can be used for emergencies*
24 *and extraordinary expenses, to be expended on the approval*
25 *or authority of the Secretary of the Navy, and payments*

1 *may be made on his certificate of necessity for confidential*
2 *military purposes.*

3 *OPERATION AND MAINTENANCE, MARINE CORPS*

4 *For expenses, not otherwise provided for, necessary for*
5 *the operation and maintenance of the Marine Corps, as au-*
6 *thorized by law, \$5,718,074,000.*

7 *OPERATION AND MAINTENANCE, AIR FORCE*

8 *For expenses, not otherwise provided for, necessary for*
9 *the operation and maintenance of the Air Force, as author-*
10 *ized by law, \$35,727,457,000: Provided, That not to exceed*
11 *\$7,699,000 can be used for emergencies and extraordinary*
12 *expenses, to be expended on the approval or authority of*
13 *the Secretary of the Air Force, and payments may be made*
14 *on his certificate of necessity for confidential military pur-*
15 *poses.*

16 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For expenses, not otherwise provided for, necessary for*
19 *the operation and maintenance of activities and agencies*
20 *of the Department of Defense (other than the military de-*
21 *partments), as authorized by law, \$32,105,040,000: Pro-*
22 *vided, That not more than \$15,000,000 may be used for*
23 *the Combatant Commander Initiative Fund authorized*
24 *under section 166a of title 10, United States Code: Provided*
25 *further, That not to exceed \$36,000,000 can be used for*

1 *emergencies and extraordinary expenses, to be expended on*
2 *the approval or authority of the Secretary of Defense, and*
3 *payments may be made on his certificate of necessity for*
4 *confidential military purposes: Provided further, That of*
5 *the funds provided under this heading, not less than*
6 *\$35,045,000 shall be made available for the Procurement*
7 *Technical Assistance Cooperative Agreement Program, of*
8 *which not less than \$3,600,000 shall be available for centers*
9 *defined in 10 U.S.C. 2411(1)(D): Provided further, That*
10 *none of the funds appropriated or otherwise made available*
11 *by this Act may be used to plan or implement the consolida-*
12 *tion of a budget or appropriations liaison office of the Office*
13 *of the Secretary of Defense, the office of the Secretary of*
14 *a military department, or the service headquarters of one*
15 *of the Armed Forces into a legislative affairs or legislative*
16 *liaison office: Provided further, That \$9,031,000, to remain*
17 *available until expended, is available only for expenses re-*
18 *lating to certain classified activities, and may be trans-*
19 *ferred as necessary by the Secretary of Defense to operation*
20 *and maintenance appropriations or research, development,*
21 *test and evaluation appropriations, to be merged with and*
22 *to be available for the same time period as the appropria-*
23 *tions to which transferred: Provided further, That any ceil-*
24 *ing on the investment item unit cost of items that may be*
25 *purchased with operation and maintenance funds shall not*

1 *apply to the funds described in the preceding proviso: Pro-*
2 *vided further, That the transfer authority provided under*
3 *this heading is in addition to any other transfer authority*
4 *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 *curement of services, supplies, and equipment; and commu-*
12 *nications, \$2,646,911,000.*

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 *curement of services, supplies, and equipment; and commu-*
20 *nications, \$998,481,000.*

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, \$274,526,000.*

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, \$2,980,768,000.*

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), \$6,595,483,000.*

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, \$6,820,569,000.*

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, \$14,078,000,*
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, \$234,829,000, 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, \$300,000,000, 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, \$368,131,000,*
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, \$8,232,000, 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, \$231,217,000, 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), \$103,266,000, to remain available until Sep-*
7 *tember 30, 2017.*

8 *COOPERATIVE THREAT REDUCTION ACCOUNT*

9 *For assistance to the republics of the former Soviet*
10 *Union and, with appropriate authorization by the Depart-*
11 *ment of Defense and Department of State, to countries out-*
12 *side of the former Soviet Union, including assistance pro-*
13 *vided by contract or by grants, for facilitating the elimi-*
14 *nation and the safe and secure transportation and storage*
15 *of nuclear, chemical and other weapons; for establishing*
16 *programs to prevent the proliferation of weapons, weapons*
17 *components, and weapon-related technology and expertise;*
18 *for programs relating to the training and support of defense*
19 *and military personnel for demilitarization and protection*
20 *of weapons, weapons components, and weapons technology*
21 *and expertise, and for defense and military contacts,*
22 *\$358,496,000, to remain available until September 30,*
23 *2018.*

1 *TITLE III*
2 *PROCUREMENT*

3 *AIRCRAFT PROCUREMENT, ARMY*

4 *For construction, procurement, production, modifica-*
5 *tion, and modernization of aircraft, equipment, including*
6 *ordnance, ground handling equipment, spare parts, and ac-*
7 *cessories therefor; specialized equipment and training de-*
8 *vices; expansion of public and private plants, including the*
9 *land necessary therefor, for the foregoing purposes, and such*
10 *lands and interests therein, may be acquired, and construc-*
11 *tion prosecuted thereon prior to approval of title; and pro-*
12 *curement and installation of equipment, appliances, and*
13 *machine tools in public and private plants; reserve plant*
14 *and Government and contractor-owned equipment layaway;*
15 *and other expenses necessary for the foregoing purposes,*
16 *\$5,866,367,000, to remain available for obligation until*
17 *September 30, 2018.*

18 *MISSILE PROCUREMENT, ARMY*

19 *For construction, procurement, production, modifica-*
20 *tion, and modernization of missiles, equipment, including*
21 *ordnance, ground handling equipment, spare parts, and ac-*
22 *cessories therefor; specialized equipment and training de-*
23 *vices; expansion of public and private plants, including the*
24 *land necessary therefor, for the foregoing purposes, and such*
25 *lands and interests therein, may be acquired, and construc-*

1 *tion prosecuted thereon prior to approval of title; and pro-*
2 *curement and installation of equipment, appliances, and*
3 *machine tools in public and private plants; reserve plant*
4 *and Government and contractor-owned equipment layaway;*
5 *and other expenses necessary for the foregoing purposes,*
6 *\$1,600,957,000, to remain available for obligation until*
7 *September 30, 2018.*

8 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*
9 *VEHICLES, ARMY*

10 *For construction, procurement, production, and modi-*
11 *fication of weapons and tracked combat vehicles, equipment,*
12 *including ordnance, spare parts, and accessories therefor;*
13 *specialized equipment and training devices; expansion of*
14 *public and private plants, including the land necessary*
15 *therefor, for the foregoing purposes, and such lands and in-*
16 *terests therein, may be acquired, and construction pros-*
17 *ecuted thereon prior to approval of title; and procurement*
18 *and installation of equipment, appliances, and machine*
19 *tools in public and private plants; reserve plant and Gov-*
20 *ernment and contractor-owned equipment layaway; and*
21 *other expenses necessary for the foregoing purposes,*
22 *\$1,951,646,000, to remain available for obligation until*
23 *September 30, 2018.*

1 *PROCUREMENT OF AMMUNITION, ARMY*

2 *For construction, procurement, production, and modi-*
3 *fication of ammunition, and accessories therefor; specialized*
4 *equipment and training devices; expansion of public and*
5 *private plants, including ammunition facilities, authorized*
6 *by section 2854 of title 10, United States Code, and the*
7 *land necessary therefor, for the foregoing purposes, and such*
8 *lands and interests therein, may be acquired, and construc-*
9 *tion prosecuted thereon prior to approval of title; and pro-*
10 *curement and installation of equipment, appliances, and*
11 *machine tools in public and private plants; reserve plant*
12 *and Government and contractor-owned equipment layaway;*
13 *and other expenses necessary for the foregoing purposes,*
14 *\$1,245,426,000, to remain available for obligation until*
15 *September 30, 2018.*

16 *OTHER PROCUREMENT, ARMY*

17 *For construction, procurement, production, and modi-*
18 *fication of vehicles, including tactical, support, and non-*
19 *tracked combat vehicles; the purchase of passenger motor ve-*
20 *hicles for replacement only; communications and electronic*
21 *equipment; other support equipment; spare parts, ordnance,*
22 *and accessories therefor; specialized equipment and training*
23 *devices; expansion of public and private plants, including*
24 *the land necessary therefor, for the foregoing purposes, and*
25 *such lands and interests therein, may be acquired, and con-*

1 *struction prosecuted thereon prior to approval of title; and*
2 *procurement and installation of equipment, appliances,*
3 *and machine tools in public and private plants; reserve*
4 *plant and Government and contractor-owned equipment*
5 *layaway; and other expenses necessary for the foregoing*
6 *purposes, \$5,718,811,000, to remain available for obligation*
7 *until September 30, 2018.*

8 *AIRCRAFT PROCUREMENT, NAVY*

9 *For construction, procurement, production, modifica-*
10 *tion, and modernization of aircraft, equipment, including*
11 *ordnance, spare parts, and accessories therefor; specialized*
12 *equipment; expansion of public and private plants, includ-*
13 *ing the land necessary therefor, and such lands and inter-*
14 *ests therein, may be acquired, and construction prosecuted*
15 *thereon prior to approval of title; and procurement and in-*
16 *stallation of equipment, appliances, and machine tools in*
17 *public and private plants; reserve plant and Government*
18 *and contractor-owned equipment layaway,*
19 *\$17,521,209,000, to remain available for obligation until*
20 *September 30, 2018.*

21 *WEAPONS PROCUREMENT, NAVY*

22 *For construction, procurement, production, modifica-*
23 *tion, and modernization of missiles, torpedoes, other weap-*
24 *ons, and related support equipment including spare parts,*
25 *and accessories therefor; expansion of public and private*

1 *plants, including the land necessary therefor, and such*
2 *lands and interests therein, may be acquired, and construc-*
3 *tion prosecuted thereon prior to approval of title; and pro-*
4 *curement and installation of equipment, appliances, and*
5 *machine tools in public and private plants; reserve plant*
6 *and Government and contractor-owned equipment layaway,*
7 *\$3,049,542,000, to remain available for obligation until*
8 *September 30, 2018.*

9 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

10 *CORPS*

11 *For construction, procurement, production, and modi-*
12 *fication of ammunition, and accessories therefor; specialized*
13 *equipment and training devices; expansion of public and*
14 *private plants, including ammunition facilities, authorized*
15 *by section 2854 of title 10, United States Code, and the*
16 *land necessary therefor, for the foregoing purposes, and such*
17 *lands and interests therein, may be acquired, and construc-*
18 *tion prosecuted thereon prior to approval of title; and pro-*
19 *curement and installation of equipment, appliances, and*
20 *machine tools in public and private plants; reserve plant*
21 *and Government and contractor-owned equipment layaway;*
22 *and other expenses necessary for the foregoing purposes,*
23 *\$651,920,000, to remain available for obligation until Sep-*
24 *tember 30, 2018.*

1 *SHIPBUILDING AND CONVERSION, NAVY*

2 *For expenses necessary for the construction, acquisi-*
3 *tion, or conversion of vessels as authorized by law, includ-*
4 *ing armor and armament thereof, plant equipment, appli-*
5 *ances, and machine tools and installation thereof in public*
6 *and private plants; reserve plant and Government and con-*
7 *tractor-owned equipment layaway; procurement of critical,*
8 *long lead time components and designs for vessels to be con-*
9 *structed or converted in the future; and expansion of public*
10 *and private plants, including land necessary therefor, and*
11 *such lands and interests therein, may be acquired, and con-*
12 *struction prosecuted thereon prior to approval of title, as*
13 *follows:*

14 *Carrier Replacement Program, \$1,569,571,000;*

15 *Carrier Replacement Program (AP),*
16 *\$862,358,000;*

17 *Virginia Class Submarine, \$3,346,370,000;*

18 *Virginia Class Submarine (AP), \$1,971,840,000;*

19 *CVN Refueling Overhauls, \$637,588,000;*

20 *CVN Refueling Overhauls (AP), \$14,951,000;*

21 *DDG-1000 Program, \$433,404,000;*

22 *DDG-51 Destroyer, \$4,132,650,000;*

23 *Littoral Combat Ship, \$1,331,591,000;*

24 *LPD-17, \$550,000,000;*

25 *Afloat Forward Staging Base, \$635,000,000;*

1 *LHA Replacement (AP), \$476,543,000;*
2 *LX(R) (AP), \$250,000,000;*
3 *Joint High Speed Vessel, \$225,000,000;*
4 *TAO Fleet Oiler, \$674,190,000;*
5 *T-ATS(X) Fleet Tug, \$75,000,000;*
6 *LCU Replacement, \$34,000,000;*
7 *Moored Training Ship (AP), \$138,200,000;*
8 *Ship to Shore Connector, \$210,630,000;*
9 *Service Craft, \$30,014,000;*
10 *LCAC Service Life Extension Program,*
11 *\$80,738,000;*
12 *YP Craft Maintenance/ROH/SLEP, \$21,838,000;*
13 *and*
14 *For outfitting, post delivery, conversions, and*
15 *first destination transportation, \$613,758,000.*
16 *Completion of Prior Year Shipbuilding Pro-*
17 *grams, \$389,305,000.*
18 *In all: \$18,704,539,000, to remain available for obliga-*
19 *tion until September 30, 2020: Provided, That additional*
20 *obligations may be incurred after September 30, 2020, for*
21 *engineering services, tests, evaluations, and other such budg-*
22 *eted work that must be performed in the final stage of ship*
23 *construction: Provided further, That none of the funds pro-*
24 *vided under this heading for the construction or conversion*
25 *of any naval vessel to be constructed in shipyards in the*

1 *United States shall be expended in foreign facilities for the*
2 *construction of major components of such vessel: Provided*
3 *further, That none of the funds provided under this heading*
4 *shall be used for the construction of any naval vessel in*
5 *foreign shipyards.*

6 *OTHER PROCUREMENT, NAVY*

7 *For procurement, production, and modernization of*
8 *support equipment and materials not otherwise provided*
9 *for, Navy ordnance (except ordnance for new aircraft, new*
10 *ships, and ships authorized for conversion); the purchase*
11 *of passenger motor vehicles for replacement only; expansion*
12 *of public and private plants, including the land necessary*
13 *therefor, and such lands and interests therein, may be ac-*
14 *quired, and construction prosecuted thereon prior to ap-*
15 *proval of title; and procurement and installation of equip-*
16 *ment, appliances, and machine tools in public and private*
17 *plants; reserve plant and Government and contractor-owned*
18 *equipment layaway, \$6,484,257,000, to remain available*
19 *for obligation until September 30, 2018.*

20 *PROCUREMENT, MARINE CORPS*

21 *For expenses necessary for the procurement, manufac-*
22 *ture, and modification of missiles, armament, military*
23 *equipment, spare parts, and accessories therefor; plant*
24 *equipment, appliances, and machine tools, and installation*
25 *thereof in public and private plants; reserve plant and Gov-*

1 *ernment and contractor-owned equipment layaway; vehicles*
2 *for the Marine Corps, including the purchase of passenger*
3 *motor vehicles for replacement only; and expansion of pub-*
4 *lic and private plants, including land necessary therefor,*
5 *and such lands and interests therein, may be acquired, and*
6 *construction prosecuted thereon prior to approval of title,*
7 *\$1,186,812,000, to remain available for obligation until*
8 *September 30, 2018.*

9 *AIRCRAFT PROCUREMENT, AIR FORCE*

10 *For construction, procurement, and modification of*
11 *aircraft and equipment, including armor and armament,*
12 *specialized ground handling equipment, and training de-*
13 *vices, spare parts, and accessories therefor; specialized*
14 *equipment; expansion of public and private plants, Govern-*
15 *ment-owned equipment and installation thereof in such*
16 *plants, erection of structures, and acquisition of land, for*
17 *the foregoing purposes, and such lands and interests therein,*
18 *may be acquired, and construction prosecuted thereon prior*
19 *to approval of title; reserve plant and Government and con-*
20 *tractor-owned equipment layaway; and other expenses nec-*
21 *essary for the foregoing purposes including rents and trans-*
22 *portation of things, \$15,756,853,000, to remain available*
23 *for obligation until September 30, 2018.*

1 *MISSILE PROCUREMENT, AIR FORCE*

2 *For construction, procurement, and modification of*
3 *missiles, rockets, and related equipment, including spare*
4 *parts and accessories therefor; ground handling equipment,*
5 *and training devices; expansion of public and private*
6 *plants, Government-owned equipment and installation*
7 *thereof in such plants, erection of structures, and acquisi-*
8 *tion of land, for the foregoing purposes, and such lands and*
9 *interests therein, may be acquired, and construction pros-*
10 *ecuted thereon prior to approval of title; reserve plant and*
11 *Government and contractor-owned equipment layaway; and*
12 *other expenses necessary for the foregoing purposes includ-*
13 *ing rents and transportation of things, \$2,912,131,000, to*
14 *remain available for obligation until September 30, 2018.*

15 *SPACE PROCUREMENT, AIR FORCE*

16 *For construction, procurement, and modification of*
17 *spacecraft, rockets, and related equipment, including spare*
18 *parts and accessories therefor; ground handling equipment,*
19 *and training devices; expansion of public and private*
20 *plants, Government-owned equipment and installation*
21 *thereof in such plants, erection of structures, and acquisi-*
22 *tion of land, for the foregoing purposes, and such lands and*
23 *interests therein, may be acquired, and construction pros-*
24 *ecuted thereon prior to approval of title; reserve plant and*
25 *Government and contractor-owned equipment layaway; and*

1 *other expenses necessary for the foregoing purposes includ-*
2 *ing rents and transportation of things, \$2,812,159,000, to*
3 *remain available for obligation until September 30, 2018.*

4 *PROCUREMENT OF AMMUNITION, AIR FORCE*

5 *For construction, procurement, production, and modi-*
6 *fication of ammunition, and accessories therefor; specialized*
7 *equipment and training devices; expansion of public and*
8 *private plants, including ammunition facilities, authorized*
9 *by section 2854 of title 10, United States Code, and the*
10 *land necessary therefor, for the foregoing purposes, and such*
11 *lands and interests therein, may be acquired, and construc-*
12 *tion prosecuted thereon prior to approval of title; and pro-*
13 *curement and installation of equipment, appliances, and*
14 *machine tools in public and private plants; reserve plant*
15 *and Government and contractor-owned equipment layaway;*
16 *and other expenses necessary for the foregoing purposes,*
17 *\$1,744,993,000, to remain available for obligation until*
18 *September 30, 2018.*

19 *OTHER PROCUREMENT, AIR FORCE*

20 *For procurement and modification of equipment (in-*
21 *cluding ground guidance and electronic control equipment,*
22 *and ground electronic and communication equipment), and*
23 *supplies, materials, and spare parts therefor, not otherwise*
24 *provided for; the purchase of passenger motor vehicles for*
25 *replacement only; lease of passenger motor vehicles; and ex-*

1 *pansion of public and private plants, Government-owned*
2 *equipment and installation thereof in such plants, erection*
3 *of structures, and acquisition of land, for the foregoing pur-*
4 *poses, and such lands and interests therein, may be ac-*
5 *quired, and construction prosecuted thereon, prior to ap-*
6 *proval of title; reserve plant and Government and con-*
7 *tractor-owned equipment layaway, \$18,311,882,000, to re-*
8 *main available for obligation until September 30, 2018.*

9 *PROCUREMENT, DEFENSE-WIDE*

10 *For expenses of activities and agencies of the Depart-*
11 *ment of Defense (other than the military departments) nec-*
12 *essary for procurement, production, and modification of*
13 *equipment, supplies, materials, and spare parts therefor,*
14 *not otherwise provided for; the purchase of passenger motor*
15 *vehicles for replacement only; expansion of public and pri-*
16 *vate plants, equipment, and installation thereof in such*
17 *plants, erection of structures, and acquisition of land for*
18 *the foregoing purposes, and such lands and interests therein,*
19 *may be acquired, and construction prosecuted thereon prior*
20 *to approval of title; reserve plant and Government and con-*
21 *tractor-owned equipment layaway, \$5,245,443,000, to re-*
22 *main available for obligation until September 30, 2018.*

23 *DEFENSE PRODUCTION ACT PURCHASES*

24 *For activities by the Department of Defense pursuant*
25 *to sections 108, 301, 302, and 303 of the Defense Production*

1 *Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093),*
2 *\$76,680,000, to remain available until expended.*

3 *TITLE IV*

4 *RESEARCH, DEVELOPMENT, TEST AND*
5 *EVALUATION*

6 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*
7 *For expenses necessary for basic and applied scientific*
8 *research, development, test and evaluation, including main-*
9 *tenance, rehabilitation, lease, and operation of facilities*
10 *and equipment, \$7,565,327,000, to remain available for ob-*
11 *ligation until September 30, 2017.*

12 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*
13 *For expenses necessary for basic and applied scientific*
14 *research, development, test and evaluation, including main-*
15 *tenance, rehabilitation, lease, and operation of facilities*
16 *and equipment, \$18,117,677,000, to remain available for*
17 *obligation until September 30, 2017: Provided, That funds*
18 *appropriated in this paragraph which are available for the*
19 *V-22 may be used to meet unique operational requirements*
20 *of the Special Operations Forces.*

21 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*
22 *FORCE*

23 *For expenses necessary for basic and applied scientific*
24 *research, development, test and evaluation, including main-*
25 *tenance, rehabilitation, lease, and operation of facilities*

1 *and equipment, \$25,217,148,000, to remain available for*
2 *obligation until September 30, 2017.*

3 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*

4 *DEFENSE-WIDE*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For expenses of activities and agencies of the Depart-*
7 *ment of Defense (other than the military departments), nec-*
8 *essary for basic and applied scientific research, develop-*
9 *ment, test and evaluation; advanced research projects as*
10 *may be designated and determined by the Secretary of De-*
11 *fense, pursuant to law; maintenance, rehabilitation, lease,*
12 *and operation of facilities and equipment, \$18,695,955,000,*
13 *to remain available for obligation until September 30,*
14 *2017: Provided, That, of the funds made available in this*
15 *paragraph, \$250,000,000 for the Defense Rapid Innovation*
16 *Program shall only be available for expenses, not otherwise*
17 *provided for, to include program management and over-*
18 *sight, to conduct research, development, test and evaluation*
19 *to include proof of concept demonstration; engineering, test-*
20 *ing, and validation; and transition to full-scale production:*
21 *Provided further, That the Secretary of Defense may trans-*
22 *fer funds provided herein for the Defense Rapid Innovation*
23 *Program to appropriations for research, development, test*
24 *and evaluation to accomplish the purpose provided herein:*
25 *Provided further, That this transfer authority is in addi-*

1 *tion to any other transfer authority available to the Depart-*
2 *ment of Defense: Provided further, That the Secretary of*
3 *Defense shall, not fewer than 30 days prior to making*
4 *transfers from this appropriation, notify the congressional*
5 *defense committees in writing of the details of any such*
6 *transfer.*

7 *OPERATIONAL TEST AND EVALUATION, DEFENSE*

8 *For expenses, not otherwise provided for, necessary for*
9 *the independent activities of the Director, Operational Test*
10 *and Evaluation, in the direction and supervision of oper-*
11 *ational test and evaluation, including initial operational*
12 *test and evaluation which is conducted prior to, and in sup-*
13 *port of, production decisions; joint operational testing and*
14 *evaluation; and administrative expenses in connection*
15 *therewith, \$188,558,000, to remain available for obligation*
16 *until September 30, 2017.*

17 *TITLE V*

18 *REVOLVING AND MANAGEMENT FUNDS*

19 *DEFENSE WORKING CAPITAL FUNDS*

20 *For the Defense Working Capital Funds,*
21 *\$1,738,768,000.*

22 *NATIONAL DEFENSE SEALIFT FUND*

23 *For National Defense Sealift Fund programs, projects,*
24 *and activities, and for expenses of the National Defense Re-*
25 *serve Fleet, as established by section 11 of the Merchant*

1 *Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the*
2 *necessary expenses to maintain and preserve a U.S.-flag*
3 *merchant fleet to serve the national security needs of the*
4 *United States, \$474,164,000, to remain available until ex-*
5 *pended: Provided, That none of the funds provided in this*
6 *paragraph shall be used to award a new contract that pro-*
7 *vides for the acquisition of any of the following major com-*
8 *ponents unless such components are manufactured in the*
9 *United States: auxiliary equipment, including pumps, for*
10 *all shipboard services; propulsion system components (en-*
11 *gines, reduction gears, and propellers); shipboard cranes;*
12 *and spreaders for shipboard cranes: Provided further, That*
13 *the exercise of an option in a contract awarded through the*
14 *obligation of previously appropriated funds shall not be*
15 *considered to be the award of a new contract: Provided fur-*
16 *ther, That none of the funds provided in this paragraph*
17 *shall be used to award a new contract for the construction,*
18 *acquisition, or conversion of vessels, including procurement*
19 *of critical, long lead time components and designs for vessels*
20 *to be constructed or converted in the future: Provided fur-*
21 *ther, That the Secretary of the military department respon-*
22 *sible for such procurement may waive the restrictions in*
23 *the first proviso on a case-by-case basis by certifying in*
24 *writing to the Committees on Appropriations of the House*
25 *of Representatives and the Senate that adequate domestic*

1 *supplies are not available to meet Department of Defense*
2 *requirements on a timely basis and that such an acquisition*
3 *must be made in order to acquire capability for national*
4 *security purposes.*

5

TITLE VI

6

OTHER DEPARTMENT OF DEFENSE PROGRAMS

7

DEFENSE HEALTH PROGRAM

8 *For expenses, not otherwise provided for, for medical*
9 *and health care programs of the Department of Defense as*
10 *authorized by law, \$32,329,490,000; of which*
11 *\$29,842,167,000 shall be for operation and maintenance, of*
12 *which not to exceed one percent shall remain available for*
13 *obligation until September 30, 2017, and of which up to*
14 *\$14,579,612,000 may be available for contracts entered into*
15 *under the TRICARE program; of which \$365,390,000, to*
16 *remain available for obligation until September 30, 2018,*
17 *shall be for procurement; and of which \$2,121,933,000, to*
18 *remain available for obligation until September 30, 2017,*
19 *shall be for research, development, test and evaluation: Pro-*
20 *vided, That, notwithstanding any other provision of law,*
21 *of the amount made available under this heading for re-*
22 *search, development, test and evaluation, not less than*
23 *\$8,000,000 shall be available for HIV prevention edu-*
24 *cational activities undertaken in connection with United*
25 *States military training, exercises, and humanitarian as-*

1 *sistance activities conducted primarily in African nations:*
2 *Provided further, That of the funds provided under this*
3 *heading for research, development, test and evaluation, not*
4 *less than \$943,300,000 shall be made available to the*
5 *United States Army Medical Research and Materiel Com-*
6 *mand to carry out the congressionally directed medical re-*
7 *search programs.*

8 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*
9 *DEFENSE*

10 *For expenses, not otherwise provided for, necessary for*
11 *the destruction of the United States stockpile of lethal chem-*
12 *ical agents and munitions in accordance with the provi-*
13 *sions of section 1412 of the Department of Defense Author-*
14 *ization Act, 1986 (50 U.S.C. 1521), and for the destruction*
15 *of other chemical warfare materials that are not in the*
16 *chemical weapon stockpile, \$699,821,000, of which*
17 *\$118,198,000 shall be for operation and maintenance, of*
18 *which no less than \$50,743,000 shall be for the Chemical*
19 *Stockpile Emergency Preparedness Program, consisting of*
20 *\$21,289,000 for activities on military installations and*
21 *\$29,454,000, to remain available until September 30, 2017,*
22 *to assist State and local governments; \$2,281,000 shall be*
23 *for procurement, to remain available until September 30,*
24 *2018, of which \$2,281,000 shall be for the Chemical Stock-*
25 *pile Emergency Preparedness Program to assist State and*

1 *local governments; and \$579,342,000, to remain available*
2 *until September 30, 2017, shall be for research, develop-*
3 *ment, test and evaluation, of which \$569,339,000 shall only*
4 *be for the Assembled Chemical Weapons Alternatives pro-*
5 *gram.*

6 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*

7 *DEFENSE*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For drug interdiction and counter-drug activities of*
10 *the Department of Defense, for transfer to appropriations*
11 *available to the Department of Defense for military per-*
12 *sonnel of the reserve components serving under the provi-*
13 *sions of title 10 and title 32, United States Code; for oper-*
14 *ation and maintenance; for procurement; and for research,*
15 *development, test and evaluation, \$1,050,598,000, of which*
16 *\$716,109,000 shall be for counter-narcotics support;*
17 *\$121,589,000 shall be for the drug demand reduction pro-*
18 *gram; \$192,900,000 shall be for the National Guard*
19 *counter-drug program; and \$20,000,000 shall be for the Na-*
20 *tional Guard counter-drug schools program: Provided, That*
21 *the funds appropriated under this heading shall be avail-*
22 *able for obligation for the same time period and for the*
23 *same purpose as the appropriation to which transferred:*
24 *Provided further, That upon a determination that all or*
25 *part of the funds transferred from this appropriation are*

1 *not necessary for the purposes provided herein, such*
2 *amounts may be transferred back to this appropriation:*
3 *Provided further, That the transfer authority provided*
4 *under this heading is in addition to any other transfer au-*
5 *thority contained elsewhere in this Act.*

6 *OFFICE OF THE INSPECTOR GENERAL*

7 *For expenses and activities of the Office of the Inspec-*
8 *tor General in carrying out the provisions of the Inspector*
9 *General Act of 1978, as amended, \$312,559,000, of which*
10 *\$310,459,000 shall be for operation and maintenance, of*
11 *which not to exceed \$700,000 is available for emergencies*
12 *and extraordinary expenses to be expended on the approval*
13 *or authority of the Inspector General, and payments may*
14 *be made on the Inspector General's certificate of necessity*
15 *for confidential military purposes; and of which \$2,100,000,*
16 *to remain available until September 30, 2017, shall be for*
17 *research, development, test and evaluation.*

18 *TITLE VII*

19 *RELATED AGENCIES*

20 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*

21 *DISABILITY SYSTEM FUND*

22 *For payment to the Central Intelligence Agency Retire-*
23 *ment and Disability System Fund, to maintain the proper*
24 *funding level for continuing the operation of the Central*

1 *Intelligence Agency Retirement and Disability System,*
2 *\$514,000,000.*

3 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

4 *For necessary expenses of the Intelligence Community*
5 *Management Account, \$505,206,000.*

6 *TITLE VIII*

7 *GENERAL PROVISIONS*

8 *SEC. 8001. No part of any appropriation contained*
9 *in this Act shall be used for publicity or propaganda pur-*
10 *poses not authorized by the Congress.*

11 *SEC. 8002. During the current fiscal year, provisions*
12 *of law prohibiting the payment of compensation to, or em-*
13 *ployment of, any person not a citizen of the United States*
14 *shall not apply to personnel of the Department of Defense:*
15 *Provided, That salary increases granted to direct and indi-*
16 *rect hire foreign national employees of the Department of*
17 *Defense funded by this Act shall not be at a rate in excess*
18 *of the percentage increase authorized by law for civilian*
19 *employees of the Department of Defense whose pay is com-*
20 *puted under the provisions of section 5332 of title 5, United*
21 *States Code, or at a rate in excess of the percentage increase*
22 *provided by the appropriate host nation to its own employ-*
23 *ees, whichever is higher: Provided further, That this section*
24 *shall not apply to Department of Defense foreign service*
25 *national employees serving at United States diplomatic*

1 *missions whose pay is set by the Department of State under*
2 *the Foreign Service Act of 1980: Provided further, That the*
3 *limitations of this provision shall not apply to foreign na-*
4 *tional employees of the Department of Defense in the Re-*
5 *public of Turkey.*

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

9 *SEC. 8004. No more than 20 percent of the appropria-*
10 *tions in this Act which are limited for obligation during*
11 *the current fiscal year shall be obligated during the last 2*
12 *months of the fiscal year: Provided, That this section shall*
13 *not apply to obligations for support of active duty training*
14 *of reserve components or summer camp training of the Re-*
15 *serve Officers' Training Corps.*

16 *(TRANSFER OF FUNDS)*

17 *SEC. 8005. Upon determination by the Secretary of*
18 *Defense that such action is necessary in the national inter-*
19 *est, he may, with the approval of the Office of Management*
20 *and Budget, transfer not to exceed \$4,500,000,000 of work-*
21 *ing capital funds of the Department of Defense or funds*
22 *made available in this Act to the Department of Defense*
23 *for military functions (except military construction) be-*
24 *tween such appropriations or funds or any subdivision*
25 *thereof, to be merged with and to be available for the same*

1 purposes, and for the same time period, as the appropria-
2 tion or fund to which transferred: Provided, That such au-
3 thority to transfer may not be used unless for higher pri-
4 ority items, based on unforeseen military requirements,
5 than those for which originally appropriated and in no case
6 where the item for which funds are requested has been de-
7 nied by the Congress: Provided further, That the Secretary
8 of Defense shall notify the Congress promptly of all transfers
9 made pursuant to this authority or any other authority in
10 this Act: Provided further, That no part of the funds in
11 this Act shall be available to prepare or present a request
12 to the Committees on Appropriations for reprogramming
13 of funds, unless for higher priority items, based on unfore-
14 seen military requirements, than those for which originally
15 appropriated and in no case where the item for which re-
16 programming is requested has been denied by the Congress:
17 Provided further, That a request for multiple
18 reprogrammings of funds using authority provided in this
19 section shall be made prior to June 30, 2016: Provided fur-
20 ther, That transfers among military personnel appropria-
21 tions shall not be taken into account for purposes of the
22 limitation on the amount of funds that may be transferred
23 under this section.

24 SEC. 8006. (a) With regard to the list of specific pro-
25 grams, projects, and activities (and the dollar amounts and

1 *adjustments to budget activities corresponding to such pro-*
2 *grams, projects, and activities) contained in the tables titled*
3 *“Explanation of Project Level Adjustments” in the explana-*
4 *tory statement regarding this Act, the obligation and ex-*
5 *penditure of amounts appropriated or otherwise made*
6 *available in this Act for those programs, projects, and ac-*
7 *tivities for which the amounts appropriated exceed the*
8 *amounts requested are hereby required by law to be carried*
9 *out in the manner provided by such tables to the same ex-*
10 *tent as if the tables were included in the text of this Act.*

11 *(b) Amounts specified in the referenced tables described*
12 *in subsection (a) shall not be treated as subdivisions of ap-*
13 *propriations for purposes of section 8005 of this Act: Pro-*
14 *vided, That section 8005 shall apply when transfers of the*
15 *amounts described in subsection (a) occur between appro-*
16 *priation accounts.*

17 *SEC. 8007. (a) Not later than 60 days after enactment*
18 *of this Act, the Department of Defense shall submit a report*
19 *to the congressional defense committees to establish the base-*
20 *line for application of reprogramming and transfer au-*
21 *thorities for fiscal year 2016: Provided, That the report*
22 *shall include—*

23 *(1) a table for each appropriation with a sepa-*
24 *rate column to display the President’s budget request,*
25 *adjustments made by Congress, adjustments due to*

1 *enacted rescissions, if appropriate, and the fiscal year*
2 *enacted level;*

3 *(2) a delineation in the table for each appropria-*
4 *tion both by budget activity and program, project,*
5 *and activity as detailed in the Budget Appendix; and*

6 *(3) an identification of items of special congres-*
7 *sional interest.*

8 *(b) Notwithstanding section 8005 of this Act, none of*
9 *the funds provided in this Act shall be available for re-*
10 *programming or transfer until the report identified in sub-*
11 *section (a) is submitted to the congressional defense commit-*
12 *tees, unless the Secretary of Defense certifies in writing to*
13 *the congressional defense committees that such reprogram-*
14 *ming or transfer is necessary as an emergency requirement:*
15 *Provided, That this subsection shall not apply to transfers*
16 *from the following appropriations accounts:*

17 *(1) “Environmental Restoration, Army”;*

18 *(2) “Environmental Restoration, Navy”;*

19 *(3) “Environmental Restoration, Air Force”;*

20 *(4) “Environmental Restoration, Defense-wide”;*

21 *and*

22 *(5) “Environmental Restoration, Formerly Used*
23 *Defense Sites”.*

(TRANSFER OF FUNDS)

1
2 *SEC. 8008. During the current fiscal year, cash bal-*
3 *ances in working capital funds of the Department of De-*
4 *fense established pursuant to section 2208 of title 10, United*
5 *States Code, may be maintained in only such amounts as*
6 *are necessary at any time for cash disbursements to be made*
7 *from such funds: Provided, That transfers may be made be-*
8 *tween such funds: Provided further, That transfers may be*
9 *made between working capital funds and the “Foreign Cur-*
10 *rency Fluctuations, Defense” appropriation and the “Oper-*
11 *ation and Maintenance” appropriation accounts in such*
12 *amounts as may be determined by the Secretary of Defense,*
13 *with the approval of the Office of Management and Budget,*
14 *except that such transfers may not be made unless the Sec-*
15 *retary of Defense has notified the Congress of the proposed*
16 *transfer: Provided further, That except in amounts equal*
17 *to the amounts appropriated to working capital funds in*
18 *this Act, no obligations may be made against a working*
19 *capital fund to procure or increase the value of war reserve*
20 *material inventory, unless the Secretary of Defense has no-*
21 *tified the Congress prior to any such obligation.*

22 *SEC. 8009. Funds appropriated by this Act may not*
23 *be used to initiate a special access program without prior*
24 *notification 30 calendar days in advance to the congres-*
25 *sional defense committees.*

1 *SEC. 8010. None of the funds provided in this Act shall*
2 *be available to initiate: (1) a multiyear contract that em-*
3 *loys economic order quantity procurement in excess of*
4 *\$20,000,000 in any one year of the contract or that includes*
5 *an unfunded contingent liability in excess of \$20,000,000;*
6 *or (2) a contract for advance procurement leading to a*
7 *multiyear contract that employs economic order quantity*
8 *procurement in excess of \$20,000,000 in any one year, un-*
9 *less the congressional defense committees have been notified*
10 *at least 30 days in advance of the proposed contract award:*
11 *Provided, That no part of any appropriation contained in*
12 *this Act shall be available to initiate a multiyear contract*
13 *for which the economic order quantity advance procurement*
14 *is not funded at least to the limits of the Government's li-*
15 *ability: Provided further, That no part of any appropria-*
16 *tion contained in this Act shall be available to initiate*
17 *multiyear procurement contracts for any systems or compo-*
18 *nent thereof if the value of the multiyear contract would*
19 *exceed \$500,000,000 unless specifically provided in this Act:*
20 *Provided further, That no multiyear procurement contract*
21 *can be terminated without 30-day prior notification to the*
22 *congressional defense committees: Provided further, That the*
23 *execution of multiyear authority shall require the use of a*
24 *present value analysis to determine lowest cost compared*
25 *to an annual procurement: Provided further, That none of*

1 *the funds provided in this Act may be used for a multiyear*
2 *contract executed after the date of the enactment of this Act*
3 *unless in the case of any such contract—*

4 (1) *the Secretary of Defense has submitted to*
5 *Congress a budget request for full funding of units to*
6 *be procured through the contract and, in the case of*
7 *a contract for procurement of aircraft, that includes,*
8 *for any aircraft unit to be procured through the con-*
9 *tract for which procurement funds are requested in*
10 *that budget request for production beyond advance*
11 *procurement activities in the fiscal year covered by*
12 *the budget, full funding of procurement of such unit*
13 *in that fiscal year;*

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

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

21 (4) *the contract does not provide for a price ad-*
22 *justment based on a failure to award a follow-on con-*
23 *tract.*

24 *SEC. 8011. Within the funds appropriated for the oper-*
25 *ation and maintenance of the Armed Forces, funds are here-*

1 *by appropriated pursuant to section 401 of title 10, United*
2 *States Code, for humanitarian and civic assistance costs*
3 *under chapter 20 of title 10, United States Code. Such funds*
4 *may also be obligated for humanitarian and civic assist-*
5 *ance costs incidental to authorized operations and pursuant*
6 *to authority granted in section 401 of chapter 20 of title*
7 *10, United States Code, and these obligations shall be re-*
8 *ported as required by section 401(d) of title 10, United*
9 *States Code: Provided, That funds available for operation*
10 *and maintenance shall be available for providing humani-*
11 *tarian and similar assistance by using Civic Action Teams*
12 *in the Trust Territories of the Pacific Islands and freely*
13 *associated states of Micronesia, pursuant to the Compact*
14 *of Free Association as authorized by Public Law 99–239:*
15 *Provided further, That upon a determination by the Sec-*
16 *retary of the Army that such action is beneficial for grad-*
17 *uate medical education programs conducted at Army med-*
18 *ical facilities located in Hawaii, the Secretary of the Army*
19 *may authorize the provision of medical services at such fa-*
20 *cilities and transportation to such facilities, on a nonreim-*
21 *bursable basis, for civilian patients from American Samoa,*
22 *the Commonwealth of the Northern Mariana Islands, the*
23 *Marshall Islands, the Federated States of Micronesia,*
24 *Palau, and Guam.*

1 *SEC. 8012. (a) During fiscal year 2016, the civilian*
2 *personnel of the Department of Defense may not be man-*
3 *aged on the basis of any end-strength, and the management*
4 *of such personnel during that fiscal year shall not be subject*
5 *to any constraint or limitation (known as an end-strength)*
6 *on the number of such personnel who may be employed on*
7 *the last day of such fiscal year.*

8 *(b) The fiscal year 2017 budget request for the Depart-*
9 *ment of Defense as well as all justification material and*
10 *other documentation supporting the fiscal year 2017 De-*
11 *partment of Defense budget request shall be prepared and*
12 *submitted to the Congress as if subsections (a) and (b) of*
13 *this provision were effective with regard to fiscal year 2017.*

14 *(c) As required by section 1107 of the National Defense*
15 *Authorization Act for Fiscal Year 2014 (Public Law 113–*
16 *66; 10 U.S.C. 2358 note) civilian personnel at the Depart-*
17 *ment of Army Science and Technology Reinvention Labora-*
18 *tories may not be managed on the basis of the Table of Dis-*
19 *tribution and Allowances, and the management of the work-*
20 *force strength shall be done in a manner consistent with*
21 *the budget available with respect to such Laboratories.*

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

24 *SEC. 8013. None of the funds made available by this*
25 *Act shall be used in any way, directly or indirectly, to in-*

1 *SEC. 8016. None of the funds in this Act may be avail-*
2 *able for the purchase by the Department of Defense (and*
3 *its departments and agencies) of welded shipboard anchor*
4 *and mooring chain 4 inches in diameter and under unless*
5 *the anchor and mooring chain are manufactured in the*
6 *United States from components which are substantially*
7 *manufactured in the United States: Provided, That for the*
8 *purpose of this section, the term “manufactured” shall in-*
9 *clude cutting, heat treating, quality control, testing of chain*
10 *and welding (including the forging and shot blasting proc-*
11 *ess): Provided further, That for the purpose of this section*
12 *substantially all of the components of anchor and mooring*
13 *chain shall be considered to be produced or manufactured*
14 *in the United States if the aggregate cost of the components*
15 *produced or manufactured in the United States exceeds the*
16 *aggregate cost of the components produced or manufactured*
17 *outside the United States: Provided further, That when ade-*
18 *quate domestic supplies are not available to meet Depart-*
19 *ment of Defense requirements on a timely basis, the Sec-*
20 *retary of the service responsible for the procurement may*
21 *waive this restriction on a case-by-case basis by certifying*
22 *in writing to the Committees on Appropriations that such*
23 *an acquisition must be made in order to acquire capability*
24 *for national security purposes.*

1 *SEC. 8017. Of the amounts appropriated for “Working*
2 *Capital Fund, Army”, \$145,000,000 shall be available to*
3 *maintain competitive rates at the arsenals.*

4 *SEC. 8018. None of the funds available to the Depart-*
5 *ment of Defense may be used to demilitarize or dispose of*
6 *M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber*
7 *rifles, .30 caliber rifles, or M–1911 pistols, or to demili-*
8 *tarize or destroy small arms ammunition or ammunition*
9 *components that are not otherwise prohibited from commer-*
10 *cial sale under Federal law, unless the small arms ammuni-*
11 *tion or ammunition components are certified by the Sec-*
12 *retary of the Army or designee as unserviceable or unsafe*
13 *for further use.*

14 *SEC. 8019. No more than \$500,000 of the funds appro-*
15 *priated or made available in this Act shall be used during*
16 *a single fiscal year for any single relocation of an organiza-*
17 *tion, unit, activity or function of the Department of Defense*
18 *into or within the National Capital Region: Provided, That*
19 *the Secretary of Defense may waive this restriction on a*
20 *case-by-case basis by certifying in writing to the congress-*
21 *sional defense committees that such a relocation is required*
22 *in the best interest of the Government.*

23 *SEC. 8020. Of the funds made available in this Act,*
24 *\$15,000,000 shall be available for incentive payments au-*
25 *thorized by section 504 of the Indian Financing Act of 1974*

1 *(25 U.S.C. 1544): Provided, That a prime contractor or a*
2 *subcontractor at any tier that makes a subcontract award*
3 *to any subcontractor or supplier as defined in section 1544*
4 *of title 25, United States Code, or a small business owned*
5 *and controlled by an individual or individuals defined*
6 *under section 4221(9) of title 25, United States Code, shall*
7 *be considered a contractor for the purposes of being allowed*
8 *additional compensation under section 504 of the Indian*
9 *Financing Act of 1974 (25 U.S.C. 1544) whenever the*
10 *prime contract or subcontract amount is over \$500,000 and*
11 *involves the expenditure of funds appropriated by an Act*
12 *making appropriations for the Department of Defense with*
13 *respect to any fiscal year: Provided further, That notwith-*
14 *standing section 1906 of title 41, United States Code, this*
15 *section shall be applicable to any Department of Defense*
16 *acquisition of supplies or services, including any contract*
17 *and any subcontract at any tier for acquisition of commer-*
18 *cial items produced or manufactured, in whole or in part,*
19 *by any subcontractor or supplier defined in section 1544*
20 *of title 25, United States Code, or a small business owned*
21 *and controlled by an individual or individuals defined*
22 *under section 4221(9) of title 25, United States Code.*

23 *SEC. 8021. Funds appropriated by this Act for the De-*
24 *fense Media Activity shall not be used for any national or*
25 *international political or psychological activities.*

1 *SEC. 8022. During the current fiscal year, the Depart-*
2 *ment of Defense is authorized to incur obligations of not*
3 *to exceed \$350,000,000 for purposes specified in section*
4 *2350j(c) of title 10, United States Code, in anticipation of*
5 *receipt of contributions, only from the Government of Ku-*
6 *wait, under that section: Provided, That, upon receipt, such*
7 *contributions from the Government of Kuwait shall be cred-*
8 *ited to the appropriations or fund which incurred such obli-*
9 *gations.*

10 *SEC. 8023. (a) Of the funds made available in this*
11 *Act, not less than \$39,500,000 shall be available for the*
12 *Civil Air Patrol Corporation, of which—*

13 (1) *\$27,400,000 shall be available from “Oper-*
14 *ation and Maintenance, Air Force” to support Civil*
15 *Air Patrol Corporation operation and maintenance,*
16 *readiness, counter-drug activities, and drug demand*
17 *reduction activities involving youth programs;*

18 (2) *\$10,400,000 shall be available from “Aircraft*
19 *Procurement, Air Force”; and*

20 (3) *\$1,700,000 shall be available from “Other*
21 *Procurement, Air Force” for vehicle procurement.*

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

1 *SEC. 8024. (a) None of the funds appropriated in this*
2 *Act are available to establish a new Department of Defense*
3 *(department) federally funded research and development*
4 *center (FFRDC), either as a new entity, or as a separate*
5 *entity administrated by an organization managing another*
6 *FFRDC, or as a nonprofit membership corporation con-*
7 *sisting of a consortium of other FFRDCs and other non-*
8 *profit entities.*

9 *(b) No member of a Board of Directors, Trustees, Over-*
10 *seers, Advisory Group, Special Issues Panel, Visiting Com-*
11 *mittee, or any similar entity of a defense FFRDC, and no*
12 *paid consultant to any defense FFRDC, except when acting*
13 *in a technical advisory capacity, may be compensated for*
14 *his or her services as a member of such entity, or as a paid*
15 *consultant by more than one FFRDC in a fiscal year: Pro-*
16 *vided, That a member of any such entity referred to pre-*
17 *viously in this subsection shall be allowed travel expenses*
18 *and per diem as authorized under the Federal Joint Travel*
19 *Regulations, when engaged in the performance of member-*
20 *ship duties.*

21 *(c) Notwithstanding any other provision of law, none*
22 *of the funds available to the department from any source*
23 *during fiscal year 2016 may be used by a defense FFRDC,*
24 *through a fee or other payment mechanism, for construction*
25 *of new buildings, for payment of cost sharing for projects*

1 funded by Government grants, for absorption of contract
2 overruns, or for certain charitable contributions, not to in-
3 clude employee participation in community service and/or
4 development: Provided, That up to 1 percent of funds pro-
5 vided in this Act for support of defense FFRDCs may be
6 used for planning and design of scientific or engineering
7 facilities: Provided further, That the Secretary of Defense
8 shall notify the congressional defense committees 15 days
9 in advance of exercising the authority in the previous pro-
10 viso.

11 (d) Notwithstanding any other provision of law, of the
12 funds available to the department during fiscal year 2016,
13 not more than 5,750 staff years of technical effort (staff
14 years) may be funded for defense FFRDCs: Provided, That,
15 of the specific amount referred to previously in this sub-
16 section, not more than 1,125 staff years may be funded for
17 the defense studies and analysis FFRDCs: Provided further,
18 That this subsection shall not apply to staff years funded
19 in the National Intelligence Program (NIP) and the Mili-
20 tary Intelligence Program (MIP).

21 (e) The Secretary of Defense shall, with the submission
22 of the department's fiscal year 2017 budget request, submit
23 a report presenting the specific amounts of staff years of
24 technical effort to be allocated for each defense FFRDC dur-
25 ing that fiscal year and the associated budget estimates.

1 (f) Notwithstanding any other provision of this Act,
2 the total amount appropriated in this Act for FFRDCs is
3 hereby reduced by \$65,000,000.

4 SEC. 8025. None of the funds appropriated or made
5 available in this Act shall be used to procure carbon, alloy,
6 or armor steel plate for use in any Government-owned facil-
7 ity or property under the control of the Department of De-
8 fense which were not melted and rolled in the United States
9 or Canada: Provided, That these procurement restrictions
10 shall apply to any and all Federal Supply Class 9515,
11 American Society of Testing and Materials (ASTM) or
12 American Iron and Steel Institute (AISI) specifications of
13 carbon, alloy or armor steel plate: Provided further, That
14 the Secretary of the military department responsible for the
15 procurement may waive this restriction on a case-by-case
16 basis by certifying in writing to the Committees on Appro-
17 priations of the House of Representatives and the Senate
18 that adequate domestic supplies are not available to meet
19 Department of Defense requirements on a timely basis and
20 that such an acquisition must be made in order to acquire
21 capability for national security purposes: Provided further,
22 That these restrictions shall not apply to contracts which
23 are in being as of the date of the enactment of this Act.

24 SEC. 8026. For the purposes of this Act, the term “con-
25 gressional defense committees” means the Armed Services

1 *Committee of the House of Representatives, the Armed Serv-*
2 *ices Committee of the Senate, the Subcommittee on Defense*
3 *of the Committee on Appropriations of the Senate, and the*
4 *Subcommittee on Defense of the Committee on Appropria-*
5 *tions of the House of Representatives.*

6 *SEC. 8027. During the current fiscal year, the Depart-*
7 *ment of Defense may acquire the modification, depot main-*
8 *tenance and repair of aircraft, vehicles and vessels as well*
9 *as the production of components and other Defense-related*
10 *articles, through competition between Department of De-*
11 *fense depot maintenance activities and private firms: Pro-*
12 *vided, That the Senior Acquisition Executive of the military*
13 *department or Defense Agency concerned, with power of del-*
14 *egation, shall certify that successful bids include comparable*
15 *estimates of all direct and indirect costs for both public and*
16 *private bids: Provided further, That Office of Management*
17 *and Budget Circular A-76 shall not apply to competitions*
18 *conducted under this section.*

19 *SEC. 8028. (a)(1) If the Secretary of Defense, after con-*
20 *sultation with the United States Trade Representative, de-*
21 *termines that a foreign country which is party to an agree-*
22 *ment described in paragraph (2) has violated the terms of*
23 *the agreement by discriminating against certain types of*
24 *products produced in the United States that are covered by*
25 *the agreement, the Secretary of Defense shall rescind the*

1 *Secretary's blanket waiver of the Buy American Act with*
2 *respect to such types of products produced in that foreign*
3 *country.*

4 *(2) An agreement referred to in paragraph (1) is any*
5 *reciprocal defense procurement memorandum of under-*
6 *standing, between the United States and a foreign country*
7 *pursuant to which the Secretary of Defense has prospec-*
8 *tively waived the Buy American Act for certain products*
9 *in that country.*

10 *(b) The Secretary of Defense shall submit to the Con-*
11 *gress a report on the amount of Department of Defense pur-*
12 *chases from foreign entities in fiscal year 2016. Such report*
13 *shall separately indicate the dollar value of items for which*
14 *the Buy American Act was waived pursuant to any agree-*
15 *ment described in subsection (a)(2), the Trade Agreement*
16 *Act of 1979 (19 U.S.C. 2501 et seq.), or any international*
17 *agreement to which the United States is a party.*

18 *(c) For purposes of this section, the term "Buy Amer-*
19 *ican Act" means chapter 83 of title 41, United States Code.*

20 *SEC. 8029. During the current fiscal year, amounts*
21 *contained in the Department of Defense Overseas Military*
22 *Facility Investment Recovery Account established by section*
23 *2921(c)(1) of the National Defense Authorization Act of*
24 *1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be*

1 *available until expended for the payments specified by sec-*
2 *tion 2921(c)(2) of that Act.*

3 *SEC. 8030. (a) Notwithstanding any other provision*
4 *of law, the Secretary of the Air Force may convey at no*
5 *cost to the Air Force, without consideration, to Indian*
6 *tribes located in the States of Nevada, Idaho, North Dakota,*
7 *South Dakota, Montana, Oregon, Minnesota, and Wash-*
8 *ington relocatable military housing units located at Grand*
9 *Forks Air Force Base, Malmstrom Air Force Base, Moun-*
10 *tain Home Air Force Base, Ellsworth Air Force Base, and*
11 *Minot Air Force Base that are excess to the needs of the*
12 *Air Force.*

13 *(b) The Secretary of the Air Force shall convey, at no*
14 *cost to the Air Force, military housing units under sub-*
15 *section (a) in accordance with the request for such units*
16 *that are submitted to the Secretary by the Operation Walk-*
17 *ing Shield Program on behalf of Indian tribes located in*
18 *the States of Nevada, Idaho, North Dakota, South Dakota,*
19 *Montana, Oregon, Minnesota, and Washington. Any such*
20 *conveyance shall be subject to the condition that the housing*
21 *units shall be removed within a reasonable period of time,*
22 *as determined by the Secretary.*

23 *(c) The Operation Walking Shield Program shall re-*
24 *solve any conflicts among requests of Indian tribes for hous-*

1 *ing units under subsection (a) before submitting requests*
2 *to the Secretary of the Air Force under subsection (b).*

3 *(d) In this section, the term “Indian tribe” means any*
4 *recognized Indian tribe included on the current list pub-*
5 *lished by the Secretary of the Interior under section 104*
6 *of the Federally Recognized Indian Tribe Act of 1994 (Pub-*
7 *lic Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).*

8 *SEC. 8031. During the current fiscal year, appropria-*
9 *tions which are available to the Department of Defense for*
10 *operation and maintenance may be used to purchase items*
11 *having an investment item unit cost of not more than*
12 *\$250,000.*

13 *SEC. 8032. None of the funds made available by this*
14 *Act may be used to—*

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

19 *(2) close, downgrade from host to extension cen-*
20 *ter, or place on probation a Senior Reserve Officers’*
21 *Training Corps program in accordance with the in-*
22 *formation paper of the Department of the Army titled*
23 *“Army Senior Reserve Officers’ Training Corps*
24 *(SROTC) Program Review and Criteria”, dated Jan-*
25 *uary 27, 2014.*

1 *SEC. 8033. The Secretary of Defense shall issue regula-*
2 *tions to prohibit the sale of any tobacco or tobacco-related*
3 *products in military resale outlets in the United States, its*
4 *territories and possessions at a price below the most com-*
5 *petitive price in the local community: Provided, That such*
6 *regulations shall direct that the prices of tobacco or tobacco-*
7 *related products in overseas military retail outlets shall be*
8 *within the range of prices established for military retail*
9 *system stores located in the United States.*

10 *SEC. 8034. (a) During the current fiscal year, none*
11 *of the appropriations or funds available to the Department*
12 *of Defense Working Capital Funds shall be used for the pur-*
13 *chase of an investment item for the purpose of acquiring*
14 *a new inventory item for sale or anticipated sale during*
15 *the current fiscal year or a subsequent fiscal year to cus-*
16 *tomers of the Department of Defense Working Capital*
17 *Funds if such an item would not have been chargeable to*
18 *the Department of Defense Business Operations Fund dur-*
19 *ing fiscal year 1994 and if the purchase of such an invest-*
20 *ment item would be chargeable during the current fiscal*
21 *year to appropriations made to the Department of Defense*
22 *for procurement.*

23 *(b) The fiscal year 2017 budget request for the Depart-*
24 *ment of Defense as well as all justification material and*
25 *other documentation supporting the fiscal year 2017 De-*

1 *partment of Defense budget shall be prepared and submitted*
2 *to the Congress on the basis that any equipment which was*
3 *classified as an end item and funded in a procurement ap-*
4 *propriation contained in this Act shall be budgeted for in*
5 *a proposed fiscal year 2017 procurement appropriation and*
6 *not in the supply management business area or any other*
7 *area or category of the Department of Defense Working*
8 *Capital Funds.*

9 *SEC. 8035. None of the funds appropriated by this Act*
10 *for programs of the Central Intelligence Agency shall re-*
11 *main available for obligation beyond the current fiscal year,*
12 *except for funds appropriated for the Reserve for Contin-*
13 *gencies, which shall remain available until September 30,*
14 *2017: Provided, That funds appropriated, transferred, or*
15 *otherwise credited to the Central Intelligence Agency Cen-*
16 *tral Services Working Capital Fund during this or any*
17 *prior or subsequent fiscal year shall remain available until*
18 *expended: Provided further, That any funds appropriated*
19 *or transferred to the Central Intelligence Agency for ad-*
20 *vanced research and development acquisition, for agent op-*
21 *erations, and for covert action programs authorized by the*
22 *President under section 503 of the National Security Act*
23 *of 1947 (50 U.S.C. 3093) shall remain available until Sep-*
24 *tember 30, 2017.*

1 *SEC. 8036. Notwithstanding any other provision of*
2 *law, funds made available in this Act for the Defense Intel-*
3 *ligence Agency may be used for the design, development, and*
4 *deployment of General Defense Intelligence Program intel-*
5 *ligence communications and intelligence information sys-*
6 *tems for the Services, the Unified and Specified Commands,*
7 *and the component commands.*

8 *SEC. 8037. Of the funds appropriated to the Depart-*
9 *ment of Defense under the heading “Operation and Mainte-*
10 *nance, Defense-Wide”, not less than \$12,000,000 shall be*
11 *made available only for the mitigation of environmental*
12 *impacts, including training and technical assistance to*
13 *tribes, related administrative support, the gathering of in-*
14 *formation, documenting of environmental damage, and de-*
15 *veloping a system for prioritization of mitigation and cost*
16 *to complete estimates for mitigation, on Indian lands re-*
17 *sulting from Department of Defense activities.*

18 *SEC. 8038. (a) None of the funds appropriated in this*
19 *Act may be expended by an entity of the Department of*
20 *Defense unless the entity, in expending the funds, complies*
21 *with the Buy American Act. For purposes of this subsection,*
22 *the term “Buy American Act” means chapter 83 of title*
23 *41, United States Code.*

24 *(b) If the Secretary of Defense determines that a person*
25 *has been convicted of intentionally affixing a label bearing*

1 a “Made in America” inscription to any product sold in
2 or shipped to the United States that is not made in Amer-
3 ica, the Secretary shall determine, in accordance with sec-
4 tion 2410f of title 10, United States Code, whether the per-
5 son should be debarred from contracting with the Depart-
6 ment of Defense.

7 (c) In the case of any equipment or products purchased
8 with appropriations provided under this Act, it is the sense
9 of the Congress that any entity of the Department of De-
10 fense, in expending the appropriation, purchase only Amer-
11 ican-made equipment and products, provided that Amer-
12 ican-made equipment and products are cost-competitive,
13 quality competitive, and available in a timely fashion.

14 SEC. 8039. None of the funds appropriated by this Act
15 and hereafter shall be available for a contract for studies,
16 analysis, or consulting services entered into without com-
17 petition on the basis of an unsolicited proposal unless the
18 head of the activity responsible for the procurement deter-
19 mines—

20 (1) as a result of thorough technical evaluation,
21 only one source is found fully qualified to perform the
22 proposed work;

23 (2) the purpose of the contract is to explore an
24 unsolicited proposal which offers significant scientific
25 or technological promise, represents the product of

1 original thinking, and was submitted in confidence
2 by one source; or

3 (3) the purpose of the contract is to take advan-
4 tage of unique and significant industrial accomplish-
5 ment by a specific concern, or to insure that a new
6 product or idea of a specific concern is given finan-
7 cial support: Provided, That this limitation shall not
8 apply to contracts in an amount of less than \$25,000,
9 contracts related to improvements of equipment that
10 is in development or production, or contracts as to
11 which a civilian official of the Department of Defense,
12 who has been confirmed by the Senate, determines
13 that the award of such contract is in the interest of
14 the national defense.

15 SEC. 8040. (a) Except as provided in subsections (b)
16 and (c), none of the funds made available by this Act may
17 be used—

18 (1) to establish a field operating agency; or

19 (2) to pay the basic pay of a member of the
20 Armed Forces or civilian employee of the department
21 who is transferred or reassigned from a headquarters
22 activity if the member or employee's place of duty re-
23 mains at the location of that headquarters.

24 (b) The Secretary of Defense or Secretary of a military
25 department may waive the limitations in subsection (a),

1 *on a case-by-case basis, if the Secretary determines, and cer-*
2 *tifies to the Committees on Appropriations of the House of*
3 *Representatives and the Senate that the granting of the*
4 *waiver will reduce the personnel requirements or the finan-*
5 *cial requirements of the department.*

6 *(c) This section does not apply to—*

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

9 *(2) an Army field operating agency established*
10 *to eliminate, mitigate, or counter the effects of impro-*
11 *vised explosive devices, and, as determined by the Sec-*
12 *retary of the Army, other similar threats;*

13 *(3) an Army field operating agency established*
14 *to improve the effectiveness and efficiencies of biomet-*
15 *ric activities and to integrate common biometric tech-*
16 *nologies throughout the Department of Defense; or*

17 *(4) an Air Force field operating agency estab-*
18 *lished to administer the Air Force Mortuary Affairs*
19 *Program and Mortuary Operations for the Depart-*
20 *ment of Defense and authorized Federal entities.*

21 *SEC. 8041. (a) None of the funds appropriated by this*
22 *Act shall be available to convert to contractor performance*
23 *an activity or function of the Department of Defense that,*
24 *on or after the date of the enactment of this Act, is per-*

1 *formed by Department of Defense civilian employees un-*
2 *less—*

3 (1) *the conversion is based on the result of a pub-*
4 *lic-private competition that includes a most efficient*
5 *and cost effective organization plan developed by such*
6 *activity or function;*

7 (2) *the Competitive Sourcing Official determines*
8 *that, over all performance periods stated in the solici-*
9 *tation of offers for performance of the activity or*
10 *function, the cost of performance of the activity or*
11 *function by a contractor would be less costly to the*
12 *Department of Defense by an amount that equals or*
13 *exceeds the lesser of—*

14 (A) *10 percent of the most efficient organi-*
15 *zation's personnel-related costs for performance*
16 *of that activity or function by Federal employ-*
17 *ees; or*

18 (B) *\$10,000,000; and*

19 (3) *the contractor does not receive an advantage*
20 *for a proposal that would reduce costs for the Depart-*
21 *ment of Defense by—*

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

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

8 (b)(1) The Department of Defense, without regard to
9 subsection (a) of this section or subsection (a), (b), or (c)
10 of section 2461 of title 10, United States Code, and notwith-
11 standing any administrative regulation, requirement, or
12 policy to the contrary shall have full authority to enter into
13 a contract for the performance of any commercial or indus-
14 trial type function of the Department of Defense that—

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

19 (B) is planned to be converted to performance by
20 a qualified nonprofit agency for the blind or by a
21 qualified nonprofit agency for other severely handi-
22 capped individuals in accordance with that Act; or

23 (C) is planned to be converted to performance by
24 a qualified firm under at least 51 percent ownership
25 by an Indian tribe, as defined in section 4(e) of the

1 *Indian Self-Determination and Education Assistance*
2 *Act (25 U.S.C. 450b(e)), or a Native Hawaiian Orga-*
3 *nization, as defined in section 8(a)(15) of the Small*
4 *Business Act (15 U.S.C. 637(a)(15)).*

5 *(2) This section shall not apply to depot contracts or*
6 *contracts for depot maintenance as provided in sections*
7 *2469 and 2474 of title 10, United States Code.*

8 *(c) The conversion of any activity or function of the*
9 *Department of Defense under the authority provided by this*
10 *section shall be credited toward any competitive or out-*
11 *sourcing goal, target, or measurement that may be estab-*
12 *lished by statute, regulation, or policy and is deemed to*
13 *be awarded under the authority of, and in compliance with,*
14 *subsection (h) of section 2304 of title 10, United States*
15 *Code, for the competition or outsourcing of commercial ac-*
16 *tivities.*

17 *(RESCISSIONS)*

18 *SEC. 8042. Of the funds appropriated in Department*
19 *of Defense Appropriations Acts, the following funds are*
20 *hereby rescinded from the following accounts and programs*
21 *in the specified amounts: Provided, That no amounts may*
22 *be rescinded from amounts that were designated by the Con-*
23 *gress for Overseas Contingency Operations/Global War on*
24 *Terrorism or as an emergency requirement pursuant to the*

1 *Concurrent Resolution on the Budget or the Balanced Budget-*
2 *et and Emergency Deficit Control Act of 1985, as amended:*

3 *“Cooperative Threat Reduction Account”, 2014/*
4 *2016, \$15,000,000;*

5 *“Aircraft Procurement, Army”, 2014/2016,*
6 *\$9,295,000;*

7 *“Other Procurement, Army”, 2014/2016,*
8 *\$40,000,000;*

9 *“Aircraft Procurement, Navy”, 2014/2016,*
10 *\$53,415,000;*

11 *“Weapons Procurement, Navy”, 2014/2016,*
12 *\$888,000;*

13 *“Aircraft Procurement, Air Force”, 2014/2016,*
14 *\$2,300,000;*

15 *“Procurement of Ammunition, Air Force”, 2014/*
16 *2016, \$6,300,000;*

17 *“Other Procurement, Air Force”, 2014/2016,*
18 *\$90,000,000;*

19 *“Aircraft Procurement, Army”, 2015/2017,*
20 *\$25,000,000;*

21 *“Procurement of Weapons and Tracked Combat*
22 *Vehicles, Army”, 2015/2017, \$7,500,000;*

23 *“Other Procurement, Army”, 2015/2017,*
24 *\$30,000,000;*

1 *“Aircraft Procurement, Navy”, 2015/2017,*
2 *\$11,702,000;*

3 *“Weapons Procurement, Navy”, 2015/2017,*
4 *\$15,422,000;*

5 *“Procurement of Ammunition, Navy and Marine*
6 *Corps”, 2015/2017, \$8,906,000;*

7 *“Procurement, Marine Corps”, 2015/2017,*
8 *\$66,477,000;*

9 *“Aircraft Procurement, Air Force”, 2015/2017,*
10 *\$199,046,000;*

11 *“Missile Procurement, Air Force”, 2015/2017,*
12 *\$212,000,000;*

13 *“Other Procurement, Air Force”, 2015/2017,*
14 *\$17,000,000;*

15 *“Research, Development, Test and Evaluation,*
16 *Army”, 2015/2016, \$9,299,000;*

17 *“Research, Development, Test and Evaluation,*
18 *Navy”, 2015/2016, \$228,387,000;*

19 *“Research, Development, Test and Evaluation,*
20 *Air Force”, 2015/2016, \$718,500,000; and*

21 *“Research, Development, Test and Evaluation,*
22 *Defense-Wide”, 2015/2016, \$2,500,000.*

23 *SEC. 8043. None of the funds available in this Act may*
24 *be used to reduce the authorized positions for military tech-*
25 *nicians (dual status) of the Army National Guard, Air Na-*

1 *tional Guard, Army Reserve and Air Force Reserve for the*
2 *purpose of applying any administratively imposed civilian*
3 *personnel ceiling, freeze, or reduction on military techni-*
4 *cians (dual status), unless such reductions are a direct re-*
5 *sult of a reduction in military force structure.*

6 *SEC. 8044. None of the funds appropriated or other-*
7 *wise made available in this Act may be obligated or ex-*
8 *pended for assistance to the Democratic People's Republic*
9 *of Korea unless specifically appropriated for that purpose.*

10 *SEC. 8045. Funds appropriated in this Act for oper-*
11 *ation and maintenance of the Military Departments, Com-*
12 *batant Commands and Defense Agencies shall be available*
13 *for reimbursement of pay, allowances and other expenses*
14 *which would otherwise be incurred against appropriations*
15 *for the National Guard and Reserve when members of the*
16 *National Guard and Reserve provide intelligence or coun-*
17 *terintelligence support to Combatant Commands, Defense*
18 *Agencies and Joint Intelligence Activities, including the ac-*
19 *tivities and programs included within the National Intel-*
20 *ligence Program and the Military Intelligence Program:*
21 *Provided, That nothing in this section authorizes deviation*
22 *from established Reserve and National Guard personnel and*
23 *training procedures.*

24 *SEC. 8046. (a) None of the funds available to the De-*
25 *partment of Defense for any fiscal year for drug interdic-*

1 *tion or counter-drug activities may be transferred to any*
2 *other department or agency of the United States except as*
3 *specifically provided in an appropriations law.*

4 *(b) None of the funds available to the Central Intel-*
5 *ligence Agency for any fiscal year for drug interdiction or*
6 *counter-drug activities may be transferred to any other de-*
7 *partment or agency of the United States except as specifi-*
8 *cally provided in an appropriations law.*

9 *SEC. 8047. None of the funds appropriated by this Act*
10 *may be used for the procurement of ball and roller bearings*
11 *other than those produced by a domestic source and of do-*
12 *mestic origin: Provided, That the Secretary of the military*
13 *department responsible for such procurement may waive*
14 *this restriction on a case-by-case basis by certifying in writ-*
15 *ing to the Committees on Appropriations of the House of*
16 *Representatives and the Senate, that adequate domestic*
17 *supplies are not available to meet Department of Defense*
18 *requirements on a timely basis and that such an acquisition*
19 *must be made in order to acquire capability for national*
20 *security purposes: Provided further, That this restriction*
21 *shall not apply to the purchase of “commercial items”, as*
22 *defined by section 103 of title 41, United States Code, except*
23 *that the restriction shall apply to ball or roller bearings*
24 *purchased as end items.*

1 *SEC. 8048. None of the funds made available by this*
2 *Act for Evolved Expendable Launch Vehicle service competi-*
3 *tive procurements may be used unless the competitive pro-*
4 *curements are open for award to all certified providers of*
5 *Evolved Expendable Launch Vehicle-class systems: Pro-*
6 *vided, That the award shall be made to the provider that*
7 *offers the best value to the government: Provided further,*
8 *That notwithstanding any other provision of law, award*
9 *may be made to a launch service provider competing with*
10 *any certified launch vehicle in its inventory regardless of*
11 *the country of origin of the rocket engine that will be used*
12 *on its launch vehicle, in order to ensure robust competition*
13 *and continued assured access to space.*

14 *SEC. 8049. In addition to the amounts appropriated*
15 *or otherwise made available elsewhere in this Act,*
16 *\$44,000,000 is hereby appropriated to the Department of*
17 *Defense: Provided, That upon the determination of the Sec-*
18 *retary of Defense that it shall serve the national interest,*
19 *the Secretary shall make grants in the amounts specified*
20 *as follows: \$20,000,000 to the United Service Organizations*
21 *and \$24,000,000 to the Red Cross.*

22 *SEC. 8050. None of the funds in this Act may be used*
23 *to purchase any supercomputer which is not manufactured*
24 *in the United States, unless the Secretary of Defense cer-*
25 *tifies to the congressional defense committees that such an*

1 *acquisition must be made in order to acquire capability for*
2 *national security purposes that is not available from*
3 *United States manufacturers.*

4 *SEC. 8051. Notwithstanding any other provision in*
5 *this Act, the Small Business Innovation Research program*
6 *and the Small Business Technology Transfer program set-*
7 *asides shall be taken proportionally from all programs,*
8 *projects, or activities to the extent they contribute to the*
9 *extramural budget.*

10 *SEC. 8052. None of the funds available to the Depart-*
11 *ment of Defense under this Act shall be obligated or ex-*
12 *pended to pay a contractor under a contract with the De-*
13 *partment of Defense for costs of any amount paid by the*
14 *contractor to an employee when—*

15 *(1) such costs are for a bonus or otherwise in ex-*
16 *cess of the normal salary paid by the contractor to the*
17 *employee; and*

18 *(2) such bonus is part of restructuring costs asso-*
19 *ciated with a business combination.*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *SEC. 8053. During the current fiscal year, no more*
22 *than \$30,000,000 of appropriations made in this Act under*
23 *the heading “Operation and Maintenance, Defense-Wide”*
24 *may be transferred to appropriations available for the pay*
25 *of military personnel, to be merged with, and to be available*

1 *for the same time period as the appropriations to which*
2 *transferred, to be used in support of such personnel in con-*
3 *nection with support and services for eligible organizations*
4 *and activities outside the Department of Defense pursuant*
5 *to section 2012 of title 10, United States Code.*

6 *SEC. 8054. During the current fiscal year, in the case*
7 *of an appropriation account of the Department of Defense*
8 *for which the period of availability for obligation has ex-*
9 *pired or which has closed under the provisions of section*
10 *1552 of title 31, United States Code, and which has a nega-*
11 *tive unliquidated or unexpended balance, an obligation or*
12 *an adjustment of an obligation may be charged to any cur-*
13 *rent appropriation account for the same purpose as the ex-*
14 *pired or closed account if—*

15 *(1) the obligation would have been properly*
16 *chargeable (except as to amount) to the expired or*
17 *closed account before the end of the period of avail-*
18 *ability or closing of that account;*

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

22 *(3) in the case of an expired account, the obliga-*
23 *tion is not chargeable to a current appropriation of*
24 *the Department of Defense under the provisions of sec-*
25 *tion 1405(b)(8) of the National Defense Authorization*

1 *Act for Fiscal Year 1991, Public Law 101–510, as*
2 *amended (31 U.S.C. 1551 note): Provided, That in*
3 *the case of an expired account, if subsequent review*
4 *or investigation discloses that there was not in fact a*
5 *negative unliquidated or unexpended balance in the*
6 *account, any charge to a current account under the*
7 *authority of this section shall be reversed and re-*
8 *corded against the expired account: Provided further,*
9 *That the total amount charged to a current appro-*
10 *propriation under this section may not exceed an*
11 *amount equal to 1 percent of the total appropriation*
12 *for that account.*

13 *SEC. 8055. (a) Notwithstanding any other provision*
14 *of law, the Chief of the National Guard Bureau may permit*
15 *the use of equipment of the National Guard Distance Learn-*
16 *ing Project by any person or entity on a space-available,*
17 *reimbursable basis. The Chief of the National Guard Bu-*
18 *reau shall establish the amount of reimbursement for such*
19 *use on a case-by-case basis.*

20 *(b) Amounts collected under subsection (a) shall be*
21 *credited to funds available for the National Guard Distance*
22 *Learning Project and be available to defray the costs associ-*
23 *ated with the use of equipment of the project under that*
24 *subsection. Such funds shall be available for such purposes*
25 *without fiscal year limitation.*

1 *SEC. 8058. None of the funds appropriated in title IV*
2 *of this Act may be used to procure end-items for delivery*
3 *to military forces for operational training, operational use*
4 *or inventory requirements: Provided, That this restriction*
5 *does not apply to end-items used in development, proto-*
6 *typing, and test activities preceding and leading to accept-*
7 *ance for operational use: Provided further, That this restric-*
8 *tion does not apply to programs funded within the National*
9 *Intelligence Program: Provided further, That the Secretary*
10 *of Defense may waive this restriction on a case-by-case basis*
11 *by certifying in writing to the Committees on Appropria-*
12 *tions of the House of Representatives and the Senate that*
13 *it is in the national security interest to do so.*

14 *SEC. 8059. (a) The Secretary of Defense may, on a*
15 *case-by-case basis, waive with respect to a foreign country*
16 *each limitation on the procurement of defense items from*
17 *foreign sources provided in law if the Secretary determines*
18 *that the application of the limitation with respect to that*
19 *country would invalidate cooperative programs entered into*
20 *between the Department of Defense and the foreign country,*
21 *or would invalidate reciprocal trade agreements for the pro-*
22 *urement of defense items entered into under section 2531*
23 *of title 10, United States Code, and the country does not*
24 *discriminate against the same or similar defense items pro-*
25 *duced in the United States for that country.*

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

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

4 **(2)** *options for the procurement of items that are*
5 *exercised after such date under contracts that are en-*
6 *tered into before such date if the option prices are ad-*
7 *justed for any reason other than the application of a*
8 *waiver granted under subsection (a).*

9 **(c)** *Subsection (a) does not apply to a limitation re-*
10 *garding construction of public vessels, ball and roller bear-*
11 *ings, food, and clothing or textile materials as defined by*
12 *section XI (chapters 50–65) of the Harmonized Tariff*
13 *Schedule of the United States and products classified under*
14 *headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019,*
15 *7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502*
16 *through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.*

17 **SEC. 8060.** *Notwithstanding any other provision of*
18 *law, none of the funds appropriated or otherwise made*
19 *available by this or any other Act may be used to consoli-*
20 *date or relocate any element of a United States Air Force*
21 *Rapid Engineer Deployable Heavy Operational Repair*
22 *Squadron Engineer (RED HORSE) outside of the United*
23 *States until the Secretary of the Air Force—*

24 **(1)** *completes an analysis and comparison of the*
25 *cost and infrastructure investment required to con-*

1 *solidate or relocate a RED HORSE squadron outside*
2 *of the United States versus within the United States;*

3 (2) *provides to the congressional defense commit-*
4 *tees a report detailing the findings of the cost anal-*
5 *ysis; and*

6 (3) *certifies in writing to the congressional de-*
7 *fense committees that the preferred site for the consoli-*
8 *dation or relocation yields the greatest savings for the*
9 *Air Force:*

10 *Provided, That the term “United States” in this section*
11 *does not include any territory or possession of the United*
12 *States.*

13 *SEC. 8061. None of the funds appropriated or other-*
14 *wise made available by this or other Department of Defense*
15 *Appropriations Acts may be obligated or expended for the*
16 *purpose of performing repairs or maintenance to military*
17 *family housing units of the Department of Defense, includ-*
18 *ing areas in such military family housing units that may*
19 *be used for the purpose of conducting official Department*
20 *of Defense business.*

21 *SEC. 8062. Notwithstanding any other provision of*
22 *law, funds appropriated in this Act under the heading “Re-*
23 *search, Development, Test and Evaluation, Defense-Wide”*
24 *for any new start advanced concept technology demonstra-*
25 *tion project or joint capability demonstration project may*

1 *only be obligated 45 days after a report, including a de-*
2 *scription of the project, the planned acquisition and transi-*
3 *tion strategy and its estimated annual and total cost, has*
4 *been provided in writing to the congressional defense com-*
5 *mittees: Provided, That the Secretary of Defense may waive*
6 *this restriction on a case-by-case basis by certifying to the*
7 *congressional defense committees that it is in the national*
8 *interest to do so.*

9 *SEC. 8063. The Secretary of Defense shall continue to*
10 *provide a classified quarterly report to the House and Sen-*
11 *ate Appropriations Committees, Subcommittees on Defense*
12 *on certain matters as directed in the classified annex ac-*
13 *companying this Act.*

14 *SEC. 8064. Notwithstanding section 12310(b) of title*
15 *10, United States Code, a Reserve who is a member of the*
16 *National Guard serving on full-time National Guard duty*
17 *under section 502(f) of title 32, United States Code, may*
18 *perform duties in support of the ground-based elements of*
19 *the National Ballistic Missile Defense System.*

20 *SEC. 8065. None of the funds provided in this Act may*
21 *be used to transfer to any nongovernmental entity ammuni-*
22 *tion held by the Department of Defense that has a center-*
23 *fire cartridge and a United States military nomenclature*
24 *designation of “armor penetrator”, “armor piercing (AP)”,*
25 *“armor piercing incendiary (API)”, or “armor-piercing in-*

1 *condiary tracer (API-T)”, except to an entity performing*
2 *demilitarization services for the Department of Defense*
3 *under a contract that requires the entity to demonstrate to*
4 *the satisfaction of the Department of Defense that armor*
5 *piercing projectiles are either: (1) rendered incapable of*
6 *reuse by the demilitarization process; or (2) used to manu-*
7 *facture ammunition pursuant to a contract with the De-*
8 *partment of Defense or the manufacture of ammunition for*
9 *export pursuant to a License for Permanent Export of Un-*
10 *classified Military Articles issued by the Department of*
11 *State.*

12 *SEC. 8066. Notwithstanding any other provision of*
13 *law, the Chief of the National Guard Bureau, or his des-*
14 *ignee, may waive payment of all or part of the consider-*
15 *ation that otherwise would be required under section 2667*
16 *of title 10, United States Code, in the case of a lease of*
17 *personal property for a period not in excess of 1 year to*
18 *any organization specified in section 508(d) of title 32,*
19 *United States Code, or any other youth, social, or fraternal*
20 *nonprofit organization as may be approved by the Chief*
21 *of the National Guard Bureau, or his designee, on a case-*
22 *by-case basis.*

23 *SEC. 8067. None of the funds appropriated by this Act*
24 *shall be used for the support of any nonappropriated funds*
25 *activity of the Department of Defense that procures malt*

1 beverages and wine with nonappropriated funds for resale
2 (including such alcoholic beverages sold by the drink) on
3 a military installation located in the United States unless
4 such malt beverages and wine are procured within that
5 State, or in the case of the District of Columbia, within
6 the District of Columbia, in which the military installation
7 is located: Provided, That, in a case in which the military
8 installation is located in more than one State, purchases
9 may be made in any State in which the installation is lo-
10 cated: Provided further, That such local procurement re-
11 quirements for malt beverages and wine shall apply to all
12 alcoholic beverages only for military installations in States
13 which are not contiguous with another State: Provided fur-
14 ther, That alcoholic beverages other than wine and malt bev-
15 erages, in contiguous States and the District of Columbia
16 shall be procured from the most competitive source, price
17 and other factors considered.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 8068. Of the amounts appropriated in this Act
20 under the heading "Operation and Maintenance, Army",
21 \$76,611,750 shall remain available until expended: Pro-
22 vided, That, notwithstanding any other provision of law,
23 the Secretary of Defense is authorized to transfer such funds
24 to other activities of the Federal Government: Provided fur-
25 ther, That the Secretary of Defense is authorized to enter

1 *into and carry out contracts for the acquisition of real*
2 *property, construction, personal services, and operations re-*
3 *lated to projects carrying out the purposes of this section:*
4 *Provided further, That contracts entered into under the au-*
5 *thority of this section may provide for such indemnification*
6 *as the Secretary determines to be necessary: Provided fur-*
7 *ther, That projects authorized by this section shall comply*
8 *with applicable Federal, State, and local law to the max-*
9 *imum extent consistent with the national security, as deter-*
10 *mined by the Secretary of Defense.*

11 *SEC. 8069. (a) None of the funds appropriated in this*
12 *or any other Act may be used to take any action to mod-*
13 *ify—*

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

18 *(2) how the National Intelligence Program budg-*
19 *et request is presented in the unclassified P-1, R-1,*
20 *and O-1 documents supporting the Department of*
21 *Defense budget request;*

22 *(3) the process by which the National Intelligence*
23 *Program appropriations are apportioned to the exe-*
24 *cuting agencies; or*

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

4 (b) *Nothing in section (a) shall be construed to prohibit*
5 *the merger of programs or changes to the National Intel-*
6 *ligence Program budget at or below the Expenditure Center*
7 *level, provided such change is otherwise in accordance with*
8 *paragraphs (a)(1)–(3).*

9 (c) *The Director of National Intelligence and the Sec-*
10 *retary of Defense may jointly, only for the purposes of*
11 *achieving auditable financial statements and improving fis-*
12 *cal reporting, study and develop detailed proposals for al-*
13 *ternative financial management processes. Such study shall*
14 *include a comprehensive counterintelligence risk assessment*
15 *to ensure that none of the alternative processes will ad-*
16 *versely affect counterintelligence.*

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

20 (1) *provide the proposed alternatives to all af-*
21 *ected agencies;*

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

1 *Secretary of Defense to provide to the Government of Israel*
2 *for the procurement of the Iron Dome defense system to*
3 *counter short-range rocket threats, subject to the U.S.-Israel*
4 *Iron Dome Procurement Agreement, as amended;*
5 *\$286,526,000 shall be for the Short Range Ballistic Missile*
6 *Defense (SRBMD) program, including cruise missile de-*
7 *fense research and development under the SRBMD pro-*
8 *gram, of which \$150,000,000 shall be for production activi-*
9 *ties of SRBMD missiles in the United States and in Israel*
10 *to meet Israel's defense requirements consistent with each*
11 *nation's laws, regulations, and procedures, of which not*
12 *more than \$90,000,000, subject to previously established*
13 *transfer procedures, may be obligated or expended until es-*
14 *tablishment of a U.S.-Israeli production agreement for*
15 *SRBMD; \$89,550,000 shall be for an upper-tier component*
16 *to the Israeli Missile Defense Architecture, of which not*
17 *more than \$15,000,000, subject to previously established*
18 *transfer procedures, may be obligated or expended until es-*
19 *tablishment of a U.S.-Israeli production agreement; and*
20 *\$56,519,000 shall be for the Arrow System Improvement*
21 *Program including development of a long range, ground*
22 *and airborne, detection suite: Provided further, That funds*
23 *made available under this provision for production of mis-*
24 *siles and missile components may be transferred to appro-*
25 *priations available for the procurement of weapons and*

1 *equipment, to be merged with and to be available for the*
2 *same time period and the same purposes as the appropria-*
3 *tion to which transferred: Provided further, That the trans-*
4 *fer authority provided under this provision is in addition*
5 *to any other transfer authority contained in this Act.*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *SEC. 8072. Of the amounts appropriated in this Act*
8 *under the heading “Shipbuilding and Conversion, Navy”,*
9 *\$389,305,000 shall be available until September 30, 2016,*
10 *to fund prior year shipbuilding cost increases: Provided,*
11 *That upon enactment of this Act, the Secretary of the Navy*
12 *shall transfer funds to the following appropriations in the*
13 *amounts specified: Provided further, That the amounts*
14 *transferred shall be merged with and be available for the*
15 *same purposes as the appropriations to which transferred*
16 *to:*

17 *(1) Under the heading “Shipbuilding and Con-*
18 *version, Navy”, 2008/2016: Carrier Replacement Pro-*
19 *gram \$123,760,000;*

20 *(2) Under the heading “Shipbuilding and Con-*
21 *version, Navy”, 2009/2016: LPD–17 Amphibious*
22 *Transport Dock Program \$22,860,000;*

23 *(3) Under the heading “Shipbuilding and Con-*
24 *version, Navy”, 2012/2016: CVN Refueling Overhauls*
25 *Program \$20,029,000;*

1 (4) *Under the heading “Shipbuilding and Con-*
2 *version, Navy”, 2012/2016: DDG–51 Destroyer*
3 *\$75,014,000;*

4 (5) *Under the heading “Shipbuilding and Con-*
5 *version, Navy”, 2012/2016: Littoral Combat Ship*
6 *\$82,674,000;*

7 (6) *Under the heading “Shipbuilding and Con-*
8 *version, Navy”, 2012/2016: LPD–17 Amphibious*
9 *Transport Dock Program \$38,733,000;*

10 (7) *Under the heading “Shipbuilding and Con-*
11 *version, Navy”, 2012/2016: Joint High Speed Vessel*
12 *\$22,597,000; and*

13 (8) *Under the heading “Shipbuilding and Con-*
14 *version, Navy”, 2013/2016: Joint High Speed Vessel*
15 *\$3,638,000.*

16 *SEC. 8073. Funds appropriated by this Act, or made*
17 *available by the transfer of funds in this Act, for intelligence*
18 *activities are deemed to be specifically authorized by the*
19 *Congress for purposes of section 504 of the National Secu-*
20 *rity Act of 1947 (50 U.S.C. 3094) during fiscal year 2016*
21 *until the enactment of the Intelligence Authorization Act*
22 *for Fiscal Year 2016.*

23 *SEC. 8074. None of the funds provided in this Act shall*
24 *be available for obligation or expenditure through a re-*
25 *programming of funds that creates or initiates a new pro-*

1 gram, project, or activity unless such program, project, or
2 activity must be undertaken immediately in the interest of
3 national security and only after written prior notification
4 to the congressional defense committees.

5 *SEC. 8075. The budget of the President for fiscal year*
6 *2017 submitted to the Congress pursuant to section 1105*
7 *of title 31, United States Code, shall include separate budget*
8 *justification documents for costs of United States Armed*
9 *Forces' participation in contingency operations for the*
10 *Military Personnel accounts, the Operation and Mainte-*
11 *nance accounts, the Procurement accounts, and the Re-*
12 *search, Development, Test and Evaluation accounts: Pro-*
13 *vided, That these documents shall include a description of*
14 *the funding requested for each contingency operation, for*
15 *each military service, to include all Active and Reserve*
16 *components, and for each appropriations account: Provided*
17 *further, That these documents shall include estimated costs*
18 *for each element of expense or object class, a reconciliation*
19 *of increases and decreases for each contingency operation,*
20 *and programmatic data including, but not limited to, troop*
21 *strength for each Active and Reserve component, and esti-*
22 *mates of the major weapons systems deployed in support*
23 *of each contingency: Provided further, That these documents*
24 *shall include budget exhibits OP-5 and OP-32 (as defined*
25 *in the Department of Defense Financial Management Regu-*

1 lation) for all contingency operations for the budget year
2 and the two preceding fiscal years.

3 *SEC. 8076. None of the funds in this Act may be used*
4 *for research, development, test, evaluation, procurement or*
5 *deployment of nuclear armed interceptors of a missile de-*
6 *fense system.*

7 *SEC. 8077. Notwithstanding any other provision of*
8 *this Act, to reflect savings due to favorable foreign exchange*
9 *rates, the total amount appropriated in this Act is hereby*
10 *reduced by \$1,500,789,000.*

11 *SEC. 8078. None of the funds appropriated or made*
12 *available in this Act shall be used to reduce or disestablish*
13 *the operation of the 53rd Weather Reconnaissance Squad-*
14 *ron of the Air Force Reserve, if such action would reduce*
15 *the WC-130 Weather Reconnaissance mission below the lev-*
16 *els funded in this Act: Provided, That the Air Force shall*
17 *allow the 53rd Weather Reconnaissance Squadron to per-*
18 *form other missions in support of national defense require-*
19 *ments during the non-hurricane season.*

20 *SEC. 8079. None of the funds provided in this Act shall*
21 *be available for integration of foreign intelligence informa-*
22 *tion unless the information has been lawfully collected and*
23 *processed during the conduct of authorized foreign intel-*
24 *ligence activities: Provided, That information pertaining to*
25 *United States persons shall only be handled in accordance*

1 *with protections provided in the Fourth Amendment of the*
2 *United States Constitution as implemented through Execu-*
3 *tive Order No. 12333.*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *SEC. 8080. The Secretary of Defense may transfer*
6 *funds from any available Department of the Navy appro-*
7 *priation to any available Navy ship construction appro-*
8 *priation for the purpose of liquidating necessary changes*
9 *resulting from inflation, market fluctuations, or rate adjust-*
10 *ments for any ship construction program appropriated in*
11 *law: Provided, That the Secretary may transfer not to ex-*
12 *ceed \$20,000,000 under the authority provided by this sec-*
13 *tion: Provided further, That the Secretary may not transfer*
14 *any funds until 30 days after the proposed transfer has been*
15 *reported to the Committees on Appropriations of the House*
16 *of Representatives and the Senate, unless a response from*
17 *the Committees is received sooner: Provided further, That*
18 *any funds transferred pursuant to this section shall retain*
19 *the same period of availability as when originally appro-*
20 *priated: Provided further, That the transfer authority pro-*
21 *vided by this section is in addition to any other transfer*
22 *authority contained elsewhere in this Act.*

23 *SEC. 8081. (a) None of the funds appropriated by this*
24 *Act may be used to transfer research and development, ac-*

1 *quisition, or other program authority relating to current*
2 *tactical unmanned aerial vehicles (TUAVs) from the Army.*

3 *(b) The Army shall retain responsibility for and oper-*
4 *ational control of the MQ-1C Gray Eagle Unmanned Aerial*
5 *Vehicle (UAV) in order to support the Secretary of Defense*
6 *in matters relating to the employment of unmanned aerial*
7 *vehicles.*

8 *SEC. 8082. Up to \$15,000,000 of the funds appro-*
9 *priated under the heading "Operation and Maintenance,*
10 *Navy" may be made available for the Asia Pacific Regional*
11 *Initiative Program for the purpose of enabling the Pacific*
12 *Command to execute Theater Security Cooperation activi-*
13 *ties such as humanitarian assistance, and payment of in-*
14 *cremental and personnel costs of training and exercising*
15 *with foreign security forces: Provided, That funds made*
16 *available for this purpose may be used, notwithstanding*
17 *any other funding authorities for humanitarian assistance,*
18 *security assistance or combined exercise expenses: Provided*
19 *further, That funds may not be obligated to provide assist-*
20 *ance to any foreign country that is otherwise prohibited*
21 *from receiving such type of assistance under any other pro-*
22 *vision of law.*

23 *SEC. 8083. None of the funds appropriated by this Act*
24 *for programs of the Office of the Director of National Intel-*
25 *ligence shall remain available for obligation beyond the cur-*

1 *rent fiscal year, except for funds appropriated for research*
2 *and technology, which shall remain available until Sep-*
3 *tember 30, 2017.*

4 *SEC. 8084. For purposes of section 1553(b) of title 31,*
5 *United States Code, any subdivision of appropriations*
6 *made in this Act under the heading “Shipbuilding and*
7 *Conversion, Navy” shall be considered to be for the same*
8 *purpose as any subdivision under the heading “Ship-*
9 *building and Conversion, Navy” appropriations in any*
10 *prior fiscal year, and the 1 percent limitation shall apply*
11 *to the total amount of the appropriation.*

12 *SEC. 8085. (a) Not later than 60 days after the date*
13 *of enactment of this Act, the Director of National Intel-*
14 *ligence shall submit a report to the congressional intel-*
15 *ligence committees to establish the baseline for application*
16 *of reprogramming and transfer authorities for fiscal year*
17 *2016: Provided, That the report shall include—*

18 *(1) a table for each appropriation with a sepa-*
19 *rate column to display the President’s budget request,*
20 *adjustments made by Congress, adjustments due to*
21 *enacted rescissions, if appropriate, and the fiscal year*
22 *enacted level;*

23 *(2) a delineation in the table for each appropria-*
24 *tion by Expenditure Center and project; and*

1 (3) an identification of items of special congres-
2 sional interest.

3 (b) None of the funds provided for the National Intel-
4 ligence Program in this Act shall be available for re-
5 programming or transfer until the report identified in sub-
6 section (a) is submitted to the congressional intelligence
7 committees, unless the Director of National Intelligence cer-
8 tifies in writing to the congressional intelligence committees
9 that such reprogramming or transfer is necessary as an
10 emergency requirement.

11 SEC. 8086. None of the funds made available by this
12 Act may be used to eliminate, restructure, or realign Army
13 Contracting Command—New Jersey or make dispropor-
14 tionate personnel reductions at any Army Contracting
15 Command—New Jersey sites without 30-day prior notifica-
16 tion to the congressional defense committees.

17 SEC. 8087. None of the funds made available by this
18 Act may be used to retire, divest, realign, or transfer RQ-
19 4B Global Hawk aircraft, or to disestablish or convert units
20 associated with such aircraft.

21 SEC. 8088. None of the funds made available by this
22 Act for excess defense articles, assistance under section 1206
23 of the National Defense Authorization Act for Fiscal Year
24 2006 (Public Law 109–163; 119 Stat. 3456), or peace-
25 keeping operations for the countries designated annually to

1 *be in violation of the standards of the Child Soldiers Pre-*
2 *vention Act of 2008 (Public Law 110–457; 22 U.S.C.*
3 *2370c–1) may be used to support any military training*
4 *or operation that includes child soldiers, as defined by the*
5 *Child Soldiers Prevention Act of 2008, unless such assist-*
6 *ance is otherwise permitted under section 404 of the Child*
7 *Soldiers Prevention Act of 2008.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 8089. Of the funds appropriated in the Intel-*
10 *ligence Community Management Account for the Program*
11 *Manager for the Information Sharing Environment,*
12 *\$20,000,000 is available for transfer by the Director of Na-*
13 *tional Intelligence to other departments and agencies for*
14 *purposes of Government-wide information sharing activi-*
15 *ties: Provided, That funds transferred under this provision*
16 *are to be merged with and available for the same purposes*
17 *and time period as the appropriation to which transferred:*
18 *Provided further, That the Office of Management and Budg-*
19 *et must approve any transfers made under this provision.*

20 *SEC. 8090. (a) None of the funds provided for the Na-*
21 *tional Intelligence Program in this or any prior appropria-*
22 *tions Act shall be available for obligation or expenditure*
23 *through a reprogramming or transfer of funds in accord-*
24 *ance with section 102A(d) of the National Security Act of*
25 *1947 (50 U.S.C. 3024(d)) that—*

1 (1) *creates a new start effort;*

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

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

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

11 (b) *None of the funds provided for the National Intel-*
12 *ligence Program in this or any prior appropriations Act*
13 *shall be available for obligation or expenditure through a*
14 *reprogramming or transfer of funds in accordance with sec-*
15 *tion 102A(d) of the National Security Act of 1947 (50*
16 *U.S.C. 3024(d)) that results in a cumulative increase or*
17 *decrease of the levels specified in the classified annex accom-*
18 *panying the Act unless the congressional intelligence com-*
19 *mittees are notified 30 days in advance of such reprogram-*
20 *ming of funds; this notification period may be reduced for*
21 *urgent national security requirements.*

22 *SEC. 8091. The Director of National Intelligence shall*
23 *submit to Congress each year, at or about the time that*
24 *the President's budget is submitted to Congress that year*
25 *under section 1105(a) of title 31, United States Code, a fu-*

1 *ture-years intelligence program (including associated an-*
2 *nexes) reflecting the estimated expenditures and proposed*
3 *appropriations included in that budget. Any such future-*
4 *years intelligence program shall cover the fiscal year with*
5 *respect to which the budget is submitted and at least the*
6 *four succeeding fiscal years.*

7 *SEC. 8092. For the purposes of this Act, the term “con-*
8 *gressional intelligence committees” means the Permanent*
9 *Select Committee on Intelligence of the House of Represent-*
10 *atives, the Select Committee on Intelligence of the Senate,*
11 *the Subcommittee on Defense of the Committee on Appro-*
12 *priations of the House of Representatives, and the Sub-*
13 *committee on Defense of the Committee on Appropriations*
14 *of the Senate.*

15 *SEC. 8093. The Department of Defense shall continue*
16 *to report incremental contingency operations costs for Oper-*
17 *ation Inherent Resolve, Operation Freedom’s Sentinel, and*
18 *any named successor operations, on a monthly basis and*
19 *any other operation designated and identified by the Sec-*
20 *retary of Defense for the purposes of section 127a of title*
21 *10, United States Code, on a semi-annual basis in the Cost*
22 *of War Execution Report as prescribed in the Department*
23 *of Defense Financial Management Regulation Department*
24 *of Defense Instruction 7000.14, Volume 12, Chapter 23*
25 *“Contingency Operations”, Annex 1, dated September 2005.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8094. During the current fiscal year, not to ex-
3 ceed \$11,000,000 from each of the appropriations made in
4 title II of this Act for “Operation and Maintenance, Army”,
5 “Operation and Maintenance, Navy”, and “Operation and
6 Maintenance, Air Force” may be transferred by the mili-
7 tary department concerned to its central fund established
8 for Fisher Houses and Suites pursuant to section 2493(d)
9 of title 10, United States Code.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8095. Funds appropriated by this Act for oper-
12 ation and maintenance may be available for the purpose
13 of making remittances and transfer to the Defense Acquisi-
14 tion Workforce Development Fund in accordance with sec-
15 tion 1705 of title 10, United States Code.

16 SEC. 8096. (a) Any agency receiving funds made
17 available in this Act, shall, subject to subsections (b) and
18 (c), post on the public Web site of that agency any report
19 required to be submitted by the Congress in this or any
20 other Act, upon the determination by the head of the agency
21 that it shall serve the national interest.

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

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

25 (2) the report contains proprietary information.

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

5 SEC. 8097. (a) *None of the funds appropriated or oth-*
6 *erwise made available by this Act may be expended for any*
7 *Federal contract for an amount in excess of \$1,000,000, un-*
8 *less the contractor agrees not to—*

9 (1) *enter into any agreement with any of its em-*
10 *ployees or independent contractors that requires, as a*
11 *condition of employment, that the employee or inde-*
12 *pendent contractor agree to resolve through arbitra-*
13 *tion any claim under title VII of the Civil Rights Act*
14 *of 1964 or any tort related to or arising out of sexual*
15 *assault or harassment, including assault and battery,*
16 *intentional infliction of emotional distress, false im-*
17 *prisonment, or negligent hiring, supervision, or reten-*
18 *tion; or*

19 (2) *take any action to enforce any provision of*
20 *an existing agreement with an employee or inde-*
21 *pendent contractor that mandates that the employee*
22 *or independent contractor resolve through arbitration*
23 *any claim under title VII of the Civil Rights Act of*
24 *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.*

4 *(b) None of the funds appropriated or otherwise made*
5 *available by this Act may be expended for any Federal con-*
6 *tract unless the contractor certifies that it requires each cov-*
7 *ered subcontractor to agree not to enter into, and not to*
8 *take any action to enforce any provision of, any agreement*
9 *as described in paragraphs (1) and (2) of subsection (a),*
10 *with respect to any employee or independent contractor per-*
11 *forming work related to such subcontract. For purposes of*
12 *this subsection, a “covered subcontractor” is an entity that*
13 *has a subcontract in excess of \$1,000,000 on a contract sub-*
14 *ject to subsection (a).*

15 *(c) The prohibitions in this section do not apply with*
16 *respect to a contractor’s or subcontractor’s agreements with*
17 *employees or independent contractors that may not be en-*
18 *forced in a court of the United States.*

19 *(d) The Secretary of Defense may waive the applica-*
20 *tion of subsection (a) or (b) to a particular contractor or*
21 *subcontractor for the purposes of a particular contract or*
22 *subcontract if the Secretary or the Deputy Secretary per-*
23 *sonally determines that the waiver is necessary to avoid*
24 *harm to national security interests of the United States,*
25 *and that the term of the contract or subcontract is not*

1 *longer than necessary to avoid such harm. The determina-*
2 *tion shall set forth with specificity the grounds for the waiv-*
3 *er and for the contract or subcontract term selected, and*
4 *shall state any alternatives considered in lieu of a waiver*
5 *and the reasons each such alternative would not avoid harm*
6 *to national security interests of the United States. The Sec-*
7 *retary of Defense shall transmit to Congress, and simulta-*
8 *neously make public, any determination under this sub-*
9 *section not less than 15 business days before the contract*
10 *or subcontract addressed in the determination may be*
11 *awarded.*

12 (INCLUDING TRANSFER OF FUNDS)

13 *SEC. 8098. From within the funds appropriated for*
14 *operation and maintenance for the Defense Health Program*
15 *in this Act, up to \$121,000,000, shall be available for trans-*
16 *fer to the Joint Department of Defense-Department of Vet-*
17 *erans Affairs Medical Facility Demonstration Fund in ac-*
18 *cordance with the provisions of section 1704 of the National*
19 *Defense Authorization Act for Fiscal Year 2010, Public Law*
20 *111–84: Provided, That for purposes of section 1704(b), the*
21 *facility operations funded are operations of the integrated*
22 *Captain James A. Lovell Federal Health Care Center, con-*
23 *sisting of the North Chicago Veterans Affairs Medical Cen-*
24 *ter, the Navy Ambulatory Care Center, and supporting fa-*
25 *cilities designated as a combined Federal medical facility*

1 *as described by section 706 of Public Law 110–417: Pro-*
2 *vided further, That additional funds may be transferred*
3 *from funds appropriated for operation and maintenance for*
4 *the Defense Health Program to the Joint Department of De-*
5 *fense-Department of Veterans Affairs Medical Facility*
6 *Demonstration Fund upon written notification by the Sec-*
7 *retary of Defense to the Committees on Appropriations of*
8 *the House of Representatives and the Senate.*

9 *SEC. 8099. Appropriations available to the Depart-*
10 *ment of Defense may be used for the purchase of heavy and*
11 *light armored vehicles for the physical security of personnel*
12 *or for force protection purposes up to a limit of \$450,000*
13 *per vehicle, notwithstanding price or other limitations ap-*
14 *plicable to the purchase of passenger carrying vehicles.*

15 *SEC. 8100. None of the funds appropriated or other-*
16 *wise made available by this Act or any other Act may be*
17 *used by the Department of Defense or a component thereof*
18 *in contravention of the provisions of section 130h of title*
19 *10, United States Code (as added by section 1671 of the*
20 *National Defense Authorization Act for Fiscal Year 2016).*

21 *SEC. 8101. The Secretary of Defense shall report quar-*
22 *terly the numbers of civilian personnel end strength by ap-*
23 *propriation account for each and every appropriation ac-*
24 *count used to finance Federal civilian personnel salaries to*

1 *the congressional defense committees within 15 days after*
2 *the end of each fiscal quarter.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 8102. Upon a determination by the Director of*
5 *National Intelligence that such action is necessary and in*
6 *the national interest, the Director may, with the approval*
7 *of the Office of Management and Budget, transfer not to*
8 *exceed \$1,500,000,000 of the funds made available in this*
9 *Act for the National Intelligence Program: Provided, That*
10 *such authority to transfer may not be used unless for higher*
11 *priority items, based on unforeseen intelligence require-*
12 *ments, than those for which originally appropriated and*
13 *in no case where the item for which funds are requested*
14 *has been denied by the Congress: Provided further, That a*
15 *request for multiple reprogrammings of funds using author-*
16 *ity provided in this section shall be made prior to June*
17 *30, 2016.*

18 *SEC. 8103. None of the funds appropriated or other-*
19 *wise made available in this or any other Act may be used*
20 *to transfer, release, or assist in the transfer or release to*
21 *or within the United States, its territories, or possessions*
22 *Khalid Sheikh Mohammed or any other detainee who—*

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

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

4 *SEC. 8104. (a) None of the funds appropriated or oth-*
5 *erwise made available in this or any other Act may be used*
6 *to construct, acquire, or modify any facility in the United*
7 *States, its territories, or possessions to house any individual*
8 *described in subsection (c) for the purposes of detention or*
9 *imprisonment in the custody or under the effective control*
10 *of the Department of Defense.*

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

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

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

19 *(2) is—*

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

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

24 *SEC. 8105. None of the funds appropriated or other-*
25 *wise made available in this Act may be used to transfer*

1 *any individual detained at United States Naval Station*
2 *Guantánamo Bay, Cuba, to the custody or control of the*
3 *individual's country of origin, any other foreign country,*
4 *or any other foreign entity except in accordance with sec-*
5 *tions 1033 and 1034 of the National Defense Authorization*
6 *Act for Fiscal Year 2016.*

7 *SEC. 8106. None of the funds made available by this*
8 *Act may be used in contravention of the War Powers Reso-*
9 *lution (50 U.S.C. 1541 et seq.).*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *SEC. 8107. Of the amounts appropriated for "Oper-*
12 *ation and Maintenance, Navy", up to \$1,000,000 shall be*
13 *available for transfer to the John C. Stennis Center for Pub-*
14 *lic Service Development Trust Fund established under sec-*
15 *tion 116 of the John C. Stennis Center for Public Service*
16 *Training and Development Act (2 U.S.C. 1105).*

17 *SEC. 8108. None of the funds made available by this*
18 *Act may be used by the Department of Defense or any other*
19 *Federal agency to lease or purchase new light duty vehicles,*
20 *for any executive fleet, or for any agency's fleet inventory,*
21 *except in accordance with Presidential Memorandum-Fed-*
22 *eral Fleet Performance, dated May 24, 2011.*

23 *SEC. 8109. (a) None of the funds appropriated or oth-*
24 *erwise made available by this or any other Act may be used*
25 *by the Secretary of Defense, or any other official or officer*

1 *of the Department of Defense, to enter into a contract,*
2 *memorandum of understanding, or cooperative agreement*
3 *with, or make a grant to, or provide a loan or loan guar-*
4 *antee to Rosoboronexport or any subsidiary of*
5 *Rosoboronexport.*

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

13 *(1) Rosoboronexport has ceased the transfer of le-*
14 *thal military equipment to, and the maintenance of*
15 *existing lethal military equipment for, the Govern-*
16 *ment of the Syrian Arab Republic;*

17 *(2) The armed forces of the Russian Federation*
18 *have withdrawn from Crimea, other than armed*
19 *forces present on military bases subject to agreements*
20 *in force between the Government of the Russian Fed-*
21 *eration and the Government of Ukraine; and*

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

1 (c) *The Inspector General of the Department of Defense*
2 *shall conduct a review of any action involving*
3 *Rosoboroneexport with respect to a waiver issued by the Sec-*
4 *retary of Defense pursuant to subsection (b), and not later*
5 *than 90 days after the date on which such a waiver is issued*
6 *by the Secretary of Defense, the Inspector General shall sub-*
7 *mit to the congressional defense committees a report con-*
8 *taining the results of the review conducted with respect to*
9 *such waiver.*

10 *SEC. 8110. None of the funds made available in this*
11 *Act may be used for the purchase or manufacture of a flag*
12 *of the United States unless such flags are treated as covered*
13 *items under section 2533a(b) of title 10, United States*
14 *Code.*

15 *SEC. 8111. (a) Of the funds appropriated in this Act*
16 *for the Department of Defense, amounts may be made avail-*
17 *able, under such regulations as the Secretary of Defense*
18 *may prescribe, to local military commanders appointed by*
19 *the Secretary, or by an officer or employee designated by*
20 *the Secretary, to provide at their discretion ex gratia pay-*
21 *ments in amounts consistent with subsection (d) of this sec-*
22 *tion for damage, personal injury, or death that is incident*
23 *to combat operations of the Armed Forces in a foreign coun-*
24 *try.*

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

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

6 (2) *a claim for damages would not be compen-*
7 *sable under chapter 163 of title 10, United States*
8 *Code (commonly known as the “Foreign Claims*
9 *Act”); and*

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

12 (c) *NATURE OF PAYMENTS.—Any payments provided*
13 *under a program under subsection (a) shall not be consid-*
14 *ered an admission or acknowledgement of any legal obliga-*
15 *tion to compensate for any damage, personal injury, or*
16 *death.*

17 (d) *AMOUNT OF PAYMENTS.—If the Secretary of De-*
18 *fense determines a program under subsection (a) to be ap-*
19 *propriate in a particular setting, the amounts of payments,*
20 *if any, to be provided to civilians determined to have suf-*
21 *fered harm incident to combat operations of the Armed*
22 *Forces under the program should be determined pursuant*
23 *to regulations prescribed by the Secretary and based on an*
24 *assessment, which should include such factors as cultural*
25 *appropriateness and prevailing economic conditions.*

1 (e) *LEGAL ADVICE.*—*Local military commanders shall*
2 *receive legal advice before making ex gratia payments under*
3 *this subsection. The legal advisor, under regulations of the*
4 *Department of Defense, shall advise on whether an ex gratia*
5 *payment is proper under this section and applicable De-*
6 *partment of Defense regulations.*

7 (f) *WRITTEN RECORD.*—*A written record of any ex*
8 *gratia payment offered or denied shall be kept by the local*
9 *commander and on a timely basis submitted to the appro-*
10 *priate office in the Department of Defense as determined*
11 *by the Secretary of Defense.*

12 (g) *REPORT.*—*The Secretary of Defense shall report to*
13 *the congressional defense committees on an annual basis the*
14 *efficacy of the ex gratia payment program including the*
15 *number of types of cases considered, amounts offered, the*
16 *response from ex gratia payment recipients, and any rec-*
17 *ommended modifications to the program.*

18 *SEC. 8112. None of the funds available in this Act to*
19 *the Department of Defense, other than appropriations made*
20 *for necessary or routine refurbishments, upgrades or main-*
21 *tenance activities, shall be used to reduce or to prepare to*
22 *reduce the number of deployed and non-deployed strategic*
23 *delivery vehicles and launchers below the levels set forth in*
24 *the report submitted to Congress in accordance with section*

1 1042 of the National Defense Authorization Act for Fiscal
2 Year 2012.

3 *SEC. 8113. The Secretary of Defense shall post grant*
4 *awards on a public Web site in a searchable format.*

5 *SEC. 8114. None of the funds made available by this*
6 *Act may be used to realign forces at Lajes Air Force Base,*
7 *Azores, Portugal, until the Secretary of Defense certifies to*
8 *the congressional defense committees that the Secretary of*
9 *Defense has determined, based on an analysis of operational*
10 *requirements, that Lajes Air Force Base is not an optimal*
11 *location for the Joint Intelligence Analysis Complex.*

12 *SEC. 8115. None of the funds made available by this*
13 *Act may be used to fund the performance of a flight dem-*
14 *onstration team at a location outside of the United States:*
15 *Provided, That this prohibition applies only if a perform-*
16 *ance of a flight demonstration team at a location within*
17 *the United States was canceled during the current fiscal*
18 *year due to insufficient funding.*

19 *SEC. 8116. None of the funds made available by this*
20 *Act may be used by the National Security Agency to—*

21 *(1) conduct an acquisition pursuant to section*
22 *702 of the Foreign Intelligence Surveillance Act of*
23 *1978 for the purpose of targeting a United States per-*
24 *son; or*

1 *project, or activity financed by this Act to the jurisdiction*
2 *of another Federal agency not financed by this Act without*
3 *the express authorization of Congress: Provided, That this*
4 *limitation shall not apply to transfers of funds expressly*
5 *provided for in Defense Appropriations Acts, or provisions*
6 *of Acts providing supplemental appropriations for the De-*
7 *partment of Defense.*

8 *SEC. 8120. None of the funds appropriated or other-*
9 *wise made available by this Act may be used in contraven-*
10 *tion of section 1054 of the National Defense Authorization*
11 *Act for Fiscal Year 2016, regarding transfer of AH-64*
12 *Apache helicopters from the Army National Guard to reg-*
13 *ular Army.*

14 *SEC. 8121. None of the funds made available in this*
15 *Act may be obligated for activities authorized under section*
16 *1208 of the Ronald W. Reagan National Defense Authoriza-*
17 *tion Act for Fiscal Year 2005 (Public Law 112-81; 125*
18 *Stat. 1621) to initiate support for, or expand support to,*
19 *foreign forces, irregular forces, groups, or individuals unless*
20 *the congressional defense committees are notified in accord-*
21 *ance with the direction contained in the classified annex*
22 *accompanying this Act, not less than 15 days before initi-*
23 *ating such support: Provided, That none of the funds made*
24 *available in this Act may be used under section 1208 for*
25 *any activity that is not in support of an ongoing military*

1 operation being conducted by United States Special Oper-
2 ations Forces to combat terrorism: Provided further, That
3 the Secretary of Defense may waive the prohibitions in this
4 section if the Secretary determines that such waiver is re-
5 quired by extraordinary circumstances and, by not later
6 than 72 hours after making such waiver, notifies the con-
7 gressional defense committees of such waiver.

8 SEC. 8122. None of the funds made available by this
9 Act may be used with respect to Iraq in contravention of
10 the War Powers Resolution (50 U.S.C. 1541 et seq.), includ-
11 ing for the introduction of United States armed forces into
12 hostilities in Iraq, into situations in Iraq where imminent
13 involvement in hostilities is clearly indicated by the cir-
14 cumstances, or into Iraqi territory, airspace, or waters
15 while equipped for combat, in contravention of the congres-
16 sional consultation and reporting requirements of sections
17 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

18 SEC. 8123. None of the funds made available by this
19 Act may be used to divest, retire, transfer, or place in stor-
20 age or on backup aircraft inventory status, or prepare to
21 divest, retire, transfer, or place in storage or on backup air-
22 craft inventory status, any A-10 aircraft, or to disestablish
23 any units of the active or reserve component associated with
24 such aircraft.

1 *SEC. 8124. Of the funds provided for “Research, Devel-*
2 *opment, Test and Evaluation, Defense-Wide” in this Act,*
3 *not less than \$2,800,000 shall be used to support the De-*
4 *partment’s activities related to the implementation of the*
5 *Digital Accountability and Transparency Act (Public Law*
6 *113–101; 31 U.S.C. 6101 note) and to support the imple-*
7 *mentation of a uniform procurement instrument identifier*
8 *as described in subpart 4.16 of Title 48, Code of Federal*
9 *Regulations, to include changes in business processes, work-*
10 *force, or information technology.*

11 *SEC. 8125. None of the funds provided in this Act for*
12 *the T–AO(X) program shall be used to award a new con-*
13 *tract that provides for the acquisition of the following com-*
14 *ponents unless those components are manufactured in the*
15 *United States: Auxiliary equipment (including pumps) for*
16 *shipboard services; propulsion equipment (including en-*
17 *gines, reduction gears, and propellers); shipboard cranes;*
18 *and spreaders for shipboard cranes: Provided, That the Sec-*
19 *retary of the military department responsible for such pro-*
20 *curement may waive these restrictions on a case-by-case*
21 *basis by certifying in writing to the Committees on Appro-*
22 *priations of the House of Representatives and the Senate*
23 *that adequate domestic supplies are not available to meet*
24 *Department of Defense requirements on a timely and cost*
25 *competitive basis and that such an acquisition must be*

1 *made in order to acquire capability for national security*
2 *purposes.*

3 *SEC. 8126. The amounts appropriated in title II of*
4 *this Act are hereby reduced by \$389,000,000 to reflect excess*
5 *cash balances in Department of Defense Working Capital*
6 *Funds, as follows:*

7 *(1) From “Operation and Maintenance, Army”,*
8 *\$138,000,000;*

9 *(2) From “Operation and Maintenance, Air*
10 *Force”, \$251,000,000.*

11 *(RESCISSION)*

12 *SEC. 8127. Of the unobligated balances available to the*
13 *Department of Defense, the following funds are permanently*
14 *rescinded from the following accounts and programs in the*
15 *specified amounts to reflect excess cash balances in Depart-*
16 *ment of Defense Working Capital Funds: Provided, That*
17 *no amounts may be rescinded from amounts that were des-*
18 *ignated by the Congress for Overseas Contingency Oper-*
19 *ations/Global War on Terrorism or as an emergency re-*
20 *quirement pursuant to the Concurrent Resolution on the*
21 *Budget or the Balanced Budget and Emergency Deficit*
22 *Control Act of 1985, as amended:*

23 *From “Defense Working Capital Fund, Defense,*
24 *X”, \$1,037,000,000.*

1 *SEC. 8128. Notwithstanding any other provision of*
2 *this Act, to reflect savings due to lower than anticipated*
3 *fuel costs, the total amount appropriated in title II of this*
4 *Act is hereby reduced by \$2,576,000,000.*

5 *SEC. 8129. None of the funds made available by this*
6 *Act may be used to divest or retire, or to prepare to divest*
7 *or retire, KC-10 aircraft.*

8 *SEC. 8130. None of the funds made available by this*
9 *Act may be used to divest, retire, transfer, or place in stor-*
10 *age or on backup aircraft inventory status, or prepare to*
11 *divest, retire, transfer, or place in storage or on backup air-*
12 *craft inventory status, any EC-130H aircraft.*

13 *SEC. 8131. None of the funds made available by this*
14 *Act may be used for Government Travel Charge Card ex-*
15 *penses by military or civilian personnel of the Department*
16 *of Defense for gaming, or for entertainment that includes*
17 *topless or nude entertainers or participants, as prohibited*
18 *by Department of Defense FMR, Volume 9, Chapter 3 and*
19 *Department of Defense Instruction 1015.10 (enclosure 3,*
20 *14a and 14b).*

21 *SEC. 8132. None of the funds made available by this*
22 *Act may be used to propose, plan for, or execute a new or*
23 *additional Base Realignment and Closure (BRAC) round.*

1 *MILITARY PERSONNEL, AIR FORCE*

2 *For an additional amount for “Military Personnel,*
3 *Air Force”, \$726,126,000: 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”, \$24,462,000: 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”, \$12,693,000: 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”, \$3,393,000: 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”, \$18,710,000: 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”, \$166,015,000: 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”, \$2,828,000: 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”, \$14,994,833,000: 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”, \$7,169,611,000: Provided, That such amount*
12 *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.*

16 *OPERATION AND MAINTENANCE, MARINE CORPS*

17 *For an additional amount for “Operation and Mainte-*
18 *nance, Marine Corps”, \$1,372,534,000: 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”, \$11,128,813,000: 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”, \$5,665,633,000: Provided, That of
8 the funds provided under this heading, not to exceed
9 \$1,160,000,000, to remain available until September 30,
10 2017, 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 ments of Jordan and Lebanon, in such amounts as the Sec-
9 retary of Defense may determine, to enhance the ability of
10 the armed forces of Jordan to increase or sustain security
11 along its borders and the ability of the armed forces of Leb-
12 anon to increase or sustain security along its borders, upon
13 15 days prior written notification to the congressional de-
14 fense committees outlining the amounts intended to be pro-
15 vided and the nature of the expenses incurred: Provided fur-
16 ther, That of the funds provided under this heading, up to
17 \$30,000,000 shall be for Operation Observant Compass:
18 Provided further, That the Secretary of Defense shall pro-
19 vide quarterly reports to the congressional defense commit-
20 tees on the use of funds provided in this paragraph: Pro-
21 vided further, That such amount is designated by the Con-
22 gress for Overseas Contingency Operations/Global War on
23 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
24 anced Budget and Emergency Deficit Control Act of 1985.

1 *OPERATION AND MAINTENANCE, ARMY RESERVE*

2 *For an additional amount for “Operation and Mainte-*
3 *nance, Army Reserve”, \$99,559,000: 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, NAVY RESERVE*

9 *For an additional amount for “Operation and Mainte-*
10 *nance, Navy Reserve”, \$31,643,000: 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, MARINE CORPS RESERVE*

16 *For an additional amount for “Operation and Mainte-*
17 *nance, Marine Corps Reserve”, \$3,455,000: 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 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

23 *For an additional amount for “Operation and Mainte-*
24 *nance, Air Force Reserve”, \$58,106,000: 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”, \$135,845,000: 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”, \$19,900,000: 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 *COUNTERTERRORISM PARTNERSHIPS FUND*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For the “Counterterrorism Partnerships Fund”,*
21 *\$1,100,000,000, to remain available until September 30,*
22 *2017: Provided, That such funds shall be available to pro-*
23 *vide support and assistance to foreign security forces or*
24 *other groups or individuals to conduct, support, or facilitate*
25 *counterterrorism and crisis response activities: Provided*

1 *further, That the Secretary of Defense shall transfer the*
2 *funds provided herein to other appropriations provided for*
3 *in this Act to be merged with and to be available for the*
4 *same purposes and subject to the same authorities and for*
5 *the same time period as the appropriation to which trans-*
6 *ferred: Provided further, That the transfer authority under*
7 *this heading is in addition to any other transfer authority*
8 *provided elsewhere in this Act: Provided further, That the*
9 *funds available under this heading are available for trans-*
10 *fer only to the extent that the Secretary of Defense submits*
11 *a prior approval reprogramming request to the congres-*
12 *sional defense committees: Provided further, That the Sec-*
13 *retary of Defense shall comply with the appropriate vetting*
14 *standards and procedures established in division C of the*
15 *Consolidated and Further Continuing Appropriations Act*
16 *of 2015 (Public Law 113–235) for any recipient of training,*
17 *equipment, or other assistance: Provided further, That the*
18 *amount provided under this heading is designated by the*
19 *Congress for Overseas Contingency Operations/Global War*
20 *on Terrorism pursuant to section 251(b)(2)(A)(i) of the*
21 *Balanced Budget and Emergency Deficit Control Act of*
22 *1985.*

23 *AFGHANISTAN SECURITY FORCES FUND*

24 *For the “Afghanistan Security Forces Fund”,*
25 *\$3,652,257,000, to remain available until September 30,*

1 *2017: Provided, That such funds shall be available to the*
2 *Secretary of Defense, notwithstanding any other provision*
3 *of law, for the purpose of allowing the Commander, Com-*
4 *bined Security Transition Command—Afghanistan, or the*
5 *Secretary’s designee, to provide assistance, with the concur-*
6 *rence of the Secretary of State, to the security forces of Af-*
7 *ghanistan, including the provision of equipment, supplies,*
8 *services, training, facility and infrastructure repair, ren-*
9 *ovation, construction, and funding: Provided further, That*
10 *the Secretary of Defense may obligate and expend funds*
11 *made available to the Department of Defense in this title*
12 *for additional costs associated with existing projects pre-*
13 *viously funded with amounts provided under the heading*
14 *“Afghanistan Infrastructure Fund” in prior Acts: Provided*
15 *further, That such costs shall be limited to contract changes*
16 *resulting from inflation, market fluctuation, rate adjust-*
17 *ments, and other necessary contract actions to complete ex-*
18 *isting projects, and associated supervision and administra-*
19 *tion costs and costs for design during construction: Pro-*
20 *vided further, That the Secretary may not use more than*
21 *\$50,000,000 under the authority provided in this section:*
22 *Provided further, That the Secretary shall notify in advance*
23 *such contract changes and adjustments in annual reports*
24 *to the congressional defense committees: Provided further,*
25 *That the authority to provide assistance under this heading*

1 *is in addition to any other authority to provide assistance*
2 *to foreign nations: Provided further, That contributions of*
3 *funds for the purposes provided herein from any person,*
4 *foreign government, or international organization may be*
5 *credited to this Fund, to remain available until expended,*
6 *and used for such purposes: Provided further, That the Sec-*
7 *retary of Defense shall notify the congressional defense com-*
8 *mittees in writing upon the receipt and upon the obligation*
9 *of any contribution, delineating the sources and amounts*
10 *of the funds received and the specific use of such contribu-*
11 *tions: Provided further, That the Secretary of Defense shall,*
12 *not fewer than 15 days prior to obligating from this appro-*
13 *priation account, notify the congressional defense commit-*
14 *tees in writing of the details of any such obligation: Pro-*
15 *vided further, That the Secretary of Defense shall notify the*
16 *congressional defense committees of any proposed new*
17 *projects or transfer of funds between budget sub-activity*
18 *groups in excess of \$20,000,000: Provided further, That the*
19 *United States may accept equipment procured using funds*
20 *provided under this heading in this or prior Acts that was*
21 *transferred to the security forces of Afghanistan and re-*
22 *turned by such forces to the United States: Provided further,*
23 *That equipment procured using funds provided under this*
24 *heading in this or prior Acts, and not yet transferred to*
25 *the security forces of Afghanistan or transferred to the secu-*

1 rity forces of Afghanistan and returned by such forces to
2 the United States, may be treated as stocks of the Depart-
3 ment of Defense upon written notification to the congres-
4 sional defense committees: Provided further, That of the
5 funds provided under this heading, not less than
6 \$10,000,000 shall be for recruitment and retention of
7 women in the Afghanistan National Security Forces, and
8 the recruitment and training of female security personnel:
9 Provided further, 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 *IRAQ TRAIN AND EQUIP FUND*

15 For the “Iraq Train and Equip Fund”, \$715,000,000,
16 to remain available until September 30, 2017: Provided,
17 That such funds shall be available to the Secretary of De-
18 fense, in coordination with the Secretary of State, to pro-
19 vide assistance, including training; equipment; logistics
20 support, supplies, and services; stipends; infrastructure re-
21 pair, renovation, and sustainment, to military and other
22 security forces of or associated with the Government of Iraq,
23 including Kurdish and tribal security forces or other local
24 security forces, with a national security mission, to counter
25 the Islamic State of Iraq and the Levant: Provided further,

1 *That the Secretary of Defense shall ensure that prior to pro-*
2 *viding assistance to elements of any forces such elements*
3 *are appropriately vetted, including at a minimum, assess-*
4 *ing such elements for associations with terrorist groups or*
5 *groups associated with the Government of Iran; and receiv-*
6 *ing commitments from such elements to promote respect for*
7 *human rights and the rule of law: Provided further, That*
8 *the Secretary of Defense may accept and retain contribu-*
9 *tions, including assistance in-kind, from foreign govern-*
10 *ments, including the Government of Iraq, and other entities,*
11 *to carry out assistance authorized under this heading: Pro-*
12 *vided further, That contributions of funds for the purposes*
13 *provided herein from any foreign government or other enti-*
14 *ties, may be credited to this Fund, to remain available until*
15 *expended, and used for such purposes: Provided further,*
16 *That not more than 25 percent of the funds appropriated*
17 *under this heading may be obligated or expended until not*
18 *fewer than 15 days after: (1) the Secretary of Defense sub-*
19 *mits a report to the appropriate congressional committees,*
20 *describing the plan for the provision of such training and*
21 *assistance and the forces designated to receive such assist-*
22 *ance; and (2) the President submits a report to the appro-*
23 *priate congressional committees on how assistance provided*
24 *under this heading supports a larger regional strategy: Pro-*
25 *vided further, That of the amount provided under this head-*

1 *ing, not more than 60 percent may be obligated or expended*
2 *until not fewer than 15 days after the date on which the*
3 *Secretary of Defense certifies to the appropriate congress-*
4 *sional committees that an amount equal to not less than*
5 *40 percent of the amount provided under this heading has*
6 *been contributed by other countries and entities for the pur-*
7 *poses for which funds are provided under this heading, of*
8 *which at least 50 percent shall have been contributed or pro-*
9 *vided by the Government of Iraq: Provided further, That*
10 *the limitation in the preceding proviso shall not apply if*
11 *the Secretary of Defense determines, in writing, that the*
12 *national security objectives of the United States will be*
13 *compromised by the application of the limitation to such*
14 *assistance, and notifies the appropriate congressional com-*
15 *mittees not less than 15 days in advance of the exemption*
16 *taking effect, including a justification for the Secretary's*
17 *determination and a description of the assistance to be ex-*
18 *empted from the application of such limitation: Provided*
19 *further, That the Secretary of Defense may waive a provi-*
20 *sion of law relating to the acquisition of items and support*
21 *services or sections 40 and 40A of the Arms Export Control*
22 *Act (22 U.S.C. 2780 and 2785) if the Secretary determines*
23 *such provisions of law would prohibit, restrict, delay or oth-*
24 *erwise limit the provision of such assistance and a notice*
25 *of and justification for such waiver is submitted to the ap-*

1 *appropriate congressional committees: Provided further, That*
2 *the term “appropriate congressional committees” under this*
3 *heading means the “congressional defense committees”, the*
4 *Committees on Appropriations and Foreign Relations of the*
5 *Senate and the Committees on Appropriations and Foreign*
6 *Affairs of the House of Representatives: Provided further,*
7 *That amounts made available under this heading are 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 **PROCUREMENT**

13 **AIRCRAFT PROCUREMENT, ARMY**

14 *For an additional amount for “Aircraft Procurement,*
15 *Army”, \$161,987,000, to remain available until September*
16 *30, 2018: Provided, That such amount is designated by the*
17 *Congress for Overseas Contingency Operations/Global War*
18 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
19 *Balanced Budget and Emergency Deficit Control Act of*
20 *1985.*

21 **MISSILE PROCUREMENT, ARMY**

22 *For an additional amount for “Missile Procurement,*
23 *Army”, \$37,260,000, to remain available until September*
24 *30, 2018: Provided, That such amount is designated by the*
25 *Congress for Overseas Contingency Operations/Global War*

1 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
2 *Balanced Budget and Emergency Deficit Control Act of*
3 *1985.*

4 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*
5 *VEHICLES, ARMY*

6 *For an additional amount for “Procurement of Weap-*
7 *ons and Tracked Combat Vehicles, Army”, \$486,630,000, to*
8 *remain available until September 30, 2018: Provided, 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 *PROCUREMENT OF AMMUNITION, ARMY*

14 *For an additional amount for “Procurement of Am-*
15 *munition, Army”, \$222,040,000, to remain available until*
16 *September 30, 2018: Provided, That such amount is des-*
17 *ignated by the Congress for Overseas Contingency Oper-*
18 *ations/Global War on Terrorism pursuant to section*
19 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
20 *Deficit Control Act of 1985.*

21 *OTHER PROCUREMENT, ARMY*

22 *For an additional amount for “Other Procurement,*
23 *Army”, \$1,175,596,000, to remain available until Sep-*
24 *tember 30, 2018: Provided, That such amount is designated*
25 *by the Congress for Overseas Contingency Operations/Glob-*

1 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
2 *of the Balanced Budget and Emergency Deficit Control Act*
3 *of 1985.*

4 *AIRCRAFT PROCUREMENT, NAVY*

5 *For an additional amount for “Aircraft Procurement,*
6 *Navy”, \$210,990,000, to remain available until September*
7 *30, 2018: Provided, That such amount is designated by the*
8 *Congress for Overseas Contingency Operations/Global War*
9 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
10 *Balanced Budget and Emergency Deficit Control Act of*
11 *1985.*

12 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

13 *CORPS*

14 *For an additional amount for “Procurement of Am-*
15 *munition, Navy and Marine Corps”, \$117,966,000, to re-*
16 *main available until September 30, 2018: Provided, That*
17 *such amount is designated by the Congress for Overseas*
18 *Contingency Operations/Global War on Terrorism pursu-*
19 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
20 *Emergency Deficit Control Act of 1985.*

21 *OTHER PROCUREMENT, NAVY*

22 *For an additional amount for “Other Procurement,*
23 *Navy”, \$12,186,000, to remain available until September*
24 *30, 2018: Provided, That such amount is designated by the*
25 *Congress for Overseas Contingency Operations/Global War*

1 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
2 *Balanced Budget and Emergency Deficit Control Act of*
3 *1985.*

4 *PROCUREMENT, MARINE CORPS*

5 *For an additional amount for “Procurement, Marine*
6 *Corps”, \$56,934,000, to remain available until September*
7 *30, 2018: Provided, That such amount is designated by the*
8 *Congress for Overseas Contingency Operations/Global War*
9 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
10 *Balanced Budget and Emergency Deficit Control Act of*
11 *1985.*

12 *AIRCRAFT PROCUREMENT, AIR FORCE*

13 *For an additional amount for “Aircraft Procurement,*
14 *Air Force”, \$128,900,000, to remain available until Sep-*
15 *tember 30, 2018: Provided, That such amount is designated*
16 *by the Congress for Overseas Contingency Operations/Glob-*
17 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
18 *of the Balanced Budget and Emergency Deficit Control Act*
19 *of 1985.*

20 *MISSILE PROCUREMENT, AIR FORCE*

21 *For an additional amount for “Missile Procurement,*
22 *Air Force”, \$289,142,000, to remain available until Sep-*
23 *tember 30, 2018: Provided, That such amount is designated*
24 *by the Congress for Overseas Contingency Operations/Glob-*
25 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*

1 *of the Balanced Budget and Emergency Deficit Control Act*
2 *of 1985.*

3 *PROCUREMENT OF AMMUNITION, AIR FORCE*

4 *For an additional amount for “Procurement of Am-*
5 *muniton, Air Force”, \$228,874,000, to remain available*
6 *until September 30, 2018: 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 *OTHER PROCUREMENT, AIR FORCE*

12 *For an additional amount for “Other Procurement,*
13 *Air Force”, \$3,477,001,000, to remain available until Sep-*
14 *tember 30, 2018: Provided, That such amount is designated*
15 *by the Congress for Overseas Contingency Operations/Glob-*
16 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
17 *of the Balanced Budget and Emergency Deficit Control Act*
18 *of 1985.*

19 *PROCUREMENT, DEFENSE-WIDE*

20 *For an additional amount for “Procurement, Defense-*
21 *Wide”, \$173,918,000, to remain available until September*
22 *30, 2018: Provided, That such amount is designated by the*
23 *Congress for Overseas Contingency Operations/Global War*
24 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985.*

3 *NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT*

4 *For procurement of rotary-wing aircraft; combat, tac-*
5 *tical and support vehicles; other weapons; and other pro-*
6 *curement items for the reserve components of the Armed*
7 *Forces, \$1,000,000,000, to remain available for obligation*
8 *until September 30, 2018: Provided, That the Chiefs of Na-*
9 *tional Guard and Reserve components shall, not later than*
10 *30 days after enactment of this Act, individually submit*
11 *to the congressional defense committees the modernization*
12 *priority assessment for their respective National Guard or*
13 *Reserve component: Provided further, That none of the*
14 *funds made available by this paragraph may be used to*
15 *procure manned fixed wing aircraft, or procure or modify*
16 *missiles, munitions, or ammunition: Provided further, That*
17 *such amount is designated by the Congress for Overseas*
18 *Contingency Operations/Global War on Terrorism pursu-*
19 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
20 *Emergency Deficit Control Act of 1985.*

21 *RESEARCH, DEVELOPMENT, TEST AND*

22 *EVALUATION*

23 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

24 *For an additional amount for “Research, Develop-*
25 *ment, Test and Evaluation, Army”, \$1,500,000, to remain*

1 *available until September 30, 2017: Provided, That such*
2 *amount is designated by the Congress for Overseas Contin-*
3 *gency Operations/Global War on Terrorism pursuant to sec-*
4 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
5 *gency Deficit Control Act of 1985.*

6 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

7 *For an additional amount for “Research, Develop-*
8 *ment, Test and Evaluation, Navy”, \$35,747,000, to remain*
9 *available until September 30, 2017: Provided, That such*
10 *amount is designated by the Congress for Overseas Contin-*
11 *gency Operations/Global War on Terrorism pursuant to sec-*
12 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
13 *gency Deficit Control Act of 1985.*

14 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*

15 *FORCE*

16 *For an additional amount for “Research, Develop-*
17 *ment, Test and Evaluation, Air Force”, \$17,100,000, to re-*
18 *main available until September 30, 2017: 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.*

1 *the Balanced Budget and Emergency Deficit Control Act*
2 *of 1985.*

3 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*
4 *DEFENSE*

5 *For an additional amount for “Drug Interdiction and*
6 *Counter-Drug Activities, Defense”, \$186,000,000: 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 *JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND*
12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For the “Joint Improvised Explosive Device Defeat*
14 *Fund”, \$349,464,000, to remain available until September*
15 *30, 2018: Provided, That such funds shall be available to*
16 *the Secretary of Defense, notwithstanding any other provi-*
17 *sion of law, for the purpose of allowing the Director of the*
18 *Joint Improvised Explosive Device Defeat Organization to*
19 *investigate, develop and provide equipment, supplies, serv-*
20 *ices, training, facilities, personnel and funds to assist*
21 *United States forces in the defeat of improvised explosive*
22 *devices: Provided further, That the Secretary of Defense*
23 *may transfer funds provided herein to appropriations for*
24 *military personnel; operation and maintenance; procure-*
25 *ment; research, development, test and evaluation; and de-*

1 *fense working capital funds to accomplish the purpose pro-*
2 *vided herein: Provided further, That this transfer authority*
3 *is in addition to any other transfer authority available to*
4 *the Department of Defense: Provided further, That the Sec-*
5 *retary of Defense shall, not fewer than 15 days prior to*
6 *making transfers from this appropriation, notify the con-*
7 *gressional defense committees in writing of the details of*
8 *any such transfer: Provided further, That such amount is*
9 *designated 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 *OFFICE OF THE INSPECTOR GENERAL*

14 *For an additional amount for the “Office of the Inspec-*
15 *tor General”, \$10,262,000: Provided, That such amount is*
16 *designated by the Congress for Overseas Contingency Oper-*
17 *ations/Global War on Terrorism pursuant to section*
18 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
19 *Deficit Control Act of 1985.*

20 *GENERAL PROVISIONS—THIS TITLE*

21 *SEC. 9001. Notwithstanding any other provision of*
22 *law, funds made available in this title are in addition to*
23 *amounts appropriated or otherwise made available for the*
24 *Department of Defense for fiscal year 2016.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 9002. Upon the determination of the Secretary
3 of Defense that such action is necessary in the national in-
4 terest, the Secretary may, with the approval of the Office
5 of Management and Budget, transfer up to \$4,500,000,000
6 between the appropriations or funds made available to the
7 Department of Defense in this title: Provided, That the Sec-
8 retary shall notify the Congress promptly of each transfer
9 made pursuant to the authority in this section: Provided
10 further, That the authority provided in this section is in
11 addition to any other transfer authority available to the
12 Department of Defense and is subject to the same terms and
13 conditions as the authority provided in section 8005 of this
14 Act.

15 SEC. 9003. Supervision and administration costs and
16 costs for design during construction associated with a con-
17 struction project funded with appropriations available for
18 operation and maintenance or the “Afghanistan Security
19 Forces Fund” provided in this Act and executed in direct
20 support of overseas contingency operations in Afghanistan,
21 may be obligated at the time a construction contract is
22 awarded: Provided, That, for the purpose of this section,
23 supervision and administration costs and costs for design
24 during construction include all in-house Government costs.

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

11 *SEC. 9005. Not to exceed \$5,000,000 of the amounts*
12 *appropriated by this title under the heading “Operation*
13 *and Maintenance, Army” may be used, notwithstanding*
14 *any other provision of law, to fund the Commanders’ Emer-*
15 *gency Response Program (CERP), for the purpose of ena-*
16 *bling military commanders in Afghanistan to respond to*
17 *urgent, small-scale, humanitarian relief and reconstruction*
18 *requirements within their areas of responsibility: Provided,*
19 *That each project (including any ancillary or related ele-*
20 *ments in connection with such project) executed under this*
21 *authority shall not exceed \$2,000,000: Provided further,*
22 *That not later than 45 days after the end of each 6 months*
23 *of the fiscal year, the Secretary of Defense shall submit to*
24 *the congressional defense committees a report regarding the*
25 *source of funds and the allocation and use of funds during*

1 *that 6-month period that were made available pursuant to*
2 *the authority provided in this section or under any other*
3 *provision of law for the purposes described herein: Provided*
4 *further, That, not later than 30 days after the end of each*
5 *fiscal year quarter, the Army shall submit to the congres-*
6 *sional defense committees quarterly commitment, obliga-*
7 *tion, and expenditure data for the CERP in Afghanistan:*
8 *Provided further, That, not less than 15 days before making*
9 *funds available pursuant to the authority provided in this*
10 *section or under any other provision of law for the purposes*
11 *described herein for a project with a total anticipated cost*
12 *for completion of \$500,000 or more, the Secretary shall sub-*
13 *mit to the congressional defense committees a written notice*
14 *containing each of the following:*

15 (1) *The location, nature and purpose of the pro-*
16 *posed project, including how the project is intended to*
17 *advance the military campaign plan for the country*
18 *in which it is to be carried out.*

19 (2) *The budget, implementation timeline with*
20 *milestones, and completion date for the proposed*
21 *project, including any other CERP funding that has*
22 *been or is anticipated to be contributed to the comple-*
23 *tion of the project.*

24 (3) *A plan for the sustainment of the proposed*
25 *project, including the agreement with either the host*

1 *nation, a non-Department of Defense agency of the*
2 *United States Government or a third-party contrib-*
3 *utor to finance the sustainment of the activities and*
4 *maintenance of any equipment or facilities to be pro-*
5 *vided through the proposed project.*

6 *SEC. 9006. Funds available to the Department of De-*
7 *fense for operation and maintenance may be used, notwith-*
8 *standing any other provision of law, to provide supplies,*
9 *services, transportation, including airlift and sealift, and*
10 *other logistical support to coalition forces supporting mili-*
11 *tary and stability operations in Afghanistan and to counter*
12 *the Islamic State of Iraq and the Levant: Provided, That*
13 *the Secretary of Defense shall provide quarterly reports to*
14 *the congressional defense committees regarding support pro-*
15 *vided under this section.*

16 *SEC. 9007. None of the funds appropriated or other-*
17 *wise made available by this or any other Act shall be obli-*
18 *gated or expended by the United States Government for a*
19 *purpose as follows:*

20 *(1) To establish any military installation or base*
21 *for the purpose of providing for the permanent sta-*
22 *tioning of United States Armed Forces in Iraq.*

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

1 (3) *To establish any military installation or base*
2 *for the purpose of providing for the permanent sta-*
3 *tioning of United States Armed Forces in Afghani-*
4 *stan.*

5 *SEC. 9008. None of the funds made available in this*
6 *Act may be used in contravention of the following laws en-*
7 *acted or regulations promulgated to implement the United*
8 *Nations Convention Against Torture and Other Cruel, In-*
9 *human or Degrading Treatment or Punishment (done at*
10 *New York on December 10, 1984):*

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

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

20 (3) *Sections 1002 and 1003 of the Department of*
21 *Defense, Emergency Supplemental Appropriations to*
22 *Address Hurricanes in the Gulf of Mexico, and Pan-*
23 *demic Influenza Act, 2006 (Public Law 109–148).*

24 *SEC. 9009. None of the funds provided for the “Afghan-*
25 *istan Security Forces Fund” (ASFF) may be obligated*

1 *prior to the approval of a financial and activity plan by*
2 *the Afghanistan Resources Oversight Council (AROC) of the*
3 *Department of Defense: Provided, That the AROC must ap-*
4 *prove the requirement and acquisition plan for any service*
5 *requirements in excess of \$50,000,000 annually and any*
6 *non-standard equipment requirements in excess of*
7 *\$100,000,000 using ASFF: Provided further, That the De-*
8 *partment of Defense must certify to the congressional de-*
9 *fense committees that the AROC has convened and approved*
10 *a process for ensuring compliance with the requirements in*
11 *the preceding proviso and accompanying report language*
12 *for the ASFF.*

13 *SEC. 9010. Funds made available in this title to the*
14 *Department of Defense for operation and maintenance may*
15 *be used to purchase items having an investment unit cost*
16 *of not more than \$250,000: Provided, That, upon deter-*
17 *mination by the Secretary of Defense that such action is*
18 *necessary to meet the operational requirements of a Com-*
19 *mander of a Combatant Command engaged in contingency*
20 *operations overseas, such funds may be used to purchase*
21 *items having an investment item unit cost of not more than*
22 *\$500,000.*

23 *SEC. 9011. From funds made available to the Depart-*
24 *ment of Defense in this title under the heading “Operation*
25 *and Maintenance, Air Force”, up to \$80,000,000 may be*

1 *used by the Secretary of Defense, notwithstanding any other*
2 *provision of law, to support United States Government*
3 *transition activities in Iraq by funding the operations and*
4 *activities of the Office of Security Cooperation in Iraq and*
5 *security assistance teams, including life support, transpor-*
6 *tation and personal security, and facilities renovation and*
7 *construction, and site closeout activities prior to returning*
8 *sites to the Government of Iraq: Provided, That to the extent*
9 *authorized under the National Defense Authorization Act*
10 *for Fiscal Year 2016, the operations and activities that may*
11 *be carried out by the Office of Security Cooperation in Iraq*
12 *may, with the concurrence of the Secretary of State, include*
13 *non-operational training activities in support of Iraqi Min-*
14 *ister of Defense and Counter Terrorism Service personnel*
15 *in an institutional environment to address capability gaps,*
16 *integrate processes relating to intelligence, air sovereignty,*
17 *combined arms, logistics and maintenance, and to manage*
18 *and integrate defense-related institutions: Provided further,*
19 *That not later than 30 days following the enactment of this*
20 *Act, the Secretary of Defense and the Secretary of State*
21 *shall submit to the congressional defense committees a plan*
22 *for transitioning any such training activities that they de-*
23 *termine are needed after the end of fiscal year 2016, to exist-*
24 *ing or new contracts for the sale of defense articles or de-*
25 *fense services consistent with the provisions of the Arms Ex-*

1 *port Control Act (22 U.S.C. 2751 et seq.): Provided further,*
2 *That, not less than 15 days before making funds available*
3 *pursuant to the authority provided in this section, the Sec-*
4 *retary of Defense shall submit to the congressional defense*
5 *committees a written notice containing a detailed justifica-*
6 *tion and timeline for the operations and activities of the*
7 *Office of Security Cooperation in Iraq at each site where*
8 *such operations and activities will be conducted during fis-*
9 *cal year 2016 : Provided further, That amounts made avail-*
10 *able by this section are designated by the Congress for Over-*
11 *seas Contingency Operations/Global War on Terrorism pur-*
12 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
13 *and Emergency Deficit Control Act of 1985.*

14 *SEC. 9012. Up to \$600,000,000 of funds appropriated*
15 *by this Act for the Counterterrorism Partnerships Fund*
16 *may be used to provide assistance to the Government of Jor-*
17 *dan to support the armed forces of Jordan and to enhance*
18 *security along its borders.*

19 *SEC. 9013. None of the funds made available by this*
20 *Act under the heading “Iraq Train and Equip Fund” may*
21 *be used to procure or transfer man-portable air defense sys-*
22 *tems.*

23 *SEC. 9014. For the “Ukraine Security Assistance Ini-*
24 *tiative”, \$250,000,000 is hereby appropriated, to remain*
25 *available until September 30, 2016: Provided, That such*

1 *funds shall be available to the Secretary of Defense, in co-*
2 *ordination with the Secretary of State, to provide assist-*
3 *ance, including training; equipment; lethal weapons of a*
4 *defensive nature; logistics support, supplies and services;*
5 *sustainment; and intelligence support to the military and*
6 *national security forces of Ukraine, and for replacement of*
7 *any weapons or defensive articles provided to the Govern-*
8 *ment of Ukraine from the inventory of the United States:*
9 *Provided further, That the Secretary of Defense shall, not*
10 *less than 15 days prior to obligating funds provided under*
11 *this heading, notify the congressional defense committees in*
12 *writing of the details of any such obligation: Provided fur-*
13 *ther, That the United States may accept equipment pro-*
14 *cured using funds provided under this heading in this or*
15 *prior Acts that was transferred to the security forces of*
16 *Ukraine and returned by such forces to the United States:*
17 *Provided further, That equipment procured using funds*
18 *provided under this heading in this or prior Acts, and not*
19 *yet transferred to the military or National Security Forces*
20 *of Ukraine or returned by such forces to the United States,*
21 *may be treated as stocks of the Department of Defense upon*
22 *written notification to the congressional defense committees:*
23 *Provided further, That amounts made available by this sec-*
24 *tion are designated by the Congress for Overseas Contin-*
25 *gency Operations/Global War on Terrorism pursuant to sec-*

1 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
2 *gency Deficit Control Act of 1985.*

3 *SEC. 9015. Funds appropriated in this title shall be*
4 *available for replacement of funds for items provided to the*
5 *Government of Ukraine from the inventory of the United*
6 *States to the extent specifically provided for in section 9014*
7 *of this Act.*

8 *SEC. 9016. None of the funds made available by this*
9 *Act under section 9014 for “Assistance and Sustainment*
10 *to the Military and National Security Forces of Ukraine”*
11 *may be used to procure or transfer man-portable air defense*
12 *systems.*

13 *SEC. 9017. (a) None of the funds appropriated or oth-*
14 *erwise made available by this Act under the heading “Oper-*
15 *ation and Maintenance, Defense-Wide” for payments under*
16 *section 1233 of Public Law 110–181 for reimbursement to*
17 *the Government of Pakistan may be made available unless*
18 *the Secretary of Defense, in coordination with the Secretary*
19 *of State, certifies to the congressional defense committees*
20 *that the Government of Pakistan is—*

21 *(1) cooperating with the United States in*
22 *counterterrorism efforts against the Haqqani Network,*
23 *the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-*
24 *e-Mohammed, Al Qaeda, and other domestic and for-*
25 *oreign terrorist organizations, including taking steps to*

1 *end support for such groups and prevent them from*
2 *basing and operating in Pakistan and carrying out*
3 *cross border attacks into neighboring countries;*

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

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

12 *(4) preventing the proliferation of nuclear-re-*
13 *lated material and expertise;*

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

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

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

22 *(b) The Secretary of Defense, in coordination with the*
23 *Secretary of State, may waive the restriction in subsection*
24 *(a) on a case-by-case basis by certifying in writing to the*
25 *congressional defense committees that it is in the national*

1 *security interest to do so: Provided, That if the Secretary*
2 *of Defense, in coordination with the Secretary of State, ex-*
3 *ercises such waiver authority, the Secretaries shall report*
4 *to the congressional defense committees on both the justifica-*
5 *tion for the waiver and on the requirements of this section*
6 *that the Government of Pakistan was not able to meet: Pro-*
7 *vided further, That such report may be submitted in classi-*
8 *fied form if necessary.*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *SEC. 9018. In addition to amounts otherwise made*
11 *available in this Act, \$500,000,000 is hereby appropriated*
12 *to the Department of Defense and made available for trans-*
13 *fer only to the operation and maintenance, military per-*
14 *sonnel, and procurement accounts, to improve the intel-*
15 *ligence, surveillance, and reconnaissance capabilities of the*
16 *Department of Defense: Provided, That the transfer author-*
17 *ity provided in this section is in addition to any other*
18 *transfer authority provided elsewhere in this Act: Provided*
19 *further, That not later than 30 days prior to exercising the*
20 *transfer authority provided in this section, the Secretary*
21 *of Defense shall submit a report to the congressional defense*
22 *committees on the proposed uses of these funds: Provided*
23 *further, That the funds provided in this section may not*
24 *be transferred to any program, project, or activity specifi-*
25 *cally limited or denied by this Act: Provided further, That*

1 amounts made available by this section are designated by
2 the Congress for Overseas Contingency Operations/Global
3 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
4 the Balanced Budget and Emergency Deficit Control Act
5 of 1985: Provided further, That the authority to provide
6 funding under this section shall terminate on September 30,
7 2016.

8 *SEC. 9019. None of the funds made available by this*
9 *Act may be used with respect to Syria in contravention of*
10 *the War Powers Resolution (50 U.S.C. 1541 et seq.), includ-*
11 *ing for the introduction of United States armed or military*
12 *forces into hostilities in Syria, into situations in Syria*
13 *where imminent involvement in hostilities is clearly indi-*
14 *cated by the circumstances, or into Syrian territory, air-*
15 *space, or waters while equipped for combat, in contraven-*
16 *tion of the congressional consultation and reporting require-*
17 *ments of sections 3 and 4 of that law (50 U.S.C. 1542 and*
18 *1543).*

19 *SEC. 9020. None of the funds in this Act may be made*
20 *available for the transfer of additional C-130 cargo aircraft*
21 *to the Afghanistan National Security Forces or the Afghani-*
22 *stan Air Force until the Department of Defense provides*
23 *a report to the congressional defense committees of the Af-*
24 *ghanistan Air Force's medium airlift requirements. The re-*
25 *port should identify Afghanistan's ability to utilize and*

1 *maintain existing medium lift aircraft in the inventory*
2 *and the best alternative platform, if necessary, to provide*
3 *additional support to the Afghanistan Air Force's current*
4 *medium airlift capacity.*

5 *(RESCISSION)*

6 *SEC. 9021. Of the funds appropriated in Department*
7 *of Defense Appropriations Acts, the following funds are*
8 *hereby rescinded from the following accounts and programs*
9 *in the specified amounts: Provided, That such amounts are*
10 *designated by the Congress for Overseas Contingency Oper-*
11 *ations/Global War on Terrorism pursuant to section*
12 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
13 *Deficit Control Act of 1985, as amended:*

14 *“Afghanistan Security Forces Fund”, 2015/2016,*
15 *\$400,000,000.*

16 *This division may be cited as the “Department of De-*
17 *fense Appropriations Act, 2016”.*

1 ***DIVISION D—ENERGY AND WATER DEVEL-***
2 ***OPMENT AND RELATED AGENCIES AP-***
3 ***PROPRIATIONS ACT, 2016***

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, 10 new study starts during fiscal year
4 2016: Provided further, That the new study starts will con-
5 sist of seven studies where the majority of the benefits are
6 derived from navigation transportation savings or from
7 flood and storm damage reduction and three studies where
8 the majority of benefits are derived from environmental res-
9 toration: Provided further, That the Secretary shall not de-
10 viate from the new starts proposed in the work plan, once
11 the plan has been submitted to the Committees on Appro-
12 priations of the House of Representatives and the Senate.

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); \$1,862,250,000, 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 2016: 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 August
18 31, 2016: 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 the House of Representatives and the
22 Senate an out-year funding scenario demonstrating the af-
23 fordability of the selected new starts and the impacts on
24 other projects: Provided further, That the Secretary may not
25 deviate from the new starts proposed in the work plan, once

1 *the plan has been submitted to the Committees on Appro-*
2 *priations of the House of Representatives and the Senate.*

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, \$345,000,000, 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, \$3,137,000,000, 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, \$179,000,000, to remain*
2 *available until September 30, 2017, 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 *fices: 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 *\$4,750,000, to remain available until September 30, 2017:*
19 *Provided, That not more than 50 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 *2016, 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;*

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 made available in this*
18 *or any other Act making appropriations for Energy and*
19 *Water Development for any fiscal year may be used by the*
20 *Corps of Engineers during the fiscal year ending September*
21 *30, 2016, to develop, adopt, implement, administer, or en-*
22 *force any change to the regulations in effect on October 1,*
23 *2012, pertaining to the definitions of the terms “fill mate-*
24 *rial” or “discharge of fill material” for the purposes of the*

1 *Federal Water Pollution Control Act (33 U.S.C. 1251 et*
2 *seq.).*

3 *SEC. 106. None of the funds in this Act shall be used*
4 *for an open lake placement alternative of dredged material,*
5 *after evaluating the least costly, environmentally acceptable*
6 *manner for the disposal or management of dredged material*
7 *originating from Lake Erie or tributaries thereto, unless it*
8 *is approved under a State water quality certification pur-*
9 *suant to 33 U.S.C. 1341.*

10 *SEC. 107. (a) Not later than 180 days after the date*
11 *of enactment of this Act, the Secretary shall execute a trans-*
12 *fer agreement with the South Florida Water Management*
13 *District for the project identified as the “Ten Mile Creek*
14 *Water Preserve Area Critical Restoration Project”, carried*
15 *out under section 528(b)(3) of the Water Resources Develop-*
16 *ment Act of 1996 (110 Stat. 3768).*

17 *(b) The transfer agreement under subsection (a) shall*
18 *require the South Florida Water Management District to*
19 *operate the transferred project as an environmental restora-*
20 *tion project to provide water storage and water treatment*
21 *options.*

22 *(c) Upon execution of the transfer agreement under*
23 *subsection (a), the Ten Mile Creek Water Preserve Area*
24 *Critical Restoration Project shall no longer be authorized*
25 *as a Federal project.*

1 *until September 30, 2017, for expenses necessary in car-*
2 *rying out related responsibilities of the Secretary of the In-*
3 *terior: Provided further, That for fiscal year 2016, of the*
4 *amount made available to the Commission under this Act*
5 *or any other Act, the Commission may use an amount not*
6 *to exceed \$1,500,000 for administrative expenses.*

7 *BUREAU OF RECLAMATION*

8 *The following appropriations shall be expended to exe-*
9 *cute authorized functions of the Bureau of Reclamation:*

10 *WATER AND RELATED RESOURCES*

11 *(INCLUDING TRANSFERS OF FUNDS)*

12 *For management, development, and restoration of*
13 *water and related natural resources and for related activi-*
14 *ties, including the operation, maintenance, and rehabilita-*
15 *tion of reclamation and other facilities, participation in*
16 *fulfilling related Federal responsibilities to Native Ameri-*
17 *cans, and related grants to, and cooperative and other*
18 *agreements with, State and local governments, federally rec-*
19 *ognized Indian tribes, and others, \$1,118,972,000, to re-*
20 *main available until expended, of which \$22,000 shall be*
21 *available for transfer to the Upper Colorado River Basin*
22 *Fund and \$5,899,000 shall be available for transfer to the*
23 *Lower Colorado River Basin Development Fund; of which*
24 *such amounts as may be necessary may be advanced to the*
25 *Colorado River Dam Fund: Provided, That such transfers*

1 *may be increased or decreased within the overall appropria-*
2 *tion under this heading: Provided further, That of the total*
3 *appropriated, the amount for program activities that can*
4 *be financed by the Reclamation Fund or the Bureau of Rec-*
5 *lamation special fee account established by 16 U.S.C. 6806*
6 *shall be derived from that Fund or account: Provided fur-*
7 *ther, That funds contributed under 43 U.S.C. 395 are avail-*
8 *able until expended for the purposes for which the funds*
9 *were contributed: Provided further, That funds advanced*
10 *under 43 U.S.C. 397a shall be credited to this account and*
11 *are available until expended for the same purposes as the*
12 *sums appropriated under this heading: Provided further,*
13 *That of the amounts provided herein, funds may be used*
14 *for high-priority projects which shall be carried out by the*
15 *Youth Conservation Corps, as authorized by 16 U.S.C.*
16 *1706.*

17 *CENTRAL VALLEY PROJECT RESTORATION FUND*

18 *For carrying out the programs, projects, plans, habitat*
19 *restoration, improvement, and acquisition provisions of the*
20 *Central Valley Project Improvement Act, \$49,528,000, to be*
21 *derived from such sums as may be collected in the Central*
22 *Valley Project Restoration Fund pursuant to sections*
23 *3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575,*
24 *to remain available until expended: Provided, That the Bu-*
25 *reau of Reclamation is directed to assess and collect the full*

1 *amount of the additional mitigation and restoration pay-*
2 *ments authorized by section 3407(d) of Public Law 102-*
3 *575: Provided further, That none of the funds made avail-*
4 *able under this heading may be used for the acquisition or*
5 *leasing of water for in-stream purposes if the water is al-*
6 *ready committed to in-stream purposes by a court adopted*
7 *decree or order.*

8 *CALIFORNIA BAY-DELTA RESTORATION*
9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *For carrying out activities authorized by the Water*
11 *Supply, Reliability, and Environmental Improvement Act,*
12 *consistent with plans to be approved by the Secretary of*
13 *the Interior, \$37,000,000, to remain available until ex-*
14 *pende, of which such amounts as may be necessary to*
15 *carry out such activities may be transferred to appropriate*
16 *accounts of other participating Federal agencies to carry*
17 *out authorized purposes: Provided, That funds appro-*
18 *priated herein may be used for the Federal share of the costs*
19 *of CALFED Program management: Provided further, That*
20 *CALFED implementation shall be carried out in a bal-*
21 *anced manner with clear performance measures dem-*
22 *onstrating concurrent progress in achieving the goals and*
23 *objectives of the Program.*

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

2 (3) *increases funds for any program, project, or*
3 *activity for which funds have been denied or restricted*
4 *by this Act, unless prior approval is received from the*
5 *Committees on Appropriations of the House of Rep-*
6 *resentatives and the Senate;*

7 (4) *restarts or resumes any program, project or*
8 *activity for which funds are not provided in this Act,*
9 *unless prior approval is received from the Committees*
10 *on Appropriations of the House of Representatives*
11 *and the Senate;*

12 (5) *transfers funds in excess of the following lim-*
13 *its, unless prior approval is received from the Com-*
14 *mittees on Appropriations of the House of Represent-*
15 *atives and the Senate:*

16 (A) *15 percent for any program, project or*
17 *activity for which \$2,000,000 or more is avail-*
18 *able at the beginning of the fiscal year; or*

19 (B) *\$300,000 for any program, project or*
20 *activity for which less than \$2,000,000 is avail-*
21 *able at the beginning of the fiscal year;*

22 (6) *transfers more than \$500,000 from either the*
23 *Facilities Operation, Maintenance, and Rehabilita-*
24 *tion category or the Resources Management and De-*
25 *velopment category to any program, project, or activ-*

1 *ity in the other category, unless prior approval is re-*
2 *ceived from the Committees on Appropriations of the*
3 *House of Representatives and the Senate; or*

4 *(7) transfers, where necessary to discharge legal*
5 *obligations of the Bureau of Reclamation, more than*
6 *\$5,000,000 to provide adequate funds for settled con-*
7 *tractor claims, increased contractor earnings due to*
8 *accelerated rates of operations, and real estate defi-*
9 *ciency judgments, unless prior approval is received*
10 *from the Committees on Appropriations of the House*
11 *of Representatives and the Senate.*

12 *(b) Subsection (a)(5) shall not apply to any transfer*
13 *of funds within the Facilities Operation, Maintenance, and*
14 *Rehabilitation category.*

15 *(c) For purposes of this section, the term transfer*
16 *means any movement of funds into or out of a program,*
17 *project, or activity.*

18 *(d) The Bureau of Reclamation shall submit reports*
19 *on a quarterly basis to the Committees on Appropriations*
20 *of the House of Representatives and the Senate detailing*
21 *all the funds reprogrammed between programs, projects, ac-*
22 *tivities, or categories of funding. The first quarterly report*
23 *shall be submitted not later than 60 days after the date of*
24 *enactment of this Act.*

1 *SEC. 202. (a) None of the funds appropriated or other-*
2 *wise made available by this Act may be used to determine*
3 *the final point of discharge for the interceptor drain for*
4 *the San Luis Unit until development by the Secretary of*
5 *the Interior and the State of California of a plan, which*
6 *shall conform to the water quality standards of the State*
7 *of California as approved by the Administrator of the Envi-*
8 *ronmental Protection Agency, to minimize any detrimental*
9 *effect of the San Luis drainage waters.*

10 *(b) The costs of the Kesterson Reservoir Cleanup Pro-*
11 *gram and the costs of the San Joaquin Valley Drainage*
12 *Program shall be classified by the Secretary of the Interior*
13 *as reimbursable or nonreimbursable and collected until fully*
14 *repaid pursuant to the “Cleanup Program—Alternative*
15 *Repayment Plan” and the “SJVDP—Alternative Repay-*
16 *ment Plan” described in the report entitled “Repayment*
17 *Report, Kesterson Reservoir Cleanup Program and San*
18 *Joaquin Valley Drainage Program, February 1995”, pre-*
19 *pared by the Department of the Interior, Bureau of Rec-*
20 *lamation. Any future obligations of funds by the United*
21 *States relating to, or providing for, drainage service or*
22 *drainage studies for the San Luis Unit shall be fully reim-*
23 *bursable by San Luis Unit beneficiaries of such service or*
24 *studies pursuant to Federal reclamation law.*

1 *SEC. 203. The Reclamation Safety of Dams Act of*
2 *1978 is amended by—*

3 *(1) striking “Construction” and inserting “Ex-*
4 *cept as provided in section 5B, construction” in sec-*
5 *tion 3; and*

6 *(2) inserting after section 5A (43 U.S.C. 509a)*
7 *the following:*

8 *“SEC. 5B. Notwithstanding section 3, if the Secretary,*
9 *in her judgment, determines that additional project benefits,*
10 *including but not limited to additional conservation storage*
11 *capacity, are necessary and in the interests of the United*
12 *States and the project and are feasible and not inconsistent*
13 *with the purposes of this Act, the Secretary is authorized*
14 *to develop additional project benefits through the construc-*
15 *tion of new or supplementary works on a project in con-*
16 *junction with the Secretary’s activities under section 2 of*
17 *this Act and subject to the conditions described in the feasi-*
18 *bility study, provided a cost share agreement related to the*
19 *additional project benefits is reached among non-Federal*
20 *and Federal funding participants and the costs associated*
21 *with developing the additional project benefits are allocated*
22 *exclusively among beneficiaries of the additional project*
23 *benefits and repaid consistent with all provisions of Federal*
24 *Reclamation law (the Act of June 17, 1902, 43 U.S.C. 371*

1 *et seq.) and acts supplemental to and amendatory of that*
2 *Act.”.*

3 *SEC. 204. Section 5 of the Reclamation Safety of Dams*
4 *Act of 1978 (43 U.S.C. 509) is amended in the first sen-*
5 *tence—*

6 *(a) by inserting “and effective October 1, 2015, not to*
7 *exceed an additional \$1,100,000,000 (October 1, 2003, price*
8 *levels),” after “(October 1, 2003, price levels),”;*

9 *(b) in the proviso—*

10 *(1) by striking “\$1,250,000” and inserting*
11 *“\$20,000,000”; and*

12 *(2) by striking “Congress” and inserting “Com-*
13 *mittee on Natural Resources of the House of Rep-*
14 *resentatives and the Committee on Energy and Nat-*
15 *ural Resources of the Senate”; and*

16 *(3) by adding at the end the following: “For*
17 *modification expenditures between \$1,800,000 and*
18 *\$20,000,000 (October 1, 2015, price levels), the Sec-*
19 *retary of the Interior shall, at least 30 days before the*
20 *date on which the funds are expended, submit written*
21 *notice of the expenditures to the Committee on Nat-*
22 *ural Resources of the House of Representatives and*
23 *Committee on Energy and Natural Resources of the*
24 *Senate that provides a summary of the project, the*

1 *cost of the project, and any alternatives that were*
2 *considered.”.*

3 *SEC. 205. The Secretary of the Interior, acting through*
4 *the Commissioner of Reclamation, shall—*

5 *(1) complete the feasibility studies described in*
6 *clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of*
7 *Public Law 108–361 (118 Stat. 1684) and submit*
8 *such studies to the appropriate committees of the*
9 *House of Representatives and the Senate not later*
10 *than December 31, 2015;*

11 *(2) complete the feasibility studies described in*
12 *clauses (i)(II) and (ii)(I) of section 103(d)(1)(A) of*
13 *Public Law 108–361 and submit such studies to the*
14 *appropriate committees of the House of Representa-*
15 *tives and the Senate not later than November 30,*
16 *2016;*

17 *(3) complete the feasibility study described in*
18 *section 103(f)(1)(A) of Public Law 108–361 (118*
19 *Stat. 1694) and submit such study to the appropriate*
20 *committees of the House of Representatives and the*
21 *Senate not later than December 31, 2017; and*

22 *(4) provide a progress report on the status of the*
23 *feasibility studies referred to in paragraphs (1)*
24 *through (3) to the appropriate committees of the*
25 *House of Representatives and the Senate not later*

1 *or facility acquisition, construction, or expansion,*
2 *\$2,073,000,000, to remain available until expended: Pro-*
3 *vided, That of such amount, \$155,000,000 shall be available*
4 *until September 30, 2017, for program direction: Provided*
5 *further, That of the amount provided under this heading,*
6 *the Secretary may transfer up to \$45,000,000 to the Defense*
7 *Production Act Fund for activities of the Department of*
8 *Energy pursuant to the Defense Production Act of 1950 (50*
9 *U.S.C. App. 2061, et seq.).*

10 *ELECTRICITY DELIVERY AND ENERGY RELIABILITY*

11 *For Department of Energy expenses including the pur-*
12 *chase, construction, and acquisition of plant and capital*
13 *equipment, and other expenses necessary for electricity de-*
14 *livery and energy reliability activities in carrying out the*
15 *purposes of the Department of Energy Organization Act (42*
16 *U.S.C. 7101 et seq.), including the acquisition or con-*
17 *demnation of any real property or any facility or for plant*
18 *or facility acquisition, construction, or expansion,*
19 *\$206,000,000, to remain available until expended: Pro-*
20 *vided, That of such amount, \$28,000,000 shall be available*
21 *until September 30, 2017, for program direction.*

22 *NUCLEAR ENERGY*

23 *For Department of Energy expenses including the pur-*
24 *chase, construction, and acquisition of plant and capital*
25 *equipment, and other expenses necessary for nuclear energy*

1 *activities in carrying out the purposes of the Department*
2 *of Energy Organization Act (42 U.S.C. 7101 et seq.), in-*
3 *cluding the acquisition or condemnation of any real prop-*
4 *erty or any facility or for plant or facility acquisition, con-*
5 *struction, or expansion, \$986,161,000, to remain available*
6 *until expended: Provided, That of such amount,*
7 *\$80,000,000 shall be available until September 30, 2017,*
8 *for program direction including official reception and rep-*
9 *resentation expenses not to exceed \$10,000.*

10 *FOSSIL ENERGY RESEARCH AND DEVELOPMENT*

11 *For Department of Energy expenses necessary in car-*
12 *rying out fossil energy research and development activities,*
13 *under the authority of the Department of Energy Organiza-*
14 *tion Act (42 U.S.C. 7101 et seq.), including the acquisition*
15 *of interest, including defeasible and equitable interests in*
16 *any real property or any facility or for plant or facility*
17 *acquisition or expansion, and for conducting inquiries,*
18 *technological investigations and research concerning the ex-*
19 *traction, processing, use, and disposal of mineral substances*
20 *without objectionable social and environmental costs (30*
21 *U.S.C. 3, 1602, and 1603), \$632,000,000, to remain avail-*
22 *able until expended: Provided, That of such amount*
23 *\$114,202,000 shall be available until September 30, 2017,*
24 *for program direction.*

1 *NAVAL PETROLEUM AND OIL SHALE RESERVES*

2 *For Department of Energy expenses necessary to carry*
3 *out naval petroleum and oil shale reserve activities,*
4 *\$17,500,000, to remain available until expended: Provided,*
5 *That notwithstanding any other provision of law, unobli-*
6 *gated funds remaining from prior years shall be available*
7 *for all naval petroleum and oil shale reserve activities.*

8 *STRATEGIC PETROLEUM RESERVE*

9 *For Department of Energy expenses necessary for*
10 *Strategic Petroleum Reserve facility development and oper-*
11 *ations and program management activities pursuant to the*
12 *Energy Policy and Conservation Act (42 U.S.C. 6201 et*
13 *seq.), \$212,000,000, to remain available until expended.*

14 *NORTHEAST HOME HEATING OIL RESERVE*

15 *For Department of Energy expenses necessary for*
16 *Northeast Home Heating Oil Reserve storage, operation,*
17 *and management activities pursuant to the Energy Policy*
18 *and Conservation Act (42 U.S.C. 6201 et seq.), \$7,600,000,*
19 *to remain available until expended.*

20 *ENERGY INFORMATION ADMINISTRATION*

21 *For Department of Energy expenses necessary in car-*
22 *rying out the activities of the Energy Information Adminis-*
23 *tration, \$122,000,000, to remain available until expended.*

1 *NON-DEFENSE ENVIRONMENTAL CLEANUP*

2 *For Department of Energy expenses, including the*
3 *purchase, construction, and acquisition of plant and cap-*
4 *ital equipment and other expenses necessary for non-defense*
5 *environmental cleanup activities in carrying out the pur-*
6 *poses of the Department of Energy Organization Act (42*
7 *U.S.C. 7101 et seq.), including the acquisition or con-*
8 *demnation of any real property or any facility or for plant*
9 *or facility acquisition, construction, or expansion,*
10 *\$255,000,000, to remain available until expended.*

11 *URANIUM ENRICHMENT DECONTAMINATION AND*12 *DECOMMISSIONING FUND*

13 *For Department of Energy expenses necessary in car-*
14 *rying out uranium enrichment facility decontamination*
15 *and decommissioning, remedial actions, and other activities*
16 *of title II of the Atomic Energy Act of 1954, and title X,*
17 *subtitle A, of the Energy Policy Act of 1992, \$673,749,000,*
18 *to be derived from the Uranium Enrichment Decontamina-*
19 *tion and Decommissioning Fund, to remain available until*
20 *expended, of which \$32,959,000 shall be available in accord-*
21 *ance with title X, subtitle A, of the Energy Policy Act of*
22 *1992.*

23 *SCIENCE*

24 *For Department of Energy expenses including the pur-*
25 *chase, construction, and acquisition of plant and capital*

1 *equipment, and other expenses necessary for science activi-*
2 *ties in carrying out the purposes of the Department of En-*
3 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*
4 *the acquisition or condemnation of any real property or*
5 *facility or for plant or facility acquisition, construction, or*
6 *expansion, and purchase of not more than 17 passenger*
7 *motor vehicles for replacement only, including one ambu-*
8 *lance and one bus, \$5,350,200,000, to remain available*
9 *until expended: Provided, That of such amount,*
10 *\$185,000,000 shall be available until September 30, 2017,*
11 *for program direction: Provided further, That of such*
12 *amount, not more than \$115,000,000 shall be made avail-*
13 *able for the in-kind contributions and related support ac-*
14 *tivities of ITER: Provided further, That not later than May*
15 *2, 2016, the Secretary of Energy shall submit to the Com-*
16 *mittees on Appropriations of both Houses of Congress a re-*
17 *port recommending either that the United States remain*
18 *a partner in the ITER project after October 2017 or termi-*
19 *nate participation, which shall include, as applicable, an*
20 *estimate of either the full cost, by fiscal year, of all future*
21 *Federal funding requirements for construction, operation,*
22 *and maintenance of ITER or the cost of termination.*

23 *ADVANCED RESEARCH PROJECTS AGENCY—ENERGY*

24 *For Department of Energy expenses necessary in car-*
25 *rying out the activities authorized by section 5012 of the*

1 *America COMPETES Act (Public Law 110–69),*
2 *\$291,000,000, to remain available until expended: Pro-*
3 *vided, That of such amount, \$29,250,000 shall be available*
4 *until September 30, 2017, for program direction.*

5 *TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE*
6 *PROGRAM*

7 *Such sums as are derived from amounts received from*
8 *borrowers pursuant to section 1702(b) of the Energy Policy*
9 *Act of 2005 under this heading in prior Acts, shall be col-*
10 *lected in accordance with section 502(7) of the Congres-*
11 *sional Budget Act of 1974: Provided, That for necessary ad-*
12 *ministrative expenses to carry out this Loan Guarantee*
13 *program, \$42,000,000 is appropriated, to remain available*
14 *until September 30, 2017: Provided further, That*
15 *\$25,000,000 of the fees collected pursuant to section 1702(h)*
16 *of the Energy Policy Act of 2005 shall be credited as offset-*
17 *ting collections to this account to cover administrative ex-*
18 *penses and shall remain available until expended, so as to*
19 *result in a final fiscal year 2016 appropriation from the*
20 *general fund estimated at not more than \$17,000,000: Pro-*
21 *vided further, That fees collected under section 1702(h) in*
22 *excess of the amount appropriated for administrative ex-*
23 *penses shall not be available until appropriated: Provided*
24 *further, That the Department of Energy shall not subordi-*
25 *nate any loan obligation to other financing in violation of*

1 *section 1702 of the Energy Policy Act of 2005 or subordi-*
2 *nate any Guaranteed Obligation to any loan or other debt*
3 *obligations in violation of section 609.10 of title 10, Code*
4 *of Federal Regulations.*

5 *ADVANCED TECHNOLOGY VEHICLES MANUFACTURING*
6 *LOAN PROGRAM*

7 *For Department of Energy administrative expenses*
8 *necessary in carrying out the Advanced Technology Vehicles*
9 *Manufacturing Loan Program, \$6,000,000, to remain*
10 *available until September 30, 2017.*

11 *DEPARTMENTAL ADMINISTRATION*

12 *For salaries and expenses of the Department of Energy*
13 *necessary for departmental administration in carrying out*
14 *the purposes of the Department of Energy Organization Act*
15 *(42 U.S.C. 7101 et seq.), \$248,142,000, to remain available*
16 *until September 30, 2017, including the hire of passenger*
17 *motor vehicles and official reception and representation ex-*
18 *penses not to exceed \$30,000, plus such additional amounts*
19 *as necessary to cover increases in the estimated amount of*
20 *cost of work for others notwithstanding the provisions of*
21 *the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided,*
22 *That such increases in cost of work are offset by revenue*
23 *increases of the same or greater amount: Provided further,*
24 *That moneys received by the Department for miscellaneous*
25 *revenues estimated to total \$117,171,000 in fiscal year 2016*

1 *may be retained and used for operating expenses within this*
2 *account, as authorized by section 201 of Public Law 95–*
3 *238, notwithstanding the provisions of 31 U.S.C. 3302: Pro-*
4 *vided further, That the sum herein appropriated shall be*
5 *reduced as collections are received during the fiscal year*
6 *so as to result in a final fiscal year 2016 appropriation*
7 *from the general fund estimated at not more than*
8 *\$130,971,000: Provided further, That of the total amount*
9 *made available under this heading, \$31,297,000 is for En-*
10 *ergy Policy and Systems Analysis.*

11 *OFFICE OF THE INSPECTOR GENERAL*

12 *For expenses necessary for the Office of the Inspector*
13 *General in carrying out the provisions of the Inspector Gen-*
14 *eral Act of 1978, \$46,424,000, to remain available until*
15 *September 30, 2017.*

16 *ATOMIC ENERGY DEFENSE ACTIVITIES*

17 *NATIONAL NUCLEAR SECURITY ADMINISTRATION*

18 *WEAPONS ACTIVITIES*

19 *For Department of Energy expenses, including the*
20 *purchase, construction, and acquisition of plant and cap-*
21 *ital equipment and other incidental expenses necessary for*
22 *atomic energy defense weapons activities in carrying out*
23 *the purposes of the Department of Energy Organization Act*
24 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*
25 *demnation of any real property or any facility or for plant*

1 *or facility acquisition, construction, or expansion,*
2 *\$8,846,948,000, to remain available until expended: Pro-*
3 *vided, That of such amount, \$97,118,000 shall be available*
4 *until September 30, 2017, for program direction: Provided*
5 *further, That funding made available under this heading*
6 *may be made available for project engineering and design*
7 *for the Albuquerque Complex Project.*

8 *DEFENSE NUCLEAR NONPROLIFERATION*

9 *For Department of Energy expenses, including the*
10 *purchase, construction, and acquisition of plant and cap-*
11 *ital equipment and other incidental expenses necessary for*
12 *defense nuclear nonproliferation activities, in carrying out*
13 *the purposes of the Department of Energy Organization Act*
14 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*
15 *demnation of any real property or any facility or for plant*
16 *or facility acquisition, construction, or expansion,*
17 *\$1,940,302,000, to remain available until expended.*

18 *NAVAL REACTORS*

19 *For Department of Energy expenses necessary for*
20 *naval reactors activities to carry out the Department of En-*
21 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*
22 *the acquisition (by purchase, condemnation, construction,*
23 *or otherwise) of real property, plant, and capital equip-*
24 *ment, facilities, and facility expansion, \$1,375,496,000, to*
25 *remain available until expended: Provided, That of such*

1 amount, \$42,504,000 shall be available until September 30,
2 2017, for program direction.

3 *FEDERAL SALARIES AND EXPENSES*

4 *(INCLUDING RESCISSION OF FUNDS)*

5 *For expenses necessary for Federal Salaries and Ex-*
6 *penses in the National Nuclear Security Administration,*
7 *\$383,666,000, to remain available until September 30,*
8 *2017, including official reception and representation ex-*
9 *penses not to exceed \$12,000: Provided, That of the unobli-*
10 *gated balances from prior year appropriations available*
11 *under this heading, \$19,900,000 is hereby rescinded: Pro-*
12 *vided further, That no amounts may be rescinded from*
13 *amounts that were designated by the Congress as an emer-*
14 *gency requirement pursuant to a concurrent resolution on*
15 *the budget or the Balanced Budget and Emergency Deficit*
16 *Control Act of 1985.*

17 *ENVIRONMENTAL AND OTHER DEFENSE*

18 *ACTIVITIES*

19 *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 atomic en-*
23 *ergy defense environmental cleanup activities in carrying*
24 *out the purposes of the Department of Energy Organization*
25 *Act (42 U.S.C. 7101 et seq.), including the acquisition or*

1 *condemnation of any real property or any facility or for*
2 *plant or facility acquisition, construction, or expansion,*
3 *and the purchase of not to exceed one fire apparatus pump-*
4 *er truck and one armored vehicle for replacement only,*
5 *\$5,289,742,000, to remain available until expended: Pro-*
6 *vided, That of such amount \$281,951,000 shall be available*
7 *until September 30, 2017, for program direction.*

8 *OTHER DEFENSE ACTIVITIES*

9 *For Department of Energy expenses, including the*
10 *purchase, construction, and acquisition of plant and cap-*
11 *ital equipment and other expenses, necessary for atomic en-*
12 *ergy defense, other defense activities, and classified activi-*
13 *ties, in carrying out the purposes of the Department of En-*
14 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*
15 *the acquisition or condemnation of any real property or*
16 *any facility or for plant or facility acquisition, construc-*
17 *tion, or expansion, \$776,425,000, to remain available until*
18 *expended: Provided, That of such amount, \$249,137,000*
19 *shall be available until September 30, 2017, for program*
20 *direction.*

21 *POWER MARKETING ADMINISTRATIONS*

22 *BONNEVILLE POWER ADMINISTRATION FUND*

23 *Expenditures from the Bonneville Power Administra-*
24 *tion Fund, established pursuant to Public Law 93-454, are*
25 *approved for the Shoshone Paiute Trout Hatchery, the Spo-*

1 *kane Tribal Hatchery, the Snake River Sockeye Weirs and,*
2 *in addition, for official reception and representation ex-*
3 *penses in an amount not to exceed \$5,000: Provided, That*
4 *during fiscal year 2016, no new direct loan obligations may*
5 *be made.*

6 *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*
7 *ADMINISTRATION*

8 *For expenses necessary for operation and maintenance*
9 *of power transmission facilities and for marketing electric*
10 *power and energy, including transmission wheeling and*
11 *ancillary services, pursuant to section 5 of the Flood Con-*
12 *trol Act of 1944 (16 U.S.C. 825s), as applied to the south-*
13 *eastern power area, \$6,900,000, including official reception*
14 *and representation expenses in an amount not to exceed*
15 *\$1,500, to remain available until expended: Provided, That*
16 *notwithstanding 31 U.S.C. 3302 and section 5 of the Flood*
17 *Control Act of 1944, up to \$6,900,000 collected by the*
18 *Southeastern Power Administration from the sale of power*
19 *and related services shall be credited to this account as dis-*
20 *cretionary offsetting collections, to remain available until*
21 *expended for the sole purpose of funding the annual ex-*
22 *penses of the Southeastern Power Administration: Provided*
23 *further, That the sum herein appropriated for annual ex-*
24 *penses shall be reduced as collections are received during*
25 *the fiscal year so as to result in a final fiscal year 2016*

1 *appropriation estimated at not more than \$0: Provided fur-*
2 *ther, That notwithstanding 31 U.S.C. 3302, up to*
3 *\$66,500,000 collected by the Southeastern Power Adminis-*
4 *tration pursuant to the Flood Control Act of 1944 to recover*
5 *purchase power and wheeling expenses shall be credited to*
6 *this account as offsetting collections, to remain available*
7 *until expended for the sole purpose of making purchase*
8 *power and wheeling expenditures: Provided further, That*
9 *for purposes of this appropriation, annual expenses means*
10 *expenditures that are generally recovered in the same year*
11 *that they are incurred (excluding purchase power and*
12 *wheeling expenses).*

13 *OPERATION AND MAINTENANCE, SOUTHWESTERN POWER*
14 *ADMINISTRATION*

15 *For expenses necessary for operation and maintenance*
16 *of power transmission facilities and for marketing electric*
17 *power and energy, for construction and acquisition of*
18 *transmission lines, substations and appurtenant facilities,*
19 *and for administrative expenses, including official recep-*
20 *tion and representation expenses in an amount not to ex-*
21 *ceed \$1,500 in carrying out section 5 of the Flood Control*
22 *Act of 1944 (16 U.S.C. 825s), as applied to the South-*
23 *western Power Administration, \$47,361,000, to remain*
24 *available until expended: Provided, That notwithstanding*
25 *31 U.S.C. 3302 and section 5 of the Flood Control Act of*

1 1944 (16 U.S.C. 825s), up to \$35,961,000 collected by the
2 Southwestern Power Administration from the sale of power
3 and related services shall be credited to this account as dis-
4 cretionary offsetting collections, to remain available until
5 expended, for the sole purpose of funding the annual ex-
6 penses of the Southwestern Power Administration: 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 2016
10 appropriation estimated at not more than \$11,400,000:
11 Provided further, That notwithstanding 31 U.S.C. 3302, up
12 to \$63,000,000 collected by the Southwestern Power Admin-
13 istration pursuant to the Flood Control Act of 1944 to re-
14 cover purchase power and wheeling expenses shall be cred-
15 ited to this account as offsetting collections, to remain avail-
16 able until expended for the sole purpose of making purchase
17 power and wheeling expenditures: Provided further, That
18 for purposes of this appropriation, annual expenses means
19 expenditures that are generally recovered in the same year
20 that they are incurred (excluding purchase power and
21 wheeling expenses).

22 CONSTRUCTION, REHABILITATION, OPERATION AND
23 MAINTENANCE, WESTERN AREA POWER ADMINISTRATION
24 For carrying out the functions authorized by title III,
25 section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C.

1 7152), and other related activities including conservation
2 and renewable resources programs as authorized,
3 \$307,714,000, including official reception and representa-
4 tion expenses in an amount not to exceed \$1,500, to remain
5 available until expended, of which \$302,000,000 shall be de-
6 rived from the Department of the Interior Reclamation
7 Fund: Provided, That notwithstanding 31 U.S.C. 3302, sec-
8 tion 5 of the Flood Control Act of 1944 (16 U.S.C. 825s),
9 and section 1 of the Interior Department Appropriation
10 Act, 1939 (43 U.S.C. 392a), up to \$214,342,000 collected
11 by the Western Area Power Administration from the sale
12 of power and related services shall be credited to this ac-
13 count as discretionary offsetting collections, to remain
14 available until expended, for the sole purpose of funding
15 the annual expenses of the Western Area Power Administra-
16 tion: Provided further, That the sum herein appropriated
17 for annual expenses shall be reduced as collections are re-
18 ceived during the fiscal year so as to result in a final fiscal
19 year 2016 appropriation estimated at not more than
20 \$93,372,000, of which \$87,658,000 is derived from the Rec-
21 lamation Fund: Provided further, That notwithstanding 31
22 U.S.C. 3302, up to \$352,813,000 collected by the Western
23 Area Power Administration pursuant to the Flood Control
24 Act of 1944 and the Reclamation Project Act of 1939 to
25 recover purchase power and wheeling expenses shall be cred-

1 *ited to this account as offsetting collections, to remain avail-*
2 *able until expended for the sole purpose of making purchase*
3 *power and wheeling expenditures: Provided further, That*
4 *for purposes of this appropriation, annual expenses means*
5 *expenditures that are generally recovered in the same year*
6 *that they are incurred (excluding purchase power and*
7 *wheeling expenses).*

8 *FALCON AND AMISTAD OPERATING AND MAINTENANCE*
9 *FUND*

10 *For operation, maintenance, and emergency costs for*
11 *the hydroelectric facilities at the Falcon and Amistad*
12 *Dams, \$4,490,000, to remain available until expended, and*
13 *to be derived from the Falcon and Amistad Operating and*
14 *Maintenance Fund of the Western Area Power Administra-*
15 *tion, as provided in section 2 of the Act of June 18, 1954*
16 *(68 Stat. 255): Provided, That notwithstanding the provi-*
17 *sions of that Act and of 31 U.S.C. 3302, up to \$4,262,000*
18 *collected by the Western Area Power Administration from*
19 *the sale of power and related services from the Falcon and*
20 *Amistad Dams shall be credited to this account as discre-*
21 *tionary offsetting collections, to remain available until ex-*
22 *pended for the sole purpose of funding the annual expenses*
23 *of the hydroelectric facilities of these Dams and associated*
24 *Western Area Power Administration activities: Provided*
25 *further, That the sum herein appropriated for annual ex-*

1 *penses shall be reduced as collections are received during*
2 *the fiscal year so as to result in a final fiscal year 2016*
3 *appropriation estimated at not more than \$228,000: Pro-*
4 *vided further, That for purposes of this appropriation, an-*
5 *nual expenses means expenditures that are generally recov-*
6 *ered in the same year that they are incurred: Provided fur-*
7 *ther, That for fiscal year 2016, the Administrator of the*
8 *Western Area Power Administration may accept up to*
9 *\$460,000 in funds contributed by United States power cus-*
10 *tomers of the Falcon and Amistad Dams for deposit into*
11 *the Falcon and Amistad Operating and Maintenance Fund,*
12 *and such funds shall be available for the purpose for which*
13 *contributed in like manner as if said sums had been specifi-*
14 *cally appropriated for such purpose: Provided further, That*
15 *any such funds shall be available without further appro-*
16 *priation and without fiscal year limitation for use by the*
17 *Commissioner of the United States Section of the Inter-*
18 *national Boundary and Water Commission for the sole pur-*
19 *pose of operating, maintaining, repairing, rehabilitating,*
20 *replacing, or upgrading the hydroelectric facilities at these*
21 *Dams in accordance with agreements reached between the*
22 *Administrator, Commissioner, and the power customers.*

1 *FEDERAL ENERGY REGULATORY COMMISSION*2 *SALARIES AND EXPENSES*

3 *For expenses necessary for the Federal Energy Regu-*
4 *latory Commission to carry out the provisions of the De-*
5 *partment of Energy Organization Act (42 U.S.C. 7101 et*
6 *seq.), including services as authorized by 5 U.S.C. 3109,*
7 *official reception and representation expenses not to exceed*
8 *\$3,000, and the hire of passenger motor vehicles,*
9 *\$319,800,000, to remain available until expended: Pro-*
10 *vided, That notwithstanding any other provision of law, not*
11 *to exceed \$319,800,000 of revenues from fees and annual*
12 *charges, and other services and collections in fiscal year*
13 *2016 shall be retained and used for expenses necessary in*
14 *this account, and shall remain available until expended:*
15 *Provided further, That the sum herein appropriated from*
16 *the general fund shall be reduced as revenues are received*
17 *during fiscal year 2016 so as to result in a final fiscal year*
18 *2016 appropriation from the general fund estimated at not*
19 *more than \$0.*

20 *GENERAL PROVISIONS—DEPARTMENT OF*21 *ENERGY*22 *(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)*

23 *SEC. 301. (a) No appropriation, funds, or authority*
24 *made available by this title for the Department of Energy*
25 *shall be used to initiate or resume any program, project,*

1 *or activity or to prepare or initiate Requests For Proposals*
2 *or similar arrangements (including Requests for*
3 *Quotations, Requests for Information, and Funding Oppor-*
4 *tunity Announcements) for a program, project, or activity*
5 *if the program, project, or activity has not been funded by*
6 *Congress.*

7 *(b)(1) Unless the Secretary of Energy notifies the Com-*
8 *mittees on Appropriations of both Houses of Congress at*
9 *least 3 full business days in advance, none of the funds*
10 *made available in this title may be used to—*

11 *(A) make a grant allocation or discretionary*
12 *grant award totaling \$1,000,000 or more;*

13 *(B) make a discretionary contract award or*
14 *Other Transaction Agreement totaling \$1,000,000 or*
15 *more, including a contract covered by the Federal Ac-*
16 *quisition Regulation;*

17 *(C) issue a letter of intent to make an allocation,*
18 *award, or Agreement in excess of the limits in sub-*
19 *paragraph (A) or (B); or*

20 *(D) announce publicly the intention to make an*
21 *allocation, award, or Agreement in excess of the limits*
22 *in subparagraph (A) or (B).*

23 *(2) The Secretary of Energy shall submit to the Com-*
24 *mittees on Appropriations of both Houses of Congress with-*
25 *in 15 days of the conclusion of each quarter a report detail-*

1 *ing each grant allocation or discretionary grant award to-*
2 *taling less than \$1,000,000 provided during the previous*
3 *quarter.*

4 *(3) The notification required by paragraph (1) and the*
5 *report required by paragraph (2) shall include the recipient*
6 *of the award, the amount of the award, the fiscal year for*
7 *which the funds for the award were appropriated, the ac-*
8 *count and program, project, or activity from which the*
9 *funds are being drawn, the title of the award, and a brief*
10 *description of the activity for which the award is made.*

11 *(c) The Department of Energy may not, with respect*
12 *to any program, project, or activity that uses budget au-*
13 *thority made available in this title under the heading “De-*
14 *partment of Energy—Energy Programs”, enter into a*
15 *multiyear contract, award a multiyear grant, or enter into*
16 *a multiyear cooperative agreement unless—*

17 *(1) the contract, grant, or cooperative agreement*
18 *is funded for the full period of performance as antici-*
19 *ipated at the time of award; or*

20 *(2) the contract, grant, or cooperative agreement*
21 *includes a clause conditioning the Federal Govern-*
22 *ment’s obligation on the availability of future year*
23 *budget authority and the Secretary notifies the Com-*
24 *mittees on Appropriations of both Houses of Congress*
25 *at least 3 days in advance.*

1 (d) *Except as provided in subsections (e), (f), and (g),*
2 *the amounts made available by this title shall be expended*
3 *as authorized by law for the programs, projects, and activi-*
4 *ties specified in the “Final Bill” column in the “Depart-*
5 *ment of Energy” table included under the heading “Title*
6 *III—Department of Energy” in the explanatory statement*
7 *described in section 4 (in the matter preceding division A*
8 *of this consolidated Act).*

9 (e) *The amounts made available by this title may be*
10 *reprogrammed for any program, project, or activity, and*
11 *the Department shall notify the Committees on Appropria-*
12 *tions of both Houses of Congress at least 30 days prior to*
13 *the use of any proposed reprogramming that would cause*
14 *any program, project, or activity funding level to increase*
15 *or decrease by more than \$5,000,000 or 10 percent, which-*
16 *ever is less, during the time period covered by this Act.*

17 (f) *None of the funds provided in this title shall be*
18 *available for obligation or expenditure through a re-*
19 *programming of funds that—*

20 (1) *creates, initiates, or eliminates a program,*
21 *project, or activity;*

22 (2) *increases funds or personnel for any pro-*
23 *gram, project, or activity for which funds are denied*
24 *or restricted by this Act; or*

1 (3) *reduces funds that are directed to be used for*
2 *a specific program, project, or activity by this Act.*

3 (g)(1) *The Secretary of Energy may waive any re-*
4 *quirement or restriction in this section that applies to the*
5 *use of funds made available for the Department of Energy*
6 *if compliance with such requirement or restriction would*
7 *pose a substantial risk to human health, the environment,*
8 *welfare, or national security.*

9 (2) *The Secretary of Energy shall notify the Commit-*
10 *tees on Appropriations of both Houses of Congress of any*
11 *waiver under paragraph (1) as soon as practicable, but not*
12 *later than 3 days after the date of the activity to which*
13 *a requirement or restriction would otherwise have applied.*
14 *Such notice shall include an explanation of the substantial*
15 *risk under paragraph (1) that permitted such waiver.*

16 SEC. 302. *The unexpended balances of prior appro-*
17 *priations provided for activities in this Act may be avail-*
18 *able to the same appropriation accounts for such activities*
19 *established pursuant to this title. Available balances may*
20 *be merged with funds in the applicable established accounts*
21 *and thereafter may be accounted for as one fund for the*
22 *same time period as originally enacted.*

23 SEC. 303. *Funds appropriated by this or any other*
24 *Act, or made available by the transfer of funds in this Act,*
25 *for intelligence activities are deemed to be specifically au-*

1 *thorized by the Congress for purposes of section 504 of the*
2 *National Security Act of 1947 (50 U.S.C. 3094) during fis-*
3 *cal year 2016 until the enactment of the Intelligence Au-*
4 *thorization Act for fiscal year 2016.*

5 *SEC. 304. None of the funds made available in this*
6 *title shall be used for the construction of facilities classified*
7 *as high-hazard nuclear facilities under 10 CFR Part 830*
8 *unless independent oversight is conducted by the Office of*
9 *Independent Enterprise Assessments to ensure the project*
10 *is in compliance with nuclear safety requirements.*

11 *SEC. 305. None of the funds made available in this*
12 *title may be used to approve critical decision-2 or critical*
13 *decision-3 under Department of Energy Order 413.3B, or*
14 *any successive departmental guidance, for construction*
15 *projects where the total project cost exceeds \$100,000,000,*
16 *until a separate independent cost estimate has been devel-*
17 *oped for the project for that critical decision.*

18 *SEC. 306. Notwithstanding section 301(c) of this Act,*
19 *none of the funds made available under the heading “De-*
20 *partment of Energy—Energy Programs—Science” in this*
21 *or any subsequent Energy and Water Development and Re-*
22 *lated Agencies appropriations Act for any fiscal year may*
23 *be used for a multiyear contract, grant, cooperative agree-*
24 *ment, or Other Transaction Agreement of \$1,000,000 or less*
25 *unless the contract, grant, cooperative agreement, or Other*

1 *Transaction Agreement is funded for the full period of per-*
2 *formance as anticipated at the time of award.*

3 *SEC. 307. (a) None of the funds made available in this*
4 *or any prior Act under the heading “Defense Nuclear Non-*
5 *proliferation” may be made available to enter into new con-*
6 *tracts with, or new agreements for Federal assistance to,*
7 *the Russian Federation.*

8 *(b) The Secretary of Energy may waive the prohibition*
9 *in subsection (a) if the Secretary determines that such ac-*
10 *tivity is in the national security interests of the United*
11 *States. This waiver authority may not be delegated.*

12 *(c) A waiver under subsection (b) shall not be effective*
13 *until 15 days after the date on which the Secretary submits*
14 *to the Committees on Appropriations of both Houses of Con-*
15 *gress, in classified form if necessary, a report on the jus-*
16 *tification for the waiver.*

17 *SEC. 308. (a) NEW REGIONAL RESERVES.—The Sec-*
18 *retary of Energy may not establish any new regional petro-*
19 *leum product reserve unless funding for the proposed re-*
20 *gional petroleum product reserve is explicitly requested in*
21 *advance in an annual budget submission and approved by*
22 *the Congress in an appropriations Act.*

23 *(b) The budget request or notification shall include—*
24 *(1) the justification for the new reserve;*

1 (2) a cost estimate for the establishment, oper-
2 ation, and maintenance of the reserve, including
3 funding sources;

4 (3) a detailed plan for operation of the reserve,
5 including the conditions upon which the products
6 may be released;

7 (4) the location of the reserve; and

8 (5) the estimate of the total inventory of the re-
9 serve.

10 *SEC. 309. Of the amounts made available by this Act*
11 *for “National Nuclear Security Administration—Weapons*
12 *Activities”, up to \$50,000,000 may be reprogrammed with-*
13 *in such account for Domestic Uranium Enrichment, subject*
14 *to the notice requirement in section 301(e).*

15 *SEC. 310. (a) Unobligated balances available from ap-*
16 *propriations are hereby rescinded from the following ac-*
17 *counts of the Department of Energy in the specified*
18 *amounts:*

19 (1) “Energy Programs—Energy Efficiency and Re-
20 *newable Energy”, \$1,355,149.00 from Public Law 110–161;*
21 *\$627,299.24 from Public Law 111–8; and \$1,824,051.94*
22 *from Public Law 111–85.*

23 (2) “Energy Programs—Science”, \$3,200,000.00.

24 (b) No amounts may be rescinded by this section from
25 *amounts that were designated by the Congress as an emer-*

1 *gency requirement pursuant to a concurrent resolution on*
2 *the budget or the Balanced Budget and Emergency Deficit*
3 *Control Act of 1985.*

4 *SEC. 311. Notwithstanding any other provision of law,*
5 *the provisions of 40 U.S.C. 11319 shall not apply to funds*
6 *appropriated in this title to Federally Funded Research*
7 *and Development Centers sponsored by the Department of*
8 *Energy.*

9 *SEC. 312. None of the funds made available in this*
10 *Act may be used—*

11 *(1) to implement or enforce section 430.32(x) of*
12 *title 10, Code of Federal Regulations; or*

13 *(2) to implement or enforce the standards estab-*
14 *lished by the tables contained in section 325(i)(1)(B)*
15 *of the Energy Policy and Conservation Act (42 U.S.C.*
16 *6295(i)(1)(B)) with respect to BPAR incandescent re-*
17 *flector lamps, BR incandescent reflector lamps, and*
18 *ER incandescent reflector lamps.*

19 *SEC. 313. (a) Of the funds appropriated in prior Acts*
20 *under the headings “Fossil Energy Research and Develop-*
21 *ment” and “Clean Coal Technology” for prior solicitations*
22 *under the Clean Coal Power Initiative and FutureGen, not*
23 *less than \$160,000,000 from projects selected under such so-*
24 *licitations that have not reached financial close and have*
25 *not secured funding sufficient to construct the project prior*

1 to 30 days after the date of enactment of this Act shall be
2 deobligated, if necessary, shall be utilized for previously se-
3 lected demonstration projects under such solicitations that
4 have reached financial close or have otherwise secured fund-
5 ing sufficient to construct the project prior to 30 days after
6 the date of enactment of this Act, and shall be allocated
7 among such projects in proportion to the total financial
8 contribution by the recipients to those projects stipulated
9 in their respective cooperative agreements.

10 (b) Funds utilized pursuant to subsection (a) shall be
11 administered in accordance with the provisions in the Act
12 in which the funds for those demonstration projects were
13 originally appropriated, except that financial assistance for
14 costs in excess of those estimated as of the date of award
15 of the original financial assistance may be provided in ex-
16 cess of the proportion of costs borne by the Government in
17 the original agreement and shall not be limited to 25 per-
18 cent of the original financial assistance.

19 (c) No amounts may be repurposed pursuant to this
20 section from amounts that were designated by the Congress
21 as an emergency requirement pursuant to a concurrent res-
22 olution on the budget or the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985.

24 (d) This section shall be fully implemented not later
25 than 60 days after the date of enactment of this Act.

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TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$146,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, \$29,150,000, to remain available until September 30, 2017.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sec-

1 *tions 382C(b)(2), 382F(d), 382M, and 382N of said Act,*
2 *\$25,000,000, to remain available until expended.*

3 *DENALI COMMISSION*

4 *For expenses necessary for the Denali Commission in-*
5 *cluding the purchase, construction, and acquisition of plant*
6 *and capital equipment as necessary and other expenses,*
7 *\$11,000,000, to remain available until expended, notwith-*
8 *standing the limitations contained in section 306(g) of the*
9 *Denali Commission Act of 1998: Provided, That funds shall*
10 *be available for construction projects in an amount not to*
11 *exceed 80 percent of total project cost for distressed commu-*
12 *nities, as defined by section 307 of the Denali Commission*
13 *Act of 1998 (division C, title III, Public Law 105–277),*
14 *as amended by section 701 of appendix D, title VII, Public*
15 *Law 106–113 (113 Stat. 1501A–280), and an amount not*
16 *to exceed 50 percent for non-distressed communities.*

17 *NORTHERN BORDER REGIONAL COMMISSION*

18 *For expenses necessary for the Northern Border Re-*
19 *gional Commission in carrying out activities authorized by*
20 *subtitle V of title 40, United States Code, \$7,500,000, to*
21 *remain available until expended: Provided, That such*
22 *amounts shall be available for administrative expenses, not-*
23 *withstanding section 15751(b) of title 40, United States*
24 *Code.*

1 *SOUTHEAST CRESCENT REGIONAL COMMISSION*

2 *For expenses necessary for the Southeast Crescent Re-*
3 *gional Commission in carrying out activities authorized by*
4 *subtitle V of title 40, United States Code, \$250,000, to re-*
5 *main available until expended.*

6 *NUCLEAR REGULATORY COMMISSION*

7 *SALARIES AND EXPENSES*

8 *For expenses necessary for the Commission in carrying*
9 *out the purposes of the Energy Reorganization Act of 1974*
10 *and the Atomic Energy Act of 1954, \$990,000,000, includ-*
11 *ing official representation expenses not to exceed \$25,000,*
12 *to remain available until expended: Provided, That of the*
13 *amount appropriated herein, not more than \$7,500,000*
14 *may be made available for salaries, travel, and other sup-*
15 *port costs for the Office of the Commission, to remain avail-*
16 *able until September 30, 2017, of which, notwithstanding*
17 *section 201(a)(2)(c) of the Energy Reorganization Act of*
18 *1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure*
19 *shall only be approved by a majority vote of the Commis-*
20 *sion: Provided further, That revenues from licensing fees,*
21 *inspection services, and other services and collections esti-*
22 *mated at \$872,864,000 in fiscal year 2016 shall be retained*
23 *and used for necessary salaries and expenses in this ac-*
24 *count, notwithstanding 31 U.S.C. 3302, and shall remain*
25 *available until expended: Provided further, That the sum*

1 *herein appropriated shall be reduced by the amount of reve-*
2 *nues received during fiscal year 2016 so as to result in a*
3 *final fiscal year 2016 appropriation estimated at not more*
4 *than \$117,136,000: Provided further, That of the amounts*
5 *appropriated under this heading, \$10,000,000 shall be for*
6 *university research and development in areas relevant to*
7 *their respective organization's mission, and \$5,000,000*
8 *shall be for a Nuclear Science and Engineering Grant Pro-*
9 *gram that will support multiyear projects that do not align*
10 *with programmatic missions but are critical to maintain-*
11 *ing the discipline of nuclear science and engineering.*

12 *OFFICE OF INSPECTOR GENERAL*

13 *For expenses necessary for the Office of Inspector Gen-*
14 *eral in carrying out the provisions of the Inspector General*
15 *Act of 1978, \$12,136,000, to remain available until Sep-*
16 *tember 30, 2017: Provided, That revenues from licensing*
17 *fees, inspection services, and other services and collections*
18 *estimated at \$10,060,000 in fiscal year 2016 shall be re-*
19 *tained and be available until September 30, 2017, for nec-*
20 *essary salaries and expenses in this account, notwith-*
21 *standing section 3302 of title 31, United States Code: Pro-*
22 *vided further, That the sum herein appropriated shall be*
23 *reduced by the amount of revenues received during fiscal*
24 *year 2016 so as to result in a final fiscal year 2016 appro-*
25 *priation estimated at not more than \$2,076,000: Provided*

1 *further, That of the amounts appropriated under this head-*
2 *ing, \$958,000 shall be for Inspector General services for the*
3 *Defense Nuclear Facilities Safety Board, which shall not*
4 *be available from fee revenues.*

5 *NUCLEAR WASTE TECHNICAL REVIEW BOARD*

6 *SALARIES AND EXPENSES*

7 *For expenses necessary for the Nuclear Waste Tech-*
8 *nical Review Board, as authorized by Public Law 100–203,*
9 *section 5051, \$3,600,000, to be derived from the Nuclear*
10 *Waste Fund, to remain available until September 30, 2017.*

11 *GENERAL PROVISIONS—INDEPENDENT*

12 *AGENCIES*

13 *SEC. 401. The Nuclear Regulatory Commission shall*
14 *comply with the July 5, 2011, version of Chapter VI of its*
15 *Internal Commission Procedures when responding to Con-*
16 *gressional requests for information.*

17 *SEC. 402. (a) The amounts made available by this title*
18 *for the Nuclear Regulatory Commission may be repro-*
19 *grammed for any program, project, or activity, and the*
20 *Commission shall notify the Committees on Appropriations*
21 *of both Houses of Congress at least 30 days prior to the*
22 *use of any proposed reprogramming that would cause any*
23 *program funding level to increase or decrease by more than*
24 *\$500,000 or 10 percent, whichever is less, during the time*
25 *period covered by this Act.*

1 (b)(1) *The Nuclear Regulatory Commission may waive*
2 *the notification requirement in (a) if compliance with such*
3 *requirement would pose a substantial risk to human health,*
4 *the environment, welfare, or national security.*

5 (2) *The Nuclear Regulatory Commission shall notify*
6 *the Committees on Appropriations of both Houses of Con-*
7 *gress of any waiver under paragraph (1) as soon as prac-*
8 *ticable, but not later than 3 days after the date of the activ-*
9 *ity to which a requirement or restriction would otherwise*
10 *have applied. Such notice shall include an explanation of*
11 *the substantial risk under paragraph (1) that permitted*
12 *such waiver and shall provide a detailed report to the Com-*
13 *mittees of such waiver and changes to funding levels to pro-*
14 *grams, projects, or activities.*

15 (c) *Except as provided in subsections (a), (b), and (d),*
16 *the amounts made available by this title for “Nuclear Regu-*
17 *latory Commission—Salaries and Expenses” shall be ex-*
18 *pended as directed in the explanatory statement described*
19 *in section 4 (in the matter preceding division A of this con-*
20 *solidated Act).*

21 (d) *None of the funds provided for the Nuclear Regu-*
22 *latory Commission shall be available for obligation or ex-*
23 *penditure through a reprogramming of funds that increases*
24 *funds or personnel for any program, project, or activity for*
25 *which funds are denied or restricted by this Act.*

1 *cy, or instrumentality of the United States Government, ex-*
2 *cept pursuant to a transfer made by or transfer authority*
3 *provided in this Act or any other appropriations Act for*
4 *any fiscal year, transfer authority referenced in the explan-*
5 *atory statement described in section 4 (in the matter pre-*
6 *ceding division A of this consolidated Act), or any authority*
7 *whereby a department, agency, or instrumentality of the*
8 *United States Government may provide goods or services*
9 *to another department, agency, or instrumentality.*

10 *(b) None of the funds made available for any depart-*
11 *ment, agency, or instrumentality of the United States Gov-*
12 *ernment may be transferred to accounts funded in title III*
13 *of this Act, except pursuant to a transfer made by or trans-*
14 *fer authority provided in this Act or any other appropria-*
15 *tions Act for any fiscal year, transfer authority referenced*
16 *in the explanatory statement described in section 4 (in the*
17 *matter preceding division A of this consolidated Act), or*
18 *any authority whereby a department, agency, or instru-*
19 *mentality of the United States Government may provide*
20 *goods or services to another department, agency, or instru-*
21 *mentality.*

22 *(c) The head of any relevant department or agency*
23 *funded in this Act utilizing any transfer authority shall*
24 *submit to the Committees on Appropriations of both Houses*
25 *of Congress a semiannual report detailing the transfer au-*

1 *thorities, except for any authority whereby a department,*
2 *agency, or instrumentality of the United States Government*
3 *may provide goods or services to another department, agen-*
4 *cy, or instrumentality, used in the previous 6 months and*
5 *in the year-to-date. This report shall include the amounts*
6 *transferred and the purposes for which they were trans-*
7 *ferred, and shall not replace or modify existing notification*
8 *requirements for each authority.*

9 *SEC. 503. None of the funds made available by this*
10 *Act may be used in contravention of Executive Order No.*
11 *12898 of February 11, 1994 (Federal Actions to Address*
12 *Environmental Justice in Minority Populations and Low-*
13 *Income Populations).*

14 *This division may be cited as the “Energy and Water*
15 *Development and Related Agencies Appropriations Act,*
16 *2016”.*

17 ***DIVISION E—FINANCIAL SERVICES AND***
18 ***GENERAL GOVERNMENT APPROPRIA-***
19 ***TIONS ACT, 2016***

20 *TITLE I*

21 *DEPARTMENT OF THE TREASURY*

22 *DEPARTMENTAL OFFICES*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Departmental Offices in-*
25 *cluding operation and maintenance of the Treasury Build-*

1 *ing and Annex; hire of passenger motor vehicles; mainte-*
2 *nance, repairs, and improvements of, and purchase of com-*
3 *mercial insurance policies for, real properties leased or*
4 *owned overseas, when necessary for the performance of offi-*
5 *cial business; executive direction program activities; inter-*
6 *national affairs and economic policy activities; domestic fi-*
7 *nance and tax policy activities, including technical assist-*
8 *ance to Puerto Rico; and Treasury-wide management poli-*
9 *cies and programs activities, \$222,500,000: Provided, That*
10 *of the amount appropriated under this heading—*

11 (1) *not to exceed \$350,000 is for official recep-*
12 *tion and representation expenses;*

13 (2) *not to exceed \$258,000 is for unforeseen*
14 *emergencies of a confidential nature to be allocated*
15 *and expended under the direction of the Secretary of*
16 *the Treasury and to be accounted for solely on the*
17 *Secretary's certificate; and*

18 (3) *not to exceed \$22,200,000 shall remain avail-*
19 *able until September 30, 2017, for—*

20 (A) *the Treasury-wide Financial Statement*
21 *Audit and Internal Control Program;*

22 (B) *information technology modernization*
23 *requirements;*

24 (C) *the audit, oversight, and administration*
25 *of the Gulf Coast Restoration Trust Fund; and*

1 (D) the development and implementation of
2 programs within the Office of Critical Infra-
3 structure Protection and Compliance Policy, in-
4 cluding entering into cooperative agreements.

5 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

6 SALARIES AND EXPENSES

7 For the necessary expenses of the Office of Terrorism
8 and Financial Intelligence to safeguard the financial sys-
9 tem against illicit use and to combat rogue nations, ter-
10 rorist facilitators, weapons of mass destruction
11 proliferators, money launderers, drug kingpins, and other
12 national security threats, \$117,000,000: Provided, That of
13 the amount appropriated under this heading: (1) not to ex-
14 ceed \$27,100,000 is available for administrative expenses;
15 and (2) \$5,000,000, to remain available until September
16 30, 2017.

17 DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS

18 PROGRAMS

19 (INCLUDING TRANSFER OF FUNDS)

20 For development and acquisition of automatic data
21 processing equipment, software, and services and for repairs
22 and renovations to buildings owned by the Department of
23 the Treasury, \$5,000,000, to remain available until Sep-
24 tember 30, 2018: Provided, That these funds shall be trans-
25 ferred to accounts and in amounts as necessary to satisfy

1 *the requirements of the Department's offices, bureaus, and*
2 *other organizations: Provided further, That this transfer*
3 *authority shall be in addition to any other transfer author-*
4 *ity provided in this Act: Provided further, That none of*
5 *the funds appropriated under this heading shall be used to*
6 *support or supplement "Internal Revenue Service, Oper-*
7 *ations Support" or "Internal Revenue Service, Business*
8 *Systems Modernization".*

9 *OFFICE OF INSPECTOR GENERAL*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the Office of Inspector Gen-*
12 *eral in carrying out the provisions of the Inspector General*
13 *Act of 1978, \$35,416,000, including hire of passenger motor*
14 *vehicles; of which not to exceed \$100,000 shall be available*
15 *for unforeseen emergencies of a confidential nature, to be*
16 *allocated and expended under the direction of the Inspector*
17 *General of the Treasury; of which up to \$2,800,000 to re-*
18 *main available until September 30, 2017, shall be for audits*
19 *and investigations conducted pursuant to section 1608 of*
20 *the Resources and Ecosystems Sustainability, Tourist Op-*
21 *portunities, and Revived Economies of the Gulf Coast*
22 *States Act of 2012 (33 U.S.C. 1321 note); and of which*
23 *not to exceed \$1,000 shall be available for official reception*
24 *and representation expenses.*

1 *TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION*
2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Treasury Inspector Gen-*
4 *eral for Tax Administration in carrying out the Inspector*
5 *General Act of 1978, as amended, including purchase and*
6 *hire of passenger motor vehicles (31 U.S.C. 1343(b)); and*
7 *services authorized by 5 U.S.C. 3109, at such rates as may*
8 *be determined by the Inspector General for Tax Administra-*
9 *tion; \$167,275,000, of which \$5,000,000 shall remain avail-*
10 *able until September 30, 2017; of which not to exceed*
11 *\$6,000,000 shall be available for official travel expenses; of*
12 *which not to exceed \$500,000 shall be available for unfore-*
13 *seen emergencies of a confidential nature, to be allocated*
14 *and expended under the direction of the Inspector General*
15 *for Tax Administration; and of which not to exceed \$1,500*
16 *shall be available for official reception and representation*
17 *expenses.*

18 *SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET*
19 *RELIEF PROGRAM*
20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Office of the Special In-*
22 *spector General in carrying out the provisions of the Emer-*
23 *gency Economic Stabilization Act of 2008 (Public Law*
24 *110–343), \$40,671,000.*

1 *FINANCIAL CRIMES ENFORCEMENT NETWORK*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Financial Crimes En-*
4 *forcement Network, including hire of passenger motor vehi-*
5 *cles; travel and training expenses of non-Federal and for-*
6 *ign government personnel to attend meetings and training*
7 *concerned with domestic and foreign financial intelligence*
8 *activities, law enforcement, and financial regulation; serv-*
9 *ices authorized by 5 U.S.C. 3109; not to exceed \$10,000 for*
10 *official reception and representation expenses; and for as-*
11 *sistance to Federal law enforcement agencies, with or with-*
12 *out reimbursement, \$112,979,000, of which not to exceed*
13 *\$34,335,000 shall remain available until September 30,*
14 *2018.*

15 *TREASURY FORFEITURE FUND*16 *(RESCISSION)*

17 *Of the unobligated balances available under this head-*
18 *ing, \$700,000,000 are rescinded.*

19 *BUREAU OF THE FISCAL SERVICE*20 *SALARIES AND EXPENSES*

21 *For necessary expenses of operations of the Bureau of*
22 *the Fiscal Service, \$363,850,000; of which not to exceed*
23 *\$4,210,000, to remain available until September 30, 2018,*
24 *is for information systems modernization initiatives; of*
25 *which \$5,000 shall be available for official reception and*

1 *representation expenses; and of which not to exceed*
2 *\$19,800,000, to remain available until September 30, 2018,*
3 *is to support the Department's activities related to imple-*
4 *mentation of the Digital Accountability and Transparency*
5 *Act (DATA Act; Public Law 113–101), including changes*
6 *in business processes, workforce, or information technology*
7 *to support high quality, transparent Federal spending in-*
8 *formation.*

9 *In addition, \$165,000, to be derived from the Oil Spill*
10 *Liability Trust Fund to reimburse administrative and per-*
11 *sonnel expenses for financial management of the Fund, as*
12 *authorized by section 1012 of Public Law 101–380.*

13 *ALCOHOL AND TOBACCO TAX AND TRADE BUREAU*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of carrying out section 1111*
16 *of the Homeland Security Act of 2002, including hire of*
17 *passenger motor vehicles, \$106,439,000; of which not to ex-*
18 *ceed \$6,000 for official reception and representation ex-*
19 *penses; not to exceed \$50,000 for cooperative research and*
20 *development programs for laboratory services; and provi-*
21 *sion of laboratory assistance to State and local agencies*
22 *with or without reimbursement: Provided, That of the*
23 *amount appropriated under this heading, \$5,000,000 shall*
24 *be for the costs of accelerating the processing of formula and*
25 *label applications.*

1 *UNITED STATES MINT*2 *UNITED STATES MINT PUBLIC ENTERPRISE FUND*

3 *Pursuant to section 5136 of title 31, United States*
4 *Code, the United States Mint is provided funding through*
5 *the United States Mint Public Enterprise Fund for costs*
6 *associated with the production of circulating coins, numis-*
7 *matic coins, and protective services, including both oper-*
8 *ating expenses and capital investments: Provided, That the*
9 *aggregate amount of new liabilities and obligations in-*
10 *curred during fiscal year 2016 under such section 5136 for*
11 *circulating coinage and protective service capital invest-*
12 *ments of the United States Mint shall not exceed*
13 *\$20,000,000.*

14 *COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS*15 *FUND PROGRAM ACCOUNT*

16 *To carry out the Riegle Community Development and*
17 *Regulatory Improvements Act of 1994 (subtitle A of title*
18 *I of Public Law 103–325), including services authorized by*
19 *section 3109 of title 5, United States Code, but at rates for*
20 *individuals not to exceed the per diem rate equivalent to*
21 *the rate for EX–3, \$233,523,000. Of the amount appro-*
22 *priated under this heading—*

23 *(1) not less than \$153,423,000, notwithstanding*
24 *section 108(e) of Public Law 103–325 (12 U.S.C.*
25 *4707(e)) with regard to Small and/or Emerging Com-*

1 *munity Development Financial Institutions Assist-*
2 *ance awards, is available until September 30, 2017,*
3 *for financial assistance and technical assistance*
4 *under subparagraphs (A) and (B) of section*
5 *108(a)(1), respectively, of Public Law 103–325 (12*
6 *U.S.C. 4707(a)(1)(A) and (B)), of which up to*
7 *\$3,102,500 may be used for the cost of direct loans:*
8 *Provided, That the cost of direct and guaranteed*
9 *loans, including the cost of modifying such loans,*
10 *shall be as defined in section 502 of the Congressional*
11 *Budget Act of 1974: Provided further, That these*
12 *funds are available to subsidize gross obligations for*
13 *the principal amount of direct loans not to exceed*
14 *\$25,000,000;*

15 *(2) not less than \$15,500,000, notwithstanding*
16 *section 108(e) of Public Law 103–325 (12 U.S.C.*
17 *4707(e)), is available until September 30, 2017, for fi-*
18 *nancial assistance, technical assistance, training and*
19 *outreach programs designed to benefit Native Amer-*
20 *ican, Native Hawaiian, and Alaskan Native commu-*
21 *nities and provided primarily through qualified com-*
22 *munity development lender organizations with experi-*
23 *ence and expertise in community development bank-*
24 *ing and lending in Indian country, Native American*

1 *organizations, tribes and tribal organizations, and*
2 *other suitable providers;*

3 *(3) not less than \$19,000,000 is available until*
4 *September 30, 2017, 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, 2017, 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 \$23,600,000 is available until Sep-*
17 *tember 30, 2016, 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 capacity building to expand*
21 *CDFI investments in underserved rural areas, and up*
22 *to \$300,000 is for administrative expenses to carry*
23 *out the direct loan program; and*

24 *(6) during fiscal year 2016, 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 \$750,000,000: Pro-*
8 *vided further, That such section 114A shall remain in*
9 *effect until September 30, 2016.*

10 *INTERNAL REVENUE SERVICE*

11 *TAXPAYER SERVICES*

12 *For necessary expenses of the Internal Revenue Service*
13 *to provide taxpayer services, including pre-filing assistance*
14 *and education, filing and account services, taxpayer advo-*
15 *cacy services, and other services as authorized by 5 U.S.C.*
16 *3109, at such rates as may be determined by the Commis-*
17 *sioner, \$2,156,554,000, of which not less than \$6,500,000*
18 *shall be for the Tax Counseling for the Elderly Program,*
19 *of which not less than \$12,000,000 shall be available for*
20 *low-income taxpayer clinic grants, and of which not less*
21 *than \$15,000,000, to remain available until September 30,*
22 *2017, shall be available for a Community Volunteer Income*
23 *Tax Assistance matching grants program for tax return*
24 *preparation assistance, of which not less than \$206,000,000*
25 *shall be available for operating expenses of the Taxpayer*

1 *Advocate Service: Provided, That of the amounts made*
2 *available for the Taxpayer Advocate Service, not less than*
3 *\$5,000,000 shall be for identity theft casework.*

4 *ENFORCEMENT*

5 *For necessary expenses for tax enforcement activities*
6 *of the Internal Revenue Service to determine and collect*
7 *owed taxes, to provide legal and litigation support, to con-*
8 *duct criminal investigations, to enforce criminal statutes*
9 *related to violations of internal revenue laws and other fi-*
10 *nancial crimes, to purchase and hire passenger motor vehi-*
11 *cles (31 U.S.C. 1343(b)), and to provide other services as*
12 *authorized by 5 U.S.C. 3109, at such rates as may be deter-*
13 *mined by the Commissioner, \$4,860,000,000, of which not*
14 *to exceed \$50,000,000 shall remain available until Sep-*
15 *tember 30, 2017, and of which not less than \$60,257,000*
16 *shall be for the Interagency Crime and Drug Enforcement*
17 *program.*

18 *OPERATIONS SUPPORT*

19 *For necessary expenses of the Internal Revenue Service*
20 *to support taxpayer services and enforcement programs, in-*
21 *cluding rent payments; facilities services; printing; postage;*
22 *physical security; headquarters and other IRS-wide admin-*
23 *istration activities; research and statistics of income; tele-*
24 *communications; information technology development, en-*
25 *hancement, operations, maintenance, and security; the hire*

1 of passenger motor vehicles (31 U.S.C. 1343(b)); the oper-
2 ations of the Internal Revenue Service Oversight Board;
3 and other services as authorized by 5 U.S.C. 3109, at such
4 rates as may be determined by the Commissioner;
5 \$3,638,446,000, of which not to exceed \$50,000,000 shall re-
6 main available until September 30, 2017; of which not to
7 exceed \$10,000,000 shall remain available until expended
8 for acquisition of equipment and construction, repair and
9 renovation of facilities; of which not to exceed \$1,000,000
10 shall remain available until September 30, 2018, for re-
11 search; of which not to exceed \$20,000 shall be for official
12 reception and representation expenses: Provided, That not
13 later than 30 days after the end of each quarter, the Inter-
14 nal Revenue Service shall submit a report to the Committees
15 on Appropriations of the House of Representatives and the
16 Senate and the Comptroller General of the United States
17 detailing the cost and schedule performance for its major
18 information technology investments, including the purpose
19 and life-cycle stages of the investments; the reasons for any
20 cost and schedule variances; the risks of such investments
21 and strategies the Internal Revenue Service is using to
22 mitigate such risks; and the expected developmental mile-
23 stones to be achieved and costs to be incurred in the next
24 quarter: Provided further, That the Internal Revenue Serv-
25 ice shall include, in its budget justification for fiscal year

1 2017, a summary of cost and schedule performance infor-
2 mation for its major information technology systems.

3 *BUSINESS SYSTEMS MODERNIZATION*

4 *For necessary expenses of the Internal Revenue Serv-*
5 *ice's business systems modernization program,*
6 *\$290,000,000, to remain available until September 30,*
7 *2018, for the capital asset acquisition of information tech-*
8 *nology systems, including management and related contrac-*
9 *tual costs of said acquisitions, including related Internal*
10 *Revenue Service labor costs, and contractual costs associ-*
11 *ated with operations authorized by 5 U.S.C. 3109: Pro-*
12 *vided, That not later than 30 days after the end of each*
13 *quarter, the Internal Revenue Service shall submit a report*
14 *to the Committees on Appropriations of the House of Rep-*
15 *resentatives and the Senate and the Comptroller General*
16 *of the United States detailing the cost and schedule perform-*
17 *ance for CADE 2 and Modernized e-File information tech-*
18 *nology investments, including the purposes and life-cycle*
19 *stages of the investments; the reasons for any cost and sched-*
20 *ule variances; the risks of such investments and the strate-*
21 *gies the Internal Revenue Service is using to mitigate such*
22 *risks; and the expected developmental milestones to be*
23 *achieved and costs to be incurred in the next quarter.*

1 *time to taxpayer communications, particularly with regard*
2 *to victims of tax-related crimes.*

3 *SEC. 105. None of the funds made available to the In-*
4 *ternal Revenue Service by this Act may be used to make*
5 *a video unless the Service-Wide Video Editorial Board de-*
6 *termines in advance that making the video is appropriate,*
7 *taking into account the cost, topic, tone, and purpose of the*
8 *video.*

9 *SEC. 106. The Internal Revenue Service shall issue a*
10 *notice of confirmation of any address change relating to an*
11 *employer making employment tax payments, and such no-*
12 *tice shall be sent to both the employer's former and new*
13 *address and an officer or employee of the Internal Revenue*
14 *Service shall give special consideration to an offer-in-com-*
15 *promise from a taxpayer who has been the victim of fraud*
16 *by a third party payroll tax preparer.*

17 *SEC. 107. None of the funds made available under this*
18 *Act may be used by the Internal Revenue Service to target*
19 *citizens of the United States for exercising any right guar-*
20 *anteed under the First Amendment to the Constitution of*
21 *the United States.*

22 *SEC. 108. None of the funds made available in this*
23 *Act may be used by the Internal Revenue Service to target*
24 *groups for regulatory scrutiny based on their ideological be-*
25 *liefs.*

1 *SEC. 109. None of funds made available by this Act*
2 *to the Internal Revenue Service shall be obligated or ex-*
3 *pended on conferences that do not adhere to the procedures,*
4 *verification processes, documentation requirements, and*
5 *policies issued by the Chief Financial Officer, Human Cap-*
6 *ital Office, and Agency-Wide Shared Services as a result*
7 *of the recommendations in the report published on May 31,*
8 *2013, by the Treasury Inspector General for Tax Adminis-*
9 *tration entitled “Review of the August 2010 Small Busi-*
10 *ness/Self-Employed Division’s Conference in Anaheim,*
11 *California” (Reference Number 2013–10–037).*

12 *SEC. 110. None of the funds made available in this*
13 *Act to the Internal Revenue Service may be obligated or*
14 *expended—*

15 *(1) to make a payment to any employee under*
16 *a bonus, award, or recognition program; or*

17 *(2) under any hiring or personnel selection proc-*
18 *ess with respect to re-hiring a former employee,*

19 *unless such program or process takes into account the con-*
20 *duct and Federal tax compliance of such employee or former*
21 *employee.*

22 *SEC. 111. None of the funds made available by this*
23 *Act may be used in contravention of section 6103 of the*
24 *Internal Revenue Code of 1986 (relating to confidentiality*
25 *and disclosure of returns and return information).*

1 *SEC. 112. Except to the extent provided in section*
2 *6014, 6020, or 6201(d) of the Internal Revenue Code of*
3 *1986, no funds in this or any other Act shall be available*
4 *to the Secretary of the Treasury to provide to any person*
5 *a proposed final return or statement for use by such person*
6 *to satisfy a filing or reporting requirement under such*
7 *Code.*

8 *SEC. 113. In addition to the amounts otherwise made*
9 *available in this Act for the Internal Revenue Service,*
10 *\$290,000,000, to be available until September 30, 2017,*
11 *shall be transferred by the Commissioner to the “Taxpayer*
12 *Services”, “Enforcement”, or “Operations Support” ac-*
13 *counts of the Internal Revenue Service for an additional*
14 *amount to be used solely for measurable improvements in*
15 *the customer service representative level of service rate, to*
16 *improve the identification and prevention of refund fraud*
17 *and identity theft, and to enhance cybersecurity to safe-*
18 *guard taxpayer data: Provided, That such funds shall sup-*
19 *plement, not supplant any other amounts made available*
20 *by the Internal Revenue Service for such purpose: Provided*
21 *further, That such funds shall not be available until the*
22 *Commissioner submits to the Committees on Appropria-*
23 *tions of the House of Representatives and the Senate a*
24 *spending plan for such funds: Provided further, That such*
25 *funds shall not be used to support any provision of Public*

1 *Law 111–148, Public Law 111–152, or any amendment*
2 *made by either such Public Law.*

3 *ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE*
4 *TREASURY*
5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *SEC. 114. Appropriations to the Department of the*
7 *Treasury in this Act shall be available for uniforms or al-*
8 *lowances therefor, as authorized by law (5 U.S.C. 5901),*
9 *including maintenance, repairs, and cleaning; purchase of*
10 *insurance for official motor vehicles operated in foreign*
11 *countries; purchase of motor vehicles without regard to the*
12 *general purchase price limitations for vehicles purchased*
13 *and used overseas for the current fiscal year; entering into*
14 *contracts with the Department of State for the furnishing*
15 *of health and medical services to employees and their de-*
16 *pendents serving in foreign countries; and services author-*
17 *ized by 5 U.S.C. 3109.*

18 *SEC. 115. Not to exceed 2 percent of any appropri-*
19 *ations in this title made available under the headings “De-*
20 *partmental Offices—Salaries and Expenses”, “Office of In-*
21 *spector General”, “Special Inspector General for the Trou-*
22 *bled Asset Relief Program”, “Financial Crimes Enforce-*
23 *ment Network”, “Bureau of the Fiscal Service”, and “Alco-*
24 *hol and Tobacco Tax and Trade Bureau” may be trans-*
25 *ferred between such appropriations upon the advance ap-*

1 *proval of the Committees on Appropriations of the House*
2 *of Representatives and the Senate: Provided, That, upon ad-*
3 *vance approval of such Committees, not to exceed 2 percent*
4 *of any such appropriations may be transferred to the “Of-*
5 *fice of Terrorism and Financial Intelligence”:* *Provided fur-*
6 *ther, That no transfer under this section may increase or*
7 *decrease any such appropriation by more than 2 percent.*

8 *SEC. 116. Not to exceed 2 percent of any appropriation*
9 *made available in this Act to the Internal Revenue Service*
10 *may be transferred to the Treasury Inspector General for*
11 *Tax Administration’s appropriation upon the advance ap-*
12 *proval of the Committees on Appropriations of the House*
13 *of Representatives and the Senate: Provided, That no trans-*
14 *fer may increase or decrease any such appropriation by*
15 *more than 2 percent.*

16 *SEC. 117. None of the funds appropriated in this Act*
17 *or otherwise available to the Department of the Treasury*
18 *or the Bureau of Engraving and Printing may be used to*
19 *redesign the \$1 Federal Reserve note.*

20 *SEC. 118. The Secretary of the Treasury may transfer*
21 *funds from the “Bureau of the Fiscal Service-Salaries and*
22 *Expenses” to the Debt Collection Fund as necessary to cover*
23 *the costs of debt collection: Provided, That such amounts*
24 *shall be reimbursed to such salaries and expenses account*
25 *from debt collections received in the Debt Collection Fund.*

1 *SEC. 119. None of the funds appropriated or otherwise*
2 *made available by this or any other Act may be used by*
3 *the United States Mint to construct or operate any museum*
4 *without the explicit approval of the Committees on Appro-*
5 *priations of the House of Representatives and the Senate,*
6 *the House Committee on Financial Services, and the Senate*
7 *Committee on Banking, Housing, and Urban Affairs.*

8 *SEC. 120. None of the funds appropriated or otherwise*
9 *made available by this or any other Act or source to the*
10 *Department of the Treasury, the Bureau of Engraving and*
11 *Printing, and the United States Mint, individually or col-*
12 *lectively, may be used to consolidate any or all functions*
13 *of the Bureau of Engraving and Printing and the United*
14 *States Mint without the explicit approval of the House*
15 *Committee on Financial Services; the Senate Committee on*
16 *Banking, Housing, and Urban Affairs; and the Committees*
17 *on Appropriations of the House of Representatives and the*
18 *Senate.*

19 *SEC. 121. Funds appropriated by this Act, or made*
20 *available by the transfer of funds in this Act, for the De-*
21 *partment of the Treasury's intelligence or intelligence re-*
22 *lated activities are deemed to be specifically authorized by*
23 *the Congress for purposes of section 504 of the National Se-*
24 *curity Act of 1947 (50 U.S.C. 414) during fiscal year 2016*

1 *until the enactment of the Intelligence Authorization Act*
2 *for Fiscal Year 2016.*

3 *SEC. 122. Not to exceed \$5,000 shall be made available*
4 *from the Bureau of Engraving and Printing's Industrial*
5 *Revolving Fund for necessary official reception and rep-*
6 *resentation expenses.*

7 *SEC. 123. The Secretary of the Treasury shall submit*
8 *a Capital Investment Plan to the Committees on Appro-*
9 *priations of the Senate and the House of Representatives*
10 *not later than 30 days following the submission of the an-*
11 *nual budget submitted by the President: Provided, That*
12 *such Capital Investment Plan shall include capital invest-*
13 *ment spending from all accounts within the Department of*
14 *the Treasury, including but not limited to the Department-*
15 *wide Systems and Capital Investment Programs account,*
16 *Treasury Franchise Fund account, and the Treasury For-*
17 *feiture Fund account: Provided further, That such Capital*
18 *Investment Plan shall include expenditures occurring in*
19 *previous fiscal years for each capital investment project*
20 *that has not been fully completed.*

21 *SEC. 124. (a) Not later than 60 days after the end of*
22 *each quarter, the Office of Financial Stability and the Of-*
23 *fice of Financial Research shall submit reports on their ac-*
24 *tivities to the Committees on Appropriations of the House*
25 *of Representatives and the Senate, the Committee on Finan-*

1 *cial Services of the House of Representatives and the Senate*
2 *Committee on Banking, Housing, and Urban Affairs.*

3 *(b) The reports required under subsection (a) shall in-*
4 *clude—*

5 *(1) the obligations made during the previous*
6 *quarter by object class, office, and activity;*

7 *(2) the estimated obligations for the remainder of*
8 *the fiscal year by object class, office, and activity;*

9 *(3) the number of full-time equivalents within*
10 *each office during the previous quarter;*

11 *(4) the estimated number of full-time equivalents*
12 *within each office for the remainder of the fiscal year;*
13 *and*

14 *(5) actions taken to achieve the goals, objectives,*
15 *and performance measures of each office.*

16 *(c) At the request of any such Committees specified in*
17 *subsection (a), the Office of Financial Stability and the Of-*
18 *fice of Financial Research shall make officials available to*
19 *testify on the contents of the reports required under sub-*
20 *section (a).*

21 *SEC. 125. Within 45 days after the date of enactment*
22 *of this Act, the Secretary of the Treasury shall submit an*
23 *itemized report to the Committees on Appropriations of the*
24 *House of Representatives and the Senate on the amount of*
25 *total funds charged to each office by the Franchise Fund*

1 *including the amount charged for each service provided by*
2 *the Franchise Fund to each office, a detailed description*
3 *of the services, a detailed explanation of how each charge*
4 *for each service is calculated, and a description of the role*
5 *customers have in governing in the Franchise Fund.*

6 *SEC. 126. The Secretary of the Treasury, in consulta-*
7 *tion with the appropriate agencies, departments, bureaus,*
8 *and commissions that have expertise in terrorism and com-*
9 *plex financial instruments, shall provide a report to the*
10 *Committees on Appropriations of the House of Representa-*
11 *tives and Senate, the Committee on Financial Services of*
12 *the House of Representatives, and the Committee on Bank-*
13 *ing, Housing, and Urban Affairs of the Senate not later*
14 *than 90 days after the date of enactment of this Act on*
15 *economic warfare and financial terrorism.*

16 *SEC. 127. During fiscal year 2016—*

17 *(1) none of the funds made available in this or*
18 *any other Act may be used by the Department of the*
19 *Treasury, including the Internal Revenue Service, to*
20 *issue, revise, or finalize any regulation, revenue rul-*
21 *ing, or other guidance not limited to a particular tax-*
22 *payer relating to the standard which is used to deter-*
23 *mine whether an organization is operated exclusively*
24 *for the promotion of social welfare for purposes of sec-*
25 *tion 501(c)(4) of the Internal Revenue Code of 1986*

1 *(including the proposed regulations published at 78*
2 *Fed. Reg. 71535 (November 29, 2013)); and*

3 *(2) the standard and definitions as in effect on*
4 *January 1, 2010, which are used to make such deter-*
5 *minations shall apply after the date of the enactment*
6 *of this Act for purposes of determining status under*
7 *section 501(c)(4) of such Code of organizations cre-*
8 *ated on, before, or after such date.*

9 *This title may be cited as the “Department of the*
10 *Treasury Appropriations Act, 2016”.*

11 *TITLE II*

12 *EXECUTIVE OFFICE OF THE PRESIDENT AND*
13 *FUNDS APPROPRIATED TO THE PRESIDENT*

14 *THE WHITE HOUSE*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses for the White House as author-*
17 *ized by law, including not to exceed \$3,850,000 for services*
18 *as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsist-*
19 *ence expenses as authorized by 3 U.S.C. 105, which shall*
20 *be expended and accounted for as provided in that section;*
21 *hire of passenger motor vehicles, and travel (not to exceed*
22 *\$100,000 to be expended and accounted for as provided by*
23 *3 U.S.C. 103); and not to exceed \$19,000 for official recep-*
24 *tion and representation expenses, to be available for alloca-*
25 *tion within the Executive Office of the President; and for*

1 *necessary expenses of the Office of Policy Development, in-*
2 *cluding services as authorized by 5 U.S.C. 3109 and 3*
3 *U.S.C. 107, \$55,000,000.*

4 *EXECUTIVE RESIDENCE AT THE WHITE HOUSE*

5 *OPERATING EXPENSES*

6 *For necessary expenses of the Executive Residence at*
7 *the White House, \$12,723,000, to be expended and ac-*
8 *counted for as provided by 3 U.S.C. 105, 109, 110, and*
9 *112–114.*

10 *REIMBURSABLE EXPENSES*

11 *For the reimbursable expenses of the Executive Resi-*
12 *dence at the White House, such sums as may be necessary:*
13 *Provided, That all reimbursable operating expenses of the*
14 *Executive Residence shall be made in accordance with the*
15 *provisions of this paragraph: Provided further, That, not-*
16 *withstanding any other provision of law, such amount for*
17 *reimbursable operating expenses shall be the exclusive au-*
18 *thority of the Executive Residence to incur obligations and*
19 *to receive offsetting collections, for such expenses: Provided*
20 *further, That the Executive Residence shall require each*
21 *person sponsoring a reimbursable political event to pay in*
22 *advance an amount equal to the estimated cost of the event,*
23 *and all such advance payments shall be credited to this ac-*
24 *count and remain available until expended: Provided fur-*
25 *ther, That the Executive Residence shall require the na-*

1 tional committee of the political party of the President to
2 maintain on deposit \$25,000, to be separately accounted for
3 and available for expenses relating to reimbursable political
4 events sponsored by such committee during such fiscal year:
5 Provided further, That the Executive Residence shall ensure
6 that a written notice of any amount owed for a reimburs-
7 able operating expense under this paragraph is submitted
8 to the person owing such amount within 60 days after such
9 expense is incurred, and that such amount is collected with-
10 in 30 days after the submission of such notice: Provided
11 further, That the Executive Residence shall charge interest
12 and assess penalties and other charges on any such amount
13 that is not reimbursed within such 30 days, in accordance
14 with the interest and penalty provisions applicable to an
15 outstanding debt on a United States Government claim
16 under 31 U.S.C. 3717: Provided further, That each such
17 amount that is reimbursed, and any accompanying interest
18 and charges, shall be deposited in the Treasury as miscella-
19 neous receipts: Provided further, That the Executive Resi-
20 dence shall prepare and submit to the Committees on Ap-
21 propriations, by not later than 90 days after the end of
22 the fiscal year covered by this Act, a report setting forth
23 the reimbursable operating expenses of the Executive Resi-
24 dence during the preceding fiscal year, including the total
25 amount of such expenses, the amount of such total that con-

1 *sists of reimbursable official and ceremonial events, the*
2 *amount of such total that consists of reimbursable political*
3 *events, and the portion of each such amount that has been*
4 *reimbursed as of the date of the report: Provided further,*
5 *That the Executive Residence shall maintain a system for*
6 *the tracking of expenses related to reimbursable events with-*
7 *in the Executive Residence that includes a standard for the*
8 *classification of any such expense as political or non-*
9 *political: Provided further, That no provision of this para-*
10 *graph may be construed to exempt the Executive Residence*
11 *from any other applicable requirement of subchapter I or*
12 *II of chapter 37 of title 31, United States Code.*

13 *WHITE HOUSE REPAIR AND RESTORATION*

14 *For the repair, alteration, and improvement of the Ex-*
15 *ecutive Residence at the White House pursuant to 3 U.S.C.*
16 *105(d), \$750,000, to remain available until expended, for*
17 *required maintenance, resolution of safety and health*
18 *issues, and continued preventative maintenance.*

19 *COUNCIL OF ECONOMIC ADVISERS*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Council of Economic Ad-*
22 *visers in carrying out its functions under the Employment*
23 *Act of 1946 (15 U.S.C. 1021 et seq.), \$4,195,000.*

1 *NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY*
2 *COUNCIL*

3 *SALARIES AND EXPENSES*

4 *For necessary expenses of the National Security Coun-*
5 *cil and the Homeland Security Council, including services*
6 *as authorized by 5 U.S.C. 3109, \$12,800,000.*

7 *OFFICE OF ADMINISTRATION*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Office of Administration,*
10 *including services as authorized by 5 U.S.C. 3109 and 3*
11 *U.S.C. 107, and hire of passenger motor vehicles,*
12 *\$96,116,000, of which not to exceed \$7,994,000 shall remain*
13 *available until expended for continued modernization of in-*
14 *formation resources within the Executive Office of the Presi-*
15 *dent.*

16 *OFFICE OF MANAGEMENT AND BUDGET*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Office of Management*
19 *and Budget, including hire of passenger motor vehicles and*
20 *services as authorized by 5 U.S.C. 3109, to carry out the*
21 *provisions of chapter 35 of title 44, United States Code,*
22 *and to prepare and submit the budget of the United States*
23 *Government, in accordance with section 1105(a) of title 31,*
24 *United States Code, \$95,000,000, of which not to exceed*
25 *\$3,000 shall be available for official representation expenses:*

1 *Provided, That none of the funds appropriated in this Act*
2 *for the Office of Management and Budget may be used for*
3 *the purpose of reviewing any agricultural marketing orders*
4 *or any activities or regulations under the provisions of the*
5 *Agricultural Marketing Agreement Act of 1937 (7 U.S.C.*
6 *601 et seq.): Provided further, That none of the funds made*
7 *available for the Office of Management and Budget by this*
8 *Act may be expended for the altering of the transcript of*
9 *actual testimony of witnesses, except for testimony of offi-*
10 *cials of the Office of Management and Budget, before the*
11 *Committees on Appropriations or their subcommittees: Pro-*
12 *vided further, That of the funds made available for the Of-*
13 *fice of Management and Budget by this Act, no less than*
14 *one full-time equivalent senior staff position shall be dedi-*
15 *cated solely to the Office of the Intellectual Property En-*
16 *forcement Coordinator: Provided further, That none of the*
17 *funds provided in this or prior Acts shall be used, directly*
18 *or indirectly, by the Office of Management and Budget, for*
19 *evaluating or determining if water resource project or study*
20 *reports submitted by the Chief of Engineers acting through*
21 *the Secretary of the Army are in compliance with all appli-*
22 *cable laws, regulations, and requirements relevant to the*
23 *Civil Works water resource planning process: Provided fur-*
24 *ther, That the Office of Management and Budget shall have*
25 *not more than 60 days in which to perform budgetary pol-*

1 *icy reviews of water resource matters on which the Chief*
2 *of Engineers has reported: Provided further, That the Direc-*
3 *tor of the Office of Management and Budget shall notify*
4 *the appropriate authorizing and appropriating committees*
5 *when the 60-day review is initiated: Provided further, That*
6 *if water resource reports have not been transmitted to the*
7 *appropriate authorizing and appropriating committees*
8 *within 15 days after the end of the Office of Management*
9 *and Budget review period based on the notification from*
10 *the Director, Congress shall assume Office of Management*
11 *and Budget concurrence with the report and act accord-*
12 *ingly.*

13 *OFFICE OF NATIONAL DRUG CONTROL POLICY*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Office of National Drug*
16 *Control Policy; for research activities pursuant to the Office*
17 *of National Drug Control Policy Reauthorization Act of*
18 *2006 (Public Law 109–469); not to exceed \$10,000 for offi-*
19 *cial reception and representation expenses; and for partici-*
20 *pation in joint projects or in the provision of services on*
21 *matters of mutual interest with nonprofit, research, or pub-*
22 *lic organizations or agencies, with or without reimburse-*
23 *ment, \$20,047,000: Provided, That the Office is authorized*
24 *to accept, hold, administer, and utilize gifts, both real and*
25 *personal, public and private, without fiscal year limitation,*

1 *for the purpose of aiding or facilitating the work of the Of-*
2 *fice.*

3 *FEDERAL DRUG CONTROL PROGRAMS*

4 *HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For necessary expenses of the Office of National Drug*
7 *Control Policy's High Intensity Drug Trafficking Areas*
8 *Program, \$250,000,000, to remain available until Sep-*
9 *tember 30, 2017, for drug control activities consistent with*
10 *the approved strategy for each of the designated High Inten-*
11 *sity Drug Trafficking Areas ("HIDTAs"), of which not less*
12 *than 51 percent shall be transferred to State and local enti-*
13 *ties for drug control activities and shall be obligated not*
14 *later than 120 days after enactment of this Act: Provided,*
15 *That up to 49 percent may be transferred to Federal agen-*
16 *cies and departments in amounts determined by the Direc-*
17 *tor of the Office of National Drug Control Policy, of which*
18 *up to \$2,700,000 may be used for auditing services and as-*
19 *sociated activities: Provided further, That, notwithstanding*
20 *the requirements of Public Law 106-58, any unexpended*
21 *funds obligated prior to fiscal year 2014 may be used for*
22 *any other approved activities of that HIDTA, subject to re-*
23 *programming requirements: Provided further, That each*
24 *HIDTA designated as of September 30, 2015, shall be fund-*
25 *ed at not less than the fiscal year 2015 base level, unless*

1 *the Director submits to the Committees on Appropriations*
2 *of the House of Representatives and the Senate justification*
3 *for changes to those levels based on clearly articulated prior-*
4 *ities and published Office of National Drug Control Policy*
5 *performance measures of effectiveness: Provided further,*
6 *That the Director shall notify the Committees on Appro-*
7 *priations of the initial allocation of fiscal year 2016 fund-*
8 *ing among HIDTAs not later than 45 days after enactment*
9 *of this Act, and shall notify the Committees of planned uses*
10 *of discretionary HIDTA funding, as determined in con-*
11 *sultation with the HIDTA Directors, not later than 90 days*
12 *after enactment of this Act: Provided further, That upon*
13 *a determination that all or part of the funds so transferred*
14 *from this appropriation are not necessary for the purposes*
15 *provided herein and upon notification to the Committees*
16 *on Appropriations of the House of Representatives and the*
17 *Senate, such amounts may be transferred back to this ap-*
18 *propriation.*

19 *OTHER FEDERAL DRUG CONTROL PROGRAMS*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For other drug control activities authorized by the Of-*
22 *fice of National Drug Control Policy Reauthorization Act*
23 *of 2006 (Public Law 109–469), \$109,810,000, to remain*
24 *available until expended, which shall be available as follows:*
25 *\$95,000,000 for the Drug-Free Communities Program, of*

1 *which \$2,000,000 shall be made available as directed by sec-*
2 *tion 4 of Public Law 107–82, as amended by Public Law*
3 *109–469 (21 U.S.C. 1521 note); \$2,000,000 for drug court*
4 *training and technical assistance; \$9,500,000 for anti-*
5 *doping activities; \$2,060,000 for the United States member-*
6 *ship dues to the World Anti-Doping Agency; and \$1,250,000*
7 *shall be made available as directed by section 1105 of Public*
8 *Law 109–469: Provided, That amounts made available*
9 *under this heading may be transferred to other Federal de-*
10 *partments and agencies to carry out such activities.*

11 *UNANTICIPATED NEEDS*

12 *For expenses necessary to enable the President to meet*
13 *unanticipated needs, in furtherance of the national interest,*
14 *security, or defense which may arise at home or abroad dur-*
15 *ing the current fiscal year, as authorized by 3 U.S.C. 108,*
16 *\$800,000, to remain available until September 30, 2017.*

17 *INFORMATION TECHNOLOGY OVERSIGHT AND REFORM*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For necessary expenses for the furtherance of inte-*
20 *grated, efficient, secure, and effective uses of information*
21 *technology in the Federal Government, \$30,000,000, to re-*
22 *main available until expended: Provided, That the Director*
23 *of the Office of Management and Budget may transfer these*
24 *funds to one or more other agencies to carry out projects*
25 *to meet these purposes.*

1 *SPECIAL ASSISTANCE TO THE PRESIDENT*2 *SALARIES AND EXPENSES*

3 *For necessary expenses to enable the Vice President to*
4 *provide assistance to the President in connection with spe-*
5 *cially assigned functions; services as authorized by 5 U.S.C.*
6 *3109 and 3 U.S.C. 106, including subsistence expenses as*
7 *authorized by 3 U.S.C. 106, which shall be expended and*
8 *accounted for as provided in that section; and hire of pas-*
9 *senger motor vehicles, \$4,228,000.*

10 *OFFICIAL RESIDENCE OF THE VICE PRESIDENT*11 *OPERATING EXPENSES*12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For the care, operation, refurnishing, improvement,*
14 *and to the extent not otherwise provided for, heating and*
15 *lighting, including electric power and fixtures, of the offi-*
16 *cial residence of the Vice President; the hire of passenger*
17 *motor vehicles; and not to exceed \$90,000 pursuant to 3*
18 *U.S.C. 106(b)(2), \$299,000: Provided, That advances, re-*
19 *payments, or transfers from this appropriation may be*
20 *made to any department or agency for expenses of carrying*
21 *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 2018, 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 *2018 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 2016, any Executive*
2 *order or Presidential memorandum issued by the President*
3 *shall be accompanied by a written statement from the Di-*
4 *rector of the Office of Management and Budget on the budg-*
5 *etary impact, including costs, benefits, and revenues, of*
6 *such order or memorandum.*

7 *(b) Any such statement shall include—*

8 *(1) a narrative summary of the budgetary im-*
9 *pect 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 *2016; 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 *2016.*

20 *(c) If an Executive order or Presidential memorandum*
21 *is issued during fiscal year 2016 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, \$9,964,000,*
2 *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 *\$30,872,000.*

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, \$18,160,000.*

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, \$4,918,969,000 (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 \$6,050,000, 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, \$1,004,949,000, to remain available until*
15 *expended.*

16 *FEEES 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)), \$44,199,000, 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 *\$538,196,000, of which not to exceed \$15,000,000 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 *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 *“24 years and 6 months” and inserting “25 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 “22*
7 *years and 6 months” and inserting “23 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 “13 years”*
13 *and inserting “14 years”;*

14 (2) *in the second sentence (relating to the central*
15 *District of California), by striking “12 years and 6*
16 *months” and inserting “13 years and 6 months”; and*

17 (3) *in the third sentence (relating to the western*
18 *district of North Carolina), by striking “11 years”*
19 *and inserting “12 years”.*

20 SEC. 307. *Section 3602(a) of title 18, United States*
21 *Code, is amended—*

22 (1) *by inserting after the first sentence: “A per-*
23 *son appointed as a probation officer in one district*
24 *may serve in another district with the consent of the*

1 *tain a dedicated account for the Resident Tuition Support*
2 *Program that shall consist of the Federal funds appro-*
3 *priated to the Program in this Act and any subsequent ap-*
4 *propriations, any unobligated balances from prior fiscal*
5 *years, and any interest earned in this or any fiscal year:*
6 *Provided further, That the account shall be under the con-*
7 *trol of the District of Columbia Chief Financial Officer, who*
8 *shall use those funds solely for the purposes of carrying out*
9 *the Resident Tuition Support Program: Provided further,*
10 *That the Office of the Chief Financial Officer shall provide*
11 *a quarterly financial report to the Committees on Appro-*
12 *priations of the House of Representatives and the Senate*
13 *for these funds showing, by object class, the expenditures*
14 *made and the purpose therefor.*

15 *FEDERAL PAYMENT FOR EMERGENCY PLANNING AND*

16 *SECURITY COSTS IN THE DISTRICT OF COLUMBIA*

17 *For a Federal payment of necessary expenses, as deter-*
18 *mined by the Mayor of the District of Columbia in written*
19 *consultation with the elected county or city officials of sur-*
20 *rounding jurisdictions, \$13,000,000, to remain available*
21 *until expended, for the costs of providing public safety at*
22 *events related to the presence of the National Capital in*
23 *the District of Columbia, including support requested by*
24 *the Director of the United States Secret Service in carrying*
25 *out protective duties under the direction of the Secretary*

1 *of Homeland Security, and for the costs of providing sup-*
2 *port to respond to immediate and specific terrorist threats*
3 *or attacks in the District of Columbia or surrounding juris-*
4 *dictions.*

5 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*

6 *COURTS*

7 *For salaries and expenses for the District of Columbia*
8 *Courts, \$274,401,000 to be allocated as follows: for the Dis-*
9 *trict of Columbia Court of Appeals, \$14,192,000, of which*
10 *not to exceed \$2,500 is for official reception and representa-*
11 *tion expenses; for the Superior Court of the District of Co-*
12 *lumbia, \$123,638,000, of which not to exceed \$2,500 is for*
13 *official reception and representation expenses; for the Dis-*
14 *trict of Columbia Court System, \$73,981,000, of which not*
15 *to exceed \$2,500 is for official reception and representation*
16 *expenses; and \$62,590,000, to remain available until Sep-*
17 *tember 30, 2017, for capital improvements for District of*
18 *Columbia courthouse facilities: Provided, That funds made*
19 *available for capital improvements shall be expended con-*
20 *sistent with the District of Columbia Courts master plan*
21 *study and facilities condition assessment: Provided further,*
22 *That notwithstanding any other provision of law, all*
23 *amounts under this heading shall be apportioned quarterly*
24 *by the Office of Management and Budget and obligated and*
25 *expended in the same manner as funds appropriated for*

1 *salaries and expenses of other Federal agencies: Provided*
2 *further, That 30 days after providing written notice to the*
3 *Committees on Appropriations of the House of Representa-*
4 *tives and the Senate, the District of Columbia Courts may*
5 *reallocate not more than \$6,000,000 of the funds provided*
6 *under this heading among the items and entities funded*
7 *under this heading: Provided further, That the Joint Com-*
8 *mittee on Judicial Administration in the District of Colum-*
9 *bia may, by regulation, establish a program substantially*
10 *similar to the program set forth in subchapter II of chapter*
11 *35 of title 5, United States Code, for employees of the Dis-*
12 *trict of Columbia Courts.*

13 *FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT*
14 *OF COLUMBIA COURTS*

15 *For payments authorized under section 11–2604 and*
16 *section 11–2605, D.C. Official Code (relating to representa-*
17 *tion provided under the District of Columbia Criminal Jus-*
18 *tice Act), payments for counsel appointed in proceedings*
19 *in the Family Court of the Superior Court of the District*
20 *of Columbia under chapter 23 of title 16, D.C. Official*
21 *Code, or pursuant to contractual agreements to provide*
22 *guardian ad litem representation, training, technical as-*
23 *sistance, and such other services as are necessary to improve*
24 *the quality of guardian ad litem representation, payments*
25 *for counsel appointed in adoption proceedings under chap-*

1 *ter 3 of title 16, D.C. Official Code, and payments author-*
2 *ized under section 21–2060, D.C. Official Code (relating to*
3 *services provided under the District of Columbia Guardian-*
4 *ship, Protective Proceedings, and Durable Power of Attor-*
5 *ney Act of 1986), \$49,890,000, to remain available until*
6 *expended: Provided, That funds provided under this head-*
7 *ing shall be administered by the Joint Committee on Judi-*
8 *cial Administration in the District of Columbia: Provided*
9 *further, That, notwithstanding any other provision of law,*
10 *this appropriation shall be apportioned quarterly by the Of-*
11 *fice of Management and Budget and obligated and expended*
12 *in the same manner as funds appropriated for expenses of*
13 *other Federal agencies.*

14 *FEDERAL PAYMENT TO THE COURT SERVICES AND OF-*
15 *FENDER SUPERVISION AGENCY FOR THE DISTRICT OF*
16 *COLUMBIA*

17 *For salaries and expenses, including the transfer and*
18 *hire of motor vehicles, of the Court Services and Offender*
19 *Supervision Agency for the District of Columbia, as author-*
20 *ized by the National Capital Revitalization and Self-Gov-*
21 *ernment Improvement Act of 1997, \$244,763,000, of which*
22 *not to exceed \$2,000 is for official reception and representa-*
23 *tion expenses related to Community Supervision and Pre-*
24 *trial Services Agency programs, of which not to exceed*
25 *\$25,000 is for dues and assessments relating to the imple-*

1 *mentation of the Court Services and Offender Supervision*
2 *Agency Interstate Supervision Act of 2002; of which*
3 *\$182,406,000 shall be for necessary expenses of Community*
4 *Supervision and Sex Offender Registration, to include ex-*
5 *penses relating to the supervision of adults subject to protec-*
6 *tion orders or the provision of services for or related to such*
7 *persons, of which up to \$3,159,000 shall remain available*
8 *until September 30, 2018, for the relocation of offender su-*
9 *per vision field offices; and of which \$62,357,000 shall be*
10 *available to the Pretrial Services Agency: Provided, That*
11 *notwithstanding any other provision of law, all amounts*
12 *under this heading shall be apportioned quarterly by the*
13 *Office of Management and Budget and obligated and ex-*
14 *pended in the same manner as funds appropriated for sala-*
15 *ries and expenses of other Federal agencies: Provided fur-*
16 *ther, That amounts under this heading may be used for pro-*
17 *grammatic incentives for offenders and defendants success-*
18 *fully meeting terms of supervision: Provided further, That*
19 *the Director is authorized to accept and use gifts in the*
20 *form of in-kind contributions of the following: space and*
21 *hospitality to support offender and defendant programs;*
22 *equipment, supplies, clothing, and professional development*
23 *and vocational training services and items necessary to sus-*
24 *tain, educate, and train offenders and defendants, including*
25 *their dependent children; and programmatic incentives for*

1 *offenders and defendants meeting terms of supervision: Pro-*
2 *vided further, That the Director shall keep accurate and de-*
3 *tailed records of the acceptance and use of any gift under*
4 *the previous proviso, and shall make such records available*
5 *for audit and public inspection: Provided further, That the*
6 *Court Services and Offender Supervision Agency Director*
7 *is authorized to accept and use reimbursement from the Dis-*
8 *trict of Columbia Government for space and services pro-*
9 *vided on a cost reimbursable basis.*

10 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*

11 *PUBLIC DEFENDER SERVICE*

12 *For salaries and expenses, including the transfer and*
13 *hire of motor vehicles, of the District of Columbia Public*
14 *Defender Service, as authorized by the National Capital Re-*
15 *vitalization and Self-Government Improvement Act of 1997,*
16 *\$40,889,000: Provided, That notwithstanding any other*
17 *provision of law, all amounts under this heading shall be*
18 *apportioned quarterly by the Office of Management and*
19 *Budget and obligated and expended in the same manner*
20 *as funds appropriated for salaries and expenses of Federal*
21 *agencies: Provided further, That, notwithstanding section*
22 *1342 of title 31, United States Code, and in addition to*
23 *the authority provided by the District of Columbia Code*
24 *Section 2-1607(b), upon approval of the Board of Trustees,*
25 *the District of Columbia Public Defender Service may ac-*

1 *cept and use voluntary and uncompensated services for the*
2 *purpose of aiding or facilitating the work of the District*
3 *of Columbia Public Defender Service: Provided further,*
4 *That, notwithstanding District of Columbia Code section 2–*
5 *1603(d), for the purpose of any action brought against the*
6 *Board of the Trustees of the District of Columbia Public*
7 *Defender Service at any time during fiscal year 2016 or*
8 *any previous fiscal year, the trustees shall be deemed to be*
9 *employees of the Public Defender Service.*

10 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER*
11 *AND SEWER AUTHORITY*

12 *For a Federal payment to the District of Columbia*
13 *Water and Sewer Authority, \$14,000,000, to remain avail-*
14 *able until expended, to continue implementation of the*
15 *Combined Sewer Overflow Long-Term Plan: Provided, That*
16 *the District of Columbia Water and Sewer Authority pro-*
17 *vides a 100 percent match for this payment.*

18 *FEDERAL PAYMENT TO THE CRIMINAL JUSTICE*
19 *COORDINATING COUNCIL*

20 *For a Federal payment to the Criminal Justice Co-*
21 *ordinating Council, \$1,900,000, to remain available until*
22 *expended, to support initiatives related to the coordination*
23 *of Federal and local criminal justice resources in the Dis-*
24 *trict of Columbia.*

1 *pended for the Major General David F. Wherley, Jr. Dis-*
2 *trict of Columbia National Guard Retention and College*
3 *Access Program.*

4 *FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/*
5 *AIDS*

6 *For a Federal payment to the District of Columbia*
7 *for the testing of individuals for, and the treatment of indi-*
8 *viduals with, human immunodeficiency virus and acquired*
9 *immunodeficiency syndrome in the District of Columbia,*
10 *\$5,000,000.*

11 *DISTRICT OF COLUMBIA FUNDS*

12 *Local funds are appropriated for the District of Co-*
13 *lumbia for the current fiscal year out of the General Fund*
14 *of the District of Columbia (“General Fund”) for programs*
15 *and activities set forth under the heading “District of Co-*
16 *lumbia Funds Summary of Expenses” and at the rate set*
17 *forth under such heading, as included in the Fiscal Year*
18 *2016 Budget Request Act of 2015 submitted to the Congress*
19 *by the District of Columbia as amended as of the date of*
20 *enactment of this Act: Provided, That notwithstanding any*
21 *other provision of law, except as provided in section 450A*
22 *of the District of Columbia Home Rule Act (section 1–*
23 *204.50a, D.C. Official Code), sections 816 and 817 of the*
24 *Financial Services and General Government Appropria-*
25 *tions Act, 2009 (secs. 47–369.01 and 47–369.02, D.C. Offi-*

1 cial Code), and provisions of this Act, the total amount ap-
2 propriated in this Act for operating expenses for the Dis-
3 trict of Columbia for fiscal year 2016 under this heading
4 shall not exceed the estimates included in the Fiscal Year
5 2016 Budget Request Act of 2015 submitted to Congress by
6 the District of Columbia as amended as of the date of enact-
7 ment of this Act or the sum of the total revenues of the Dis-
8 trict of Columbia for such fiscal year: Provided further,
9 That the amount appropriated may be increased by pro-
10 ceeds of one-time transactions, which are expended for emer-
11 gency or unanticipated operating or capital needs: Provided
12 further, That such increases shall be approved by enactment
13 of local District law and shall comply with all reserve re-
14 quirements contained in the District of Columbia Home
15 Rule Act: Provided further, That the Chief Financial Officer
16 of the District of Columbia shall take such steps as are nec-
17 essary to assure that the District of Columbia meets these
18 requirements, including the apportioning by the Chief Fi-
19 nancial Officer of the appropriations and funds made
20 available to the District during fiscal year 2016, except that
21 the Chief Financial Officer may not reprogram for oper-
22 ating expenses any funds derived from bonds, notes, or other
23 obligations issued for capital projects.

24 This title may be cited as the “District of Columbia
25 Appropriations Act, 2016”.

1 *ELECTION ASSISTANCE COMMISSION*

2 *SALARIES AND EXPENSES*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For necessary expenses to carry out the Help America*
5 *Vote Act of 2002 (Public Law 107–252), \$9,600,000, of*
6 *which \$1,500,000 shall be transferred to the National Insti-*
7 *tute of Standards and Technology for election reform activi-*
8 *ties authorized under the Help America Vote Act of 2002.*

9 *FEDERAL COMMUNICATIONS COMMISSION*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the Federal Communications*
12 *Commission, as authorized by law, including uniforms and*
13 *allowances therefor, as authorized by 5 U.S.C. 5901–5902;*
14 *not to exceed \$4,000 for official reception and representa-*
15 *tion expenses; purchase and hire of motor vehicles; special*
16 *counsel fees; and services as authorized by 5 U.S.C. 3109,*
17 *\$339,844,000, to remain available until expended: Pro-*
18 *vided, That in addition, \$44,168,497 shall be made avail-*
19 *able until expended for necessary expenses associated with*
20 *moving to a new facility or reconfiguring the existing space*
21 *to significantly reduce space consumption: Provided fur-*
22 *ther, That \$384,012,497 of offsetting collections shall be as-*
23 *essed and collected pursuant to section 9 of title I of the*
24 *Communications Act of 1934, shall be retained and used*
25 *for necessary expenses and shall remain available until ex-*

1 *pended: Provided further, That the sum herein appro-*
2 *priated shall be reduced as such offsetting collections are*
3 *received during fiscal year 2016 so as to result in a final*
4 *fiscal year 2016 appropriation estimated at \$0: Provided*
5 *further, That any offsetting collections received in excess of*
6 *\$384,012,497 in fiscal year 2016 shall not be available for*
7 *obligation: Provided further, That remaining offsetting col-*
8 *lections from prior years collected in excess of the amount*
9 *specified for collection in each such year and otherwise be-*
10 *coming available on October 1, 2015, shall not be available*
11 *for obligation: Provided further, That, notwithstanding 47*
12 *U.S.C. 309(j)(8)(B), proceeds from the use of a competitive*
13 *bidding system that may be retained and made available*
14 *for obligation shall not exceed \$117,000,000 for fiscal year*
15 *2016: Provided further, That, of the amount appropriated*
16 *under this heading, not less than \$11,600,000 shall be for*
17 *the salaries and expenses of the Office of Inspector General.*

18 *ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS*

19 *COMMISSION*

20 *SEC. 501. Section 302 of the Universal Service*
21 *Antideficiency Temporary Suspension Act is amended by*
22 *striking “December 31, 2016”, each place it appears and*
23 *inserting “December 31, 2017”.*

24 *SEC. 502. None of the funds appropriated by this Act*
25 *may be used by the Federal Communications Commission*

1 *to modify, amend, or change its rules or regulations for uni-*
2 *versal service support payments to implement the February*
3 *27, 2004 recommendations of the Federal-State Joint Board*
4 *on Universal Service regarding single connection or pri-*
5 *mary line restrictions on universal service support pay-*
6 *ments.*

7 *FEDERAL DEPOSIT INSURANCE CORPORATION*

8 *OFFICE OF THE INSPECTOR GENERAL*

9 *For necessary expenses of the Office of Inspector Gen-*
10 *eral in carrying out the provisions of the Inspector General*
11 *Act of 1978, \$34,568,000, to be derived from the Deposit*
12 *Insurance Fund or, only when appropriate, the FSLIC Res-*
13 *olution Fund.*

14 *FEDERAL ELECTION COMMISSION*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses to carry out the provisions of*
17 *the Federal Election Campaign Act of 1971, \$76,119,000,*
18 *of which \$5,000,000 shall remain available until September*
19 *30, 2017, for lease expiration and replacement lease ex-*
20 *penses; and of which not to exceed \$5,000 shall be available*
21 *for reception and representation expenses.*

22 *FEDERAL LABOR RELATIONS AUTHORITY*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses to carry out functions of the*
25 *Federal Labor Relations Authority, pursuant to Reorga-*

1 nization Plan Numbered 2 of 1978, and the Civil Service
2 Reform Act of 1978, including services authorized by 5
3 U.S.C. 3109, and including hire of experts and consultants,
4 hire of passenger motor vehicles, and including official re-
5 ception and representation expenses (not to exceed \$1,500)
6 and rental of conference rooms in the District of Columbia
7 and elsewhere, \$26,200,000: Provided, That public members
8 of the Federal Service Impasses Panel may be paid travel
9 expenses and per diem in lieu of subsistence as authorized
10 by law (5 U.S.C. 5703) for persons employed intermittently
11 in the Government service, and compensation as authorized
12 by 5 U.S.C. 3109: Provided further, That, notwithstanding
13 31 U.S.C. 3302, funds received from fees charged to non-
14 Federal participants at labor-management relations con-
15 ferences shall be credited to and merged with this account,
16 to be available without further appropriation for the costs
17 of carrying out these conferences.

18 *FEDERAL TRADE COMMISSION*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the Federal Trade Commis-*
21 *sion, including uniforms or allowances therefor, as author-*
22 *ized by 5 U.S.C. 5901–5902; services as authorized by 5*
23 *U.S.C. 3109; hire of passenger motor vehicles; and not to*
24 *exceed \$2,000 for official reception and representation ex-*
25 *penses, \$306,900,000, to remain available until expended:*

1 *Provided, That not to exceed \$300,000 shall be available*
2 *for use to contract with a person or persons for collection*
3 *services in accordance with the terms of 31 U.S.C. 3718:*
4 *Provided further, That, notwithstanding any other provi-*
5 *sion of law, not to exceed \$124,000,000 of offsetting collec-*
6 *tions derived from fees collected for premerger notification*
7 *filings under the Hart-Scott-Rodino Antitrust Improve-*
8 *ments Act of 1976 (15 U.S.C. 18a), regardless of the year*
9 *of collection, shall be retained and used for necessary ex-*
10 *penses in this appropriation: Provided further, That, not-*
11 *withstanding any other provision of law, not to exceed*
12 *\$14,000,000 in offsetting collections derived from fees suffi-*
13 *cient to implement and enforce the Telemarketing Sales*
14 *Rule, promulgated under the Telemarketing and Consumer*
15 *Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.),*
16 *shall be credited to this account, and be retained and used*
17 *for necessary expenses in this appropriation: Provided fur-*
18 *ther, That the sum herein appropriated from the general*
19 *fund shall be reduced as such offsetting collections are re-*
20 *ceived during fiscal year 2016, so as to result in a final*
21 *fiscal year 2016 appropriation from the general fund esti-*
22 *mated at not more than \$168,900,000: Provided further,*
23 *That none of the funds made available to the Federal Trade*
24 *Commission may be used to implement subsection (e)(2)(B)*

1 of section 43 of the Federal Deposit Insurance Act (12
2 U.S.C. 1831t).

3 *GENERAL SERVICES ADMINISTRATION*

4 *REAL PROPERTY ACTIVITIES*

5 *FEDERAL BUILDINGS FUND*

6 *LIMITATIONS ON AVAILABILITY OF REVENUE*

7 *(INCLUDING TRANSFERS OF FUNDS)*

8 *Amounts in the Fund, including revenues and collec-*
9 *tions deposited into the Fund, shall be available for nec-*
10 *essary expenses of real property management and related*
11 *activities not otherwise provided for, including operation,*
12 *maintenance, and protection of federally owned and leased*
13 *buildings; rental of buildings in the District of Columbia;*
14 *restoration of leased premises; moving governmental agen-*
15 *cies (including space adjustments and telecommunications*
16 *relocation expenses) in connection with the assignment, al-*
17 *location, and transfer of space; contractual services incident*
18 *to cleaning or servicing buildings, and moving; repair and*
19 *alteration of federally owned buildings, including grounds,*
20 *approaches, and appurtenances; care and safeguarding of*
21 *sites; maintenance, preservation, demolition, and equip-*
22 *ment; acquisition of buildings and sites by purchase, con-*
23 *demnation, or as otherwise authorized by law; acquisition*
24 *of options to purchase buildings and sites; conversion and*
25 *extension of federally owned buildings; preliminary plan-*

1 *ning and design of projects by contract or otherwise; con-*
2 *struction of new buildings (including equipment for such*
3 *buildings); and payment of principal, interest, and any*
4 *other obligations for public buildings acquired by install-*
5 *ment purchase and purchase contract; in the aggregate*
6 *amount of \$10,196,124,000, of which—*

7 (1) *\$1,607,738,000 shall remain available until*
8 *expended for construction and acquisition (including*
9 *funds for sites and expenses, and associated design*
10 *and construction services) as follows:*

11 (A) *\$341,000,000 shall be for the DHS Con-*
12 *solidation at St. Elizabeths;*

13 (B) *\$105,600,000 shall be for the Alexan-*
14 *dria Bay, New York, Land Port of Entry;*

15 (C) *\$85,645,000 shall be for the Columbus,*
16 *New Mexico, Land Port of Entry;*

17 (D) *\$947,760,000 shall be for new construc-*
18 *tion projects of the Federal Judiciary as*
19 *prioritized in the “Federal Judiciary Courthouse*
20 *Project Priorities” plan approved by the Judi-*
21 *cial Conference of the United States on Sep-*
22 *tember 17, 2015, and submitted to the House and*
23 *Senate Committees on Appropriations on Sep-*
24 *tember 28, 2015;*

1 (E) \$52,733,000 shall be for new construc-
2 tion and acquisition projects that are joint
3 United States courthouses and Federal buildings,
4 including U.S. Post Offices, on the “FY2015–
5 FY2019 Five-Year Capital Investment Plan”
6 submitted by the General Services Administra-
7 tion to the House and Senate Committees on Ap-
8 propriations with the agency’s fiscal year 2016
9 Congressional Justification; and

10 (F) \$75,000,000 shall be for construction
11 management and oversight activities, and other
12 project support costs, for the FBI Headquarters
13 Consolidation:

14 *Provided, That each of the foregoing limits of costs on*
15 *new construction and acquisition projects may be ex-*
16 *ceeded to the extent that savings are effected in other*
17 *such projects, but not to exceed 10 percent of the*
18 *amounts included in a transmitted prospectus, if re-*
19 *quired, unless advance approval is obtained from the*
20 *Committees on Appropriations of a greater amount;*

21 (2) \$735,331,000 shall remain available until ex-
22 pended for repairs and alterations, including associ-
23 ated design and construction services, of which—

24 (A) \$310,331,000 is for Major Repairs and
25 Alterations;

1 (B) \$300,000,000 is for Basic Repairs and
2 Alterations; and

3 (C) \$125,000,000 is for Special Emphasis
4 Programs, of which—

5 (i) \$20,000,000 is for Fire and Life
6 Safety;

7 (ii) \$20,000,000 is for Judiciary Cap-
8 ital Security;

9 (iii) \$10,000,000 is for Energy and
10 Water Retrofit and Conservation Measures;
11 and

12 (iv) \$75,000,000 is for Consolidation
13 Activities: Provided, That consolidation
14 projects result in reduced annual rent paid
15 by the tenant agency: Provided further,
16 That no consolidation project exceed
17 \$20,000,000 in costs: Provided further, That
18 consolidation projects are approved by each
19 of the committees specified in section
20 3307(a) of title 40, United States Code:
21 Provided further, That preference is given to
22 consolidation projects that achieve a utiliza-
23 tion rate of 130 usable square feet or less
24 per person for office space: Provided further,
25 That the obligation of funds under this

1 *paragraph for consolidation activities may*
2 *not be made until 10 days after a proposed*
3 *spending plan and explanation for each*
4 *project to be undertaken, including esti-*
5 *mated savings, has been submitted to the*
6 *Committees on Appropriations of the House*
7 *of Representatives and the Senate:*

8 *Provided, That funds made available in this or any*
9 *previous Act in the Federal Buildings Fund for Re-*
10 *pairs and Alterations shall, for prospectus projects, be*
11 *limited to the amount identified for each project, ex-*
12 *cept each project in this or any previous Act may be*
13 *increased by an amount not to exceed 10 percent un-*
14 *less advance approval is obtained from the Commit-*
15 *tees on Appropriations of a greater amount: Provided*
16 *further, That additional projects for which*
17 *prospectuses have been fully approved may be funded*
18 *under this category only if advance approval is ob-*
19 *tained from the Committees on Appropriations: Pro-*
20 *vided further, That the amounts provided in this or*
21 *any prior Act for “Repairs and Alterations” may be*
22 *used to fund costs associated with implementing secu-*
23 *rity improvements to buildings necessary to meet the*
24 *minimum standards for security in accordance with*
25 *current law and in compliance with the reprogram-*

1 *ming guidelines of the appropriate Committees of the*
2 *House and Senate: Provided further, That the dif-*
3 *ference between the funds appropriated and expended*
4 *on any projects in this or any prior Act, under the*
5 *heading “Repairs and Alterations”, may be trans-*
6 *ferred to Basic Repairs and Alterations or used to*
7 *fund authorized increases in prospectus projects: Pro-*
8 *vided further, That the amount provided in this or*
9 *any prior Act for Basic Repairs and Alterations may*
10 *be used to pay claims against the Government arising*
11 *from any projects under the heading “Repairs and*
12 *Alterations” or used to fund authorized increases in*
13 *prospectus projects;*

14 *(3) \$5,579,055,000 for rental of space to remain*
15 *available until expended; and*

16 *(4) \$2,274,000,000 for building operations to re-*
17 *main available until expended, of which*
18 *\$1,137,000,000 is for building services, and*
19 *\$1,137,000,000 is for salaries and expenses: Provided*
20 *further, That not to exceed 5 percent of any appro-*
21 *riation made available under this paragraph for*
22 *building operations may be transferred between and*
23 *merged with such appropriations upon notification to*
24 *the Committees on Appropriations of the House of*
25 *Representatives and the Senate, but no such appro-*

1 *priation shall be increased by more than 5 percent by*
2 *any such transfers: Provided further, That section 508*
3 *of this title shall not apply with respect to funds*
4 *made available under this heading for building oper-*
5 *ations: Provided further, That the total amount of*
6 *funds made available from this Fund to the General*
7 *Services Administration shall not be available for ex-*
8 *penses of any construction, repair, alteration and ac-*
9 *quisition project for which a prospectus, if required*
10 *by 40 U.S.C. 3307(a), has not been approved, except*
11 *that necessary funds may be expended for each project*
12 *for required expenses for the development of a pro-*
13 *posed prospectus: Provided further, That funds avail-*
14 *able in the Federal Buildings Fund may be expended*
15 *for emergency repairs when advance approval is ob-*
16 *tained from the Committees on Appropriations: Pro-*
17 *vided further, That amounts necessary to provide re-*
18 *imbursable special services to other agencies under 40*
19 *U.S.C. 592(b)(2) and amounts to provide such reim-*
20 *bursable fencing, lighting, guard booths, and other fa-*
21 *cilities on private or other property not in Govern-*
22 *ment ownership or control as may be appropriate to*
23 *enable the United States Secret Service to perform its*
24 *protective functions pursuant to 18 U.S.C. 3056, shall*
25 *be available from such revenues and collections: Pro-*

1 *vided further, That revenues and collections and any*
2 *other sums accruing to this Fund during fiscal year*
3 *2016, excluding reimbursements under 40 U.S.C.*
4 *592(b)(2), in excess of the aggregate new obligational*
5 *authority authorized for Real Property Activities of*
6 *the Federal Buildings Fund in this Act shall remain*
7 *in the Fund and shall not be available for expendi-*
8 *ture except as authorized in appropriations Acts.*

9 *GENERAL ACTIVITIES*

10 *GOVERNMENT-WIDE POLICY*

11 *For expenses authorized by law, not otherwise provided*
12 *for, for Government-wide policy and evaluation activities*
13 *associated with the management of real and personal prop-*
14 *erty assets and certain administrative services; Govern-*
15 *ment-wide policy support responsibilities relating to acqui-*
16 *sition, travel, motor vehicles, information technology man-*
17 *agement, and related technology activities; and services as*
18 *authorized by 5 U.S.C. 3109; \$58,000,000.*

19 *OPERATING EXPENSES*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For expenses authorized by law, not otherwise provided*
22 *for, for Government-wide activities associated with utiliza-*
23 *tion and donation of surplus personal property; disposal*
24 *of real property; agency-wide policy direction, manage-*
25 *ment, and communications; the Civilian Board of Contract*

1 *Appeals; and services as authorized by 5 U.S.C. 3109;*
2 *\$58,560,000, of which \$25,979,000 is for Real and Personal*
3 *Property Management and Disposal; \$23,397,000 is for the*
4 *Office of the Administrator, of which not to exceed \$7,500*
5 *is for official reception and representation expenses; and*
6 *\$9,184,000 is for the Civilian Board of Contract Appeals:*
7 *Provided, That not to exceed 5 percent of the appropriation*
8 *made available under this heading for Office of the Admin-*
9 *istrator may be transferred to the appropriation for the*
10 *Real and Personal Property Management and Disposal*
11 *upon notification to the Committees on Appropriations of*
12 *the House of Representatives and the Senate, but the appro-*
13 *priation for the Real and Personal Property Management*
14 *and Disposal may not be increased by more than 5 percent*
15 *by any such transfer.*

16 *OFFICE OF INSPECTOR GENERAL*

17 *For necessary expenses of the Office of Inspector Gen-*
18 *eral and service authorized by 5 U.S.C. 3109, \$65,000,000,*
19 *of which \$2,000,000 is available until expended: Provided,*
20 *That not to exceed \$50,000 shall be available for payment*
21 *for information and detection of fraud against the Govern-*
22 *ment, including payment for recovery of stolen Government*
23 *property: Provided further, That not to exceed \$2,500 shall*
24 *be available for awards to employees of other Federal agen-*
25 *cies and private citizens in recognition of efforts and initia-*

1 *Federal Government to enhance its ability to conduct ac-*
2 *tivities electronically, through the development and imple-*
3 *mentation of innovative uses of information technology;*
4 *\$55,894,000, to be deposited into the Federal Citizen Serv-*
5 *ices Fund: Provided, That the previous amount may be*
6 *transferred to Federal agencies to carry out the purpose of*
7 *the Federal Citizen Services Fund: Provided further, That*
8 *the appropriations, revenues, reimbursements, and collec-*
9 *tions deposited into the Fund shall be available until ex-*
10 *pended for necessary expenses of Federal Citizen Services*
11 *and other activities that enable the Federal Government to*
12 *enhance its ability to conduct activities electronically in the*
13 *aggregate amount not to exceed \$90,000,000: Provided fur-*
14 *ther, That appropriations, revenues, reimbursements, and*
15 *collections accruing to this Fund during fiscal year 2016*
16 *in excess of such amount shall remain in the Fund and*
17 *shall not be available for expenditure except as authorized*
18 *in appropriations Acts: Provided further, That any appro-*
19 *priations provided to the Electronic Government Fund that*
20 *remain unobligated may be transferred to the Federal Cit-*
21 *izen Services Fund: Provided further, That the transfer au-*
22 *thorities provided herein shall be in addition to any other*
23 *transfer authority provided in this Act.*

1 *ADMINISTRATIVE PROVISIONS—GENERAL SERVICES*2 *ADMINISTRATION*3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 510. Funds available to the General Services Ad-*
5 *ministration shall be available for the hire of passenger*
6 *motor vehicles.*

7 *SEC. 511. Funds in the Federal Buildings Fund made*
8 *available for fiscal year 2016 for Federal Buildings Fund*
9 *activities may be transferred between such activities only*
10 *to the extent necessary to meet program requirements: Pro-*
11 *vided, That any proposed transfers shall be approved in ad-*
12 *vance by the Committees on Appropriations of the House*
13 *of Representatives and the Senate.*

14 *SEC. 512. Except as otherwise provided in this title,*
15 *funds made available by this Act shall be used to transmit*
16 *a fiscal year 2017 request for United States Courthouse con-*
17 *struction only if the request: (1) meets the design guide*
18 *standards for construction as established and approved by*
19 *the General Services Administration, the Judicial Con-*
20 *ference of the United States, and the Office of Management*
21 *and Budget; (2) reflects the priorities of the Judicial Con-*
22 *ference of the United States as set out in its approved 5-*
23 *year construction plan; and (3) includes a standardized*
24 *courtroom utilization study of each facility to be con-*
25 *structed, replaced, or expanded.*

1 *SEC. 513. None of the funds provided in this Act may*
2 *be used to increase the amount of occupiable square feet,*
3 *provide cleaning services, security enhancements, or any*
4 *other service usually provided through the Federal Build-*
5 *ings Fund, to any agency that does not pay the rate per*
6 *square foot assessment for space and services as determined*
7 *by the General Services Administration in consideration of*
8 *the Public Buildings Amendments Act of 1972 (Public Law*
9 *92-313).*

10 *SEC. 514. From funds made available under the head-*
11 *ing Federal Buildings Fund, Limitations on Availability*
12 *of Revenue, claims against the Government of less than*
13 *\$250,000 arising from direct construction projects and ac-*
14 *quisition of buildings may be liquidated from savings ef-*
15 *fectuated in other construction projects with prior notification*
16 *to the Committees on Appropriations of the House of Rep-*
17 *resentatives and the Senate.*

18 *SEC. 515. In any case in which the Committee on*
19 *Transportation and Infrastructure of the House of Rep-*
20 *resentatives and the Committee on Environment and Public*
21 *Works of the Senate adopt a resolution granting lease au-*
22 *thority pursuant to a prospectus transmitted to Congress*
23 *by the Administrator of the General Services Administra-*
24 *tion under 40 U.S.C. 3307, the Administrator shall ensure*
25 *that the delineated area of procurement is identical to the*

1 *delineated area included in the prospectus for all lease*
2 *agreements, except that, if the Administrator determines*
3 *that the delineated area of the procurement should not be*
4 *identical to the delineated area included in the prospectus,*
5 *the Administrator shall provide an explanatory statement*
6 *to each of such committees and the Committees on Appro-*
7 *priations of the House of Representatives and the Senate*
8 *prior to exercising any lease authority provided in the reso-*
9 *lution.*

10 *SEC. 516. With respect to each project funded under*
11 *the heading “Major Repairs and Alterations” or “Judiciary*
12 *Capital Security Program”, and with respect to E-Govern-*
13 *ment projects funded under the heading “Federal Citizen*
14 *Services Fund”, the Administrator of General Services shall*
15 *submit a spending plan and explanation for each project*
16 *to be undertaken to the Committees on Appropriations of*
17 *the House of Representatives and the Senate not later than*
18 *60 days after the date of enactment of this Act.*

19 *SEC. 517. With respect to each project funded under*
20 *the heading of “new construction projects of the Federal Ju-*
21 *diciary”, the General Services Administration, in consulta-*
22 *tion with the Administrative Office of the United States*
23 *Courts, shall submit a spending plan and description for*
24 *each project to be undertaken to the Committees on Appro-*
25 *priations of the House of Representatives and the Senate*

1 *not later than 120 days after the date of enactment of this*
2 *Act.*

3 *SEC. 518. With respect to each project funded under*
4 *the heading of “joint United States courthouses and Federal*
5 *buildings, including U.S. Post Offices”, the General Serv-*
6 *ices Administration shall submit a spending plan and ex-*
7 *planation for the projects to be undertaken to the Commit-*
8 *tees on Appropriations of the House of Representatives and*
9 *the Senate not later than 60 days after the date of enact-*
10 *ment of this Act.*

11 *HARRY S TRUMAN SCHOLARSHIP FOUNDATION*

12 *SALARIES AND EXPENSES*

13 *For payment to the Harry S Truman Scholarship*
14 *Foundation Trust Fund, established by section 10 of Public*
15 *Law 93–642, \$1,000,000, to remain available until ex-*
16 *pendent.*

17 *MERIT SYSTEMS PROTECTION BOARD*

18 *SALARIES AND EXPENSES*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For necessary expenses to carry out functions of the*
21 *Merit Systems Protection Board pursuant to Reorganiza-*
22 *tion Plan Numbered 2 of 1978, the Civil Service Reform*
23 *Act of 1978, and the Whistleblower Protection Act of 1989*
24 *(5 U.S.C. 5509 note), including services as authorized by*
25 *5 U.S.C. 3109, rental of conference rooms in the District*

1 of Columbia and elsewhere, hire of passenger motor vehicles,
2 direct procurement of survey printing, and not to exceed
3 \$2,000 for official reception and representation expenses,
4 \$44,490,000, to remain available until September 30, 2017,
5 and in addition not to exceed \$2,345,000, to remain avail-
6 able until September 30, 2017, for administrative expenses
7 to adjudicate retirement appeals to be transferred from the
8 Civil Service Retirement and Disability Fund in amounts
9 determined by the Merit Systems Protection Board.

10 *MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION*

11 *MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For payment to the Morris K. Udall and Stewart L.*
14 *Udall Trust Fund, pursuant to the Morris K. Udall and*
15 *Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.),*
16 *\$1,995,000, to remain available until expended, of which,*
17 *notwithstanding sections 8 and 9 of such Act: (1) up to*
18 *\$50,000 shall be used to conduct financial audits pursuant*
19 *to the Accountability of Tax Dollars Act of 2002 (Public*
20 *Law 107–289); and (2) up to \$1,000,000 shall be available*
21 *to carry out the activities authorized by section 6(7) of Pub-*
22 *lic Law 102–259 and section 817(a) of Public Law 106–*
23 *568 (20 U.S.C. 5604(7)): Provided, That of the total*
24 *amount made available under this heading \$200,000 shall*
25 *be transferred to the Office of Inspector General of the De-*

1 *partment of the Interior, to remain available until ex-*
2 *pended, for audits and investigations of the Morris K. Udall*
3 *and Stewart L. Udall Foundation, consistent with the In-*
4 *spector General Act of 1978 (5 U.S.C. App.).*

5 *ENVIRONMENTAL DISPUTE RESOLUTION FUND*

6 *For payment to the Environmental Dispute Resolution*
7 *Fund to carry out activities authorized in the Environ-*
8 *mental Policy and Conflict Resolution Act of 1998,*
9 *\$3,400,000, to remain available until expended.*

10 *NATIONAL ARCHIVES AND RECORDS ADMINISTRATION*

11 *OPERATING EXPENSES*

12 *For necessary expenses in connection with the admin-*
13 *istration of the National Archives and Records Administra-*
14 *tion and archived Federal records and related activities, as*
15 *provided by law, and for expenses necessary for the review*
16 *and declassification of documents, the activities of the Pub-*
17 *lic Interest Declassification Board, the operations and*
18 *maintenance of the electronic records archives, the hire of*
19 *passenger motor vehicles, and for uniforms or allowances*
20 *therefor, as authorized by law (5 U.S.C. 5901), including*
21 *maintenance, repairs, and cleaning, \$372,393,000.*

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*
25 *Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–*

1 16 (2008), and the Inspector General Act of 1978 (5 U.S.C.
2 App.), and for the hire of passenger motor vehicles,
3 \$4,180,000.

4 *REPAIRS AND RESTORATION*

5 *For the repair, alteration, and improvement of ar-*
6 *chives facilities, and to provide adequate storage for hold-*
7 *ings, \$7,500,000, to remain available until expended: Pro-*
8 *vided, That from amounts made available under this head-*
9 *ing in Public Laws 111–8 and 111–117 for necessary ex-*
10 *penses related to the repair and renovation of the Franklin*
11 *D. Roosevelt Presidential Library and Museum in Hyde*
12 *Park, New York, the remaining unobligated balances shall*
13 *be available to implement the National Archives and*
14 *Records Administration Capital Improvement Plan.*

15 *NATIONAL HISTORICAL PUBLICATIONS AND RECORDS*

16 *COMMISSION*

17 *GRANTS PROGRAM*

18 *For necessary expenses for allocations and grants for*
19 *historical publications and records as authorized by 44*
20 *U.S.C. 2504, \$5,000,000, to remain available until ex-*
21 *pended.*

22 *NATIONAL CREDIT UNION ADMINISTRATION*

23 *COMMUNITY DEVELOPMENT REVOLVING LOAN FUND*

24 *For the Community Development Revolving Loan*
25 *Fund program as authorized by 42 U.S.C. 9812, 9822 and*

1 9910, \$2,000,000 shall be available until September 30,
2 2017, for technical assistance to low-income designated
3 credit unions.

4 *OFFICE OF GOVERNMENT ETHICS*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses to carry out functions of the*
7 *Office of Government Ethics pursuant to the Ethics in Gov-*
8 *ernment Act of 1978, the Ethics Reform Act of 1989, and*
9 *the Stop Trading on Congressional Knowledge Act of 2012,*
10 *including services as authorized by 5 U.S.C. 3109, rental*
11 *of conference rooms in the District of Columbia and else-*
12 *where, hire of passenger motor vehicles, and not to exceed*
13 *\$1,500 for official reception and representation expenses,*
14 *\$15,742,000.*

15 *OFFICE OF PERSONNEL MANAGEMENT*

16 *SALARIES AND EXPENSES*

17 *(INCLUDING TRANSFER OF TRUST FUNDS)*

18 *For necessary expenses to carry out functions of the*
19 *Office of Personnel Management (OPM) pursuant to Reor-*
20 *ganization Plan Numbered 2 of 1978 and the Civil Service*
21 *Reform Act of 1978, including services as authorized by 5*
22 *U.S.C. 3109; medical examinations performed for veterans*
23 *by private physicians on a fee basis; rental of conference*
24 *rooms in the District of Columbia and elsewhere; hire of*
25 *passenger motor vehicles; not to exceed \$2,500 for official*

1 reception and representation expenses; advances for reim-
2 bursements to applicable funds of OPM and the Federal Bu-
3 reau of Investigation for expenses incurred under Executive
4 Order No. 10422 of January 9, 1953, as amended; and pay-
5 ment of per diem and/or subsistence allowances to employ-
6 ees where Voting Rights Act activities require an employee
7 to remain overnight at his or her post of duty,
8 \$120,688,000, of which \$2,500,000 shall remain available
9 until expended for Federal investigations enhancements,
10 and of which \$616,000 may be for strengthening the capac-
11 ity and capabilities of the acquisition workforce (as defined
12 by the Office of Federal Procurement Policy Act, as amend-
13 ed (41 U.S.C. 4001 et seq.)), including the recruitment, hir-
14 ing, training, and retention of such workforce and informa-
15 tion technology in support of acquisition workforce effective-
16 ness or for management solutions to improve acquisition
17 management; and in addition \$124,550,000 for administra-
18 tive expenses, to be transferred from the appropriate trust
19 funds of OPM without regard to other statutes, including
20 direct procurement of printed materials, for the retirement
21 and insurance programs: Provided, That the provisions of
22 this appropriation shall not affect the authority to use ap-
23 plicable trust funds as provided by sections 8348(a)(1)(B),
24 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5,
25 United States Code: Provided further, That no part of this

1 *appropriation shall be available for salaries and expenses*
2 *of the Legal Examining Unit of OPM established pursuant*
3 *to Executive Order No. 9358 of July 1, 1943, or any suc-*
4 *cessor unit of like purpose: Provided further, That the Presi-*
5 *dent's Commission on White House Fellows, established by*
6 *Executive Order No. 11183 of October 3, 1964, may, during*
7 *fiscal year 2016, accept donations of money, property, and*
8 *personal services: Provided further, That such donations,*
9 *including those from prior years, may be used for the devel-*
10 *opment of publicity materials to provide information about*
11 *the White House Fellows, except that no such donations*
12 *shall be accepted for travel or reimbursement of travel ex-*
13 *penses, or for the salaries of employees of such Commission.*

14 *OFFICE OF INSPECTOR GENERAL*

15 *SALARIES AND EXPENSES*

16 *(INCLUDING TRANSFER OF TRUST FUNDS)*

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, including services as authorized by 5 U.S.C.*
20 *3109, hire of passenger motor vehicles, \$4,365,000, and in*
21 *addition, not to exceed \$22,479,000 for administrative ex-*
22 *penses to audit, investigate, and provide other oversight of*
23 *the Office of Personnel Management's retirement and insur-*
24 *ance programs, to be transferred from the appropriate trust*
25 *funds of the Office of Personnel Management, as determined*

1 *by the Inspector General: Provided, That the Inspector Gen-*
2 *eral is authorized to rent conference rooms in the District*
3 *of Columbia and elsewhere.*

4 *OFFICE OF SPECIAL COUNSEL*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses to carry out functions of the*
7 *Office of Special Counsel pursuant to Reorganization Plan*
8 *Numbered 2 of 1978, the Civil Service Reform Act of 1978*
9 *(Public Law 95–454), the Whistleblower Protection Act of*
10 *1989 (Public Law 101–12) as amended by Public Law 107–*
11 *304, the Whistleblower Protection Enhancement Act of 2012*
12 *(Public Law 112–199), and the Uniformed Services Em-*
13 *ployment and Reemployment Rights Act of 1994 (Public*
14 *Law 103–353), including services as authorized by 5 U.S.C.*
15 *3109, payment of fees and expenses for witnesses, rental of*
16 *conference rooms in the District of Columbia and elsewhere,*
17 *and hire of passenger motor vehicles; \$24,119,000.*

18 *POSTAL REGULATORY COMMISSION*

19 *SALARIES AND EXPENSES*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For necessary expenses of the Postal Regulatory Com-*
22 *mission in carrying out the provisions of the Postal Ac-*
23 *countability and Enhancement Act (Public Law 109–435),*
24 *\$15,200,000, to be derived by transfer from the Postal Serv-*

1 *ice Fund and expended as authorized by section 603(a) of*
2 *such Act.*

3 *PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Privacy and Civil Lib-*
6 *erties Oversight Board, as authorized by section 1061 of the*
7 *Intelligence Reform and Terrorism Prevention Act of 2004*
8 *(42 U.S.C. 2000ee), \$21,297,000, to remain available until*
9 *September 30, 2017.*

10 *SECURITIES AND EXCHANGE COMMISSION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses for the Securities and Exchange*
13 *Commission, including services as authorized by 5 U.S.C.*
14 *3109, the rental of space (to include multiple year leases)*
15 *in the District of Columbia and elsewhere, and not to exceed*
16 *\$3,500 for official reception and representation expenses,*
17 *\$1,605,000,000, to remain available until expended; of*
18 *which not less than \$11,315,971 shall be for the Office of*
19 *Inspector General; of which not to exceed \$75,000 shall be*
20 *available for a permanent secretariat for the International*
21 *Organization of Securities Commissions; of which not to ex-*
22 *ceed \$100,000 shall be available for expenses for consulta-*
23 *tions and meetings hosted by the Commission with foreign*
24 *governmental and other regulatory officials, members of*
25 *their delegations and staffs to exchange views concerning*

1 securities matters, such expenses to include necessary logis-
2 tic and administrative expenses and the expenses of Com-
3 mission staff and foreign invitees in attendance including:
4 (1) incidental expenses such as meals; (2) travel and trans-
5 portation; and (3) related lodging or subsistence; and of
6 which not less than \$68,223,000 shall be for the Division
7 of Economic and Risk Analysis: Provided, That fees and
8 charges authorized by section 31 of the Securities Exchange
9 Act of 1934 (15 U.S.C. 78ee) shall be credited to this ac-
10 count as offsetting collections: Provided further, That not
11 to exceed \$1,605,000,000 of such offsetting collections shall
12 be available until expended for necessary expenses of this
13 account: Provided further, That the total amount appro-
14 priated under this heading from the general fund for fiscal
15 year 2016 shall be reduced as such offsetting fees are re-
16 ceived so as to result in a final total fiscal year 2016 appro-
17 priation from the general fund estimated at not more than
18 \$0.

19 *SELECTIVE SERVICE SYSTEM*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Selective Service System,*
22 *including expenses of attendance at meetings and of train-*
23 *ing for uniformed personnel assigned to the Selective Serv-*
24 *ice System, as authorized by 5 U.S.C. 4101–4118 for civil-*
25 *ian employees; hire of passenger motor vehicles; services as*

1 *authorized by 5 U.S.C. 3109; and not to exceed \$750 for*
2 *official reception and representation expenses; \$22,703,000:*
3 *Provided, That during the current fiscal year, the President*
4 *may exempt this appropriation from the provisions of 31*
5 *U.S.C. 1341, whenever the President deems such action to*
6 *be necessary in the interest of national defense: Provided*
7 *further, That none of the funds appropriated by this Act*
8 *may be expended for or in connection with the induction*
9 *of any person into the Armed Forces of the United States.*

10 *SMALL BUSINESS ADMINISTRATION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses, not otherwise provided for, of*
13 *the Small Business Administration, including hire of pas-*
14 *senger motor vehicles as authorized by sections 1343 and*
15 *1344 of title 31, United States Code, and not to exceed*
16 *\$3,500 for official reception and representation expenses,*
17 *\$268,000,000, of which not less than \$12,000,000 shall be*
18 *available for examinations, reviews, and other lender over-*
19 *sight activities: Provided, That the Administrator is au-*
20 *thorized to charge fees to cover the cost of publications devel-*
21 *oped by the Small Business Administration, and certain*
22 *loan program activities, including fees authorized by sec-*
23 *tion 5(b) of the Small Business Act: Provided further, That,*
24 *notwithstanding 31 U.S.C. 3302, revenues received from all*
25 *such activities shall be credited to this account, to remain*

1 *available until expended, for carrying out these purposes*
2 *without further appropriations: Provided further, That the*
3 *Small Business Administration may accept gifts in an*
4 *amount not to exceed \$4,000,000 and may co-sponsor ac-*
5 *tivities, each in accordance with section 132(a) of division*
6 *K of Public Law 108–447, during fiscal year 2016: Pro-*
7 *vided further, That \$6,100,000 shall be available for the*
8 *Loan Modernization and Accounting System, to be avail-*
9 *able until September 30, 2017: Provided further, That*
10 *\$3,000,000 shall be for the Federal and State Technology*
11 *Partnership Program under section 34 of the Small Busi-*
12 *ness Act (15 U.S.C. 657d).*

13 *ENTREPRENEURIAL DEVELOPMENT PROGRAMS*

14 *For necessary expenses of programs supporting entre-*
15 *preneurial and small business development, \$231,100,000,*
16 *to remain available until September 30, 2017: Provided,*
17 *That \$117,000,000 shall be available to fund grants for per-*
18 *formance in fiscal year 2016 or fiscal year 2017 as author-*
19 *ized by section 21 of the Small Business Act: Provided fur-*
20 *ther, That \$25,000,000 shall be for marketing, management,*
21 *and technical assistance under section 7(m) of the Small*
22 *Business Act (15 U.S.C. 636(m)(4)) by intermediaries that*
23 *make microloans under the microloan program: Provided*
24 *further, That \$18,000,000 shall be available for grants to*
25 *States to carry out export programs that assist small busi-*

1 *ness concerns authorized under section 1207 of Public Law*
2 *111–240.*

3 *OFFICE OF INSPECTOR GENERAL*

4 *For necessary expenses of the Office of Inspector Gen-*
5 *eral in carrying out the provisions of the Inspector General*
6 *Act of 1978, \$19,900,000.*

7 *OFFICE OF ADVOCACY*

8 *For necessary expenses of the Office of Advocacy in*
9 *carrying out the provisions of title II of Public Law 94–*
10 *305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility*
11 *Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to remain*
12 *available until expended.*

13 *BUSINESS LOANS PROGRAM ACCOUNT*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For the cost of direct loans, \$3,338,172, to remain*
16 *available until expended: Provided, That such costs, includ-*
17 *ing the cost of modifying such loans, shall be as defined*
18 *in section 502 of the Congressional Budget Act of 1974: Pro-*
19 *vided further, That subject to section 502 of the Congres-*
20 *sional Budget Act of 1974, during fiscal year 2016 commit-*
21 *ments to guarantee loans under section 503 of the Small*
22 *Business Investment Act of 1958 shall not exceed*
23 *\$7,500,000,000: Provided further, That during fiscal year*
24 *2016 commitments for general business loans authorized*
25 *under section 7(a) of the Small Business Act shall not ex-*

1 *ceed \$26,500,000,000 for a combination of amortizing term*
2 *loans and the aggregated maximum line of credit provided*
3 *by revolving loans: Provided further, That during fiscal*
4 *year 2016 commitments for loans authorized under sub-*
5 *paragraph (C) of section 502(7) of The Small Business In-*
6 *vestment Act of 1958 (15 U.S.C. 696(7)) shall not exceed*
7 *\$7,500,000,000: Provided further, That during fiscal year*
8 *2016 commitments to guarantee loans for debentures under*
9 *section 303(b) of the Small Business Investment Act of 1958*
10 *shall not exceed \$4,000,000,000: Provided further, That dur-*
11 *ing fiscal year 2016, guarantees of trust certificates author-*
12 *ized by section 5(g) of the Small Business Act shall not ex-*
13 *ceed a principal amount of \$12,000,000,000. In addition,*
14 *for administrative expenses to carry out the direct and*
15 *guaranteed loan programs, \$152,725,828, which may be*
16 *transferred to and merged with the appropriations for Sala-*
17 *ries and Expenses.*

18 *DISASTER LOANS PROGRAM ACCOUNT*

19 *(INCLUDING TRANSFERS OF FUNDS)*

20 *For administrative expenses to carry out the direct*
21 *loan program authorized by section 7(b) of the Small Busi-*
22 *ness Act, \$186,858,000, to be available until expended, of*
23 *which \$1,000,000 is for the Office of Inspector General of*
24 *the Small Business Administration for audits and reviews*
25 *of disaster loans and the disaster loan programs and shall*

1 *be transferred to and merged with the appropriations for*
2 *the Office of Inspector General; of which \$176,858,000 is*
3 *for direct administrative expenses of loan making and serv-*
4 *icing to carry out the direct loan program, which may be*
5 *transferred to and merged with the appropriations for Sala-*
6 *ries and Expenses; and of which \$9,000,000 is for indirect*
7 *administrative expenses for the direct loan program, which*
8 *may be transferred to and merged with the appropriations*
9 *for Salaries and Expenses.*

10 *ADMINISTRATIVE PROVISIONS—SMALL BUSINESS*

11 *ADMINISTRATION*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *SEC. 520. Not to exceed 5 percent of any appropriation*
14 *made available for the current fiscal year for the Small*
15 *Business Administration in this Act may be transferred be-*
16 *tween such appropriations, but no such appropriation shall*
17 *be increased by more than 10 percent by any such transfers:*
18 *Provided, That any transfer pursuant to this paragraph*
19 *shall be treated as a reprogramming of funds under section*
20 *608 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.*

23 *SEC. 521. (a) Subparagraph (C) of section 502(7) of*
24 *the Small Business Investment Act of 1958 (15 U.S.C.*
25 *696(7)), as in effect on September 25, 2012, shall be in effect*

1 *in any fiscal year during which the cost to the Federal Gov-*
2 *ernment of making guarantees under such subparagraph*
3 *(C) and section 503 of the Small Business Investment Act*
4 *of 1958 (15 U.S.C. 697) is zero, except that—*

5 *(1) subclause (I)(bb) and subclause (II) of clause*
6 *(iv) of such subparagraph (C) shall not be in effect;*

7 *(2) unless, upon application by a development*
8 *company and after determining that the refinance*
9 *loan is needed for good cause, the Administrator of*
10 *the Small Business Administration waives this para-*
11 *graph, a development company shall limit its*
12 *financings under section 502 of the Small Business*
13 *Investment Act of 1958 (15 U.S.C. 696) so that, dur-*
14 *ing any fiscal year, new financings under such sub-*
15 *paragraph (C) shall not exceed 50 percent of the dol-*
16 *lars loaned under title V of the Small Business In-*
17 *vestment Act of 1958 (15 U.S.C. 695 et seq.) during*
18 *the previous fiscal year; and*

19 *(3) clause (iv)(I)(aa) of such subparagraph (C)*
20 *shall be applied by substituting “job creation and re-*
21 *tention” for “job creation”.*

22 *(b) Section 303(b)(2)(B) of the Small Business Invest-*
23 *ment Act of 1958 (15 U.S.C. 683(b)(2)(B)) is amended by*
24 *striking “\$225,000,000” and inserting “\$350,000,000”.*

1 *UNITED STATES POSTAL SERVICE*
2 *PAYMENT TO THE POSTAL SERVICE FUND*

3 *For payment to the Postal Service Fund for revenue*
4 *forgone on free and reduced rate mail, pursuant to sub-*
5 *sections (c) and (d) of section 2401 of title 39, United States*
6 *Code, \$55,075,000: Provided, That mail for overseas voting*
7 *and mail for the blind shall continue to be free: Provided*
8 *further, That 6-day delivery and rural delivery of mail*
9 *shall continue at not less than the 1983 level: Provided fur-*
10 *ther, That none of the funds made available to the Postal*
11 *Service by this Act shall be used to implement any rule,*
12 *regulation, or policy of charging any officer or employee*
13 *of any State or local child support enforcement agency, or*
14 *any individual participating in a State or local program*
15 *of child support enforcement, a fee for information requested*
16 *or provided concerning an address of a postal customer:*
17 *Provided further, That none of the funds provided in this*
18 *Act shall be used to consolidate or close small rural and*
19 *other small post offices.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *SALARIES AND EXPENSES*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *For necessary expenses of the Office of Inspector Gen-*
24 *eral in carrying out the provisions of the Inspector General*
25 *Act of 1978, \$248,600,000, to be derived by transfer from*

1 *the Postal Service Fund and expended as authorized by sec-*
2 *tion 603(b)(3) of the Postal Accountability and Enhance-*
3 *ment Act (Public Law 109–435).*

4 *UNITED STATES TAX COURT*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses, including contract reporting*
7 *and other services as authorized by 5 U.S.C. 3109,*
8 *\$51,300,000: Provided, That travel expenses of the judges*
9 *shall be paid upon the written certificate of the judge.*

10 *TITLE VI*

11 *GENERAL PROVISIONS—THIS ACT*

12 *(INCLUDING RESCISSION)*

13 *SEC. 601. None of the funds in this Act shall be used*
14 *for the planning or execution of any program to pay the*
15 *expenses of, or otherwise compensate, non-Federal parties*
16 *intervening in regulatory or adjudicatory proceedings fund-*
17 *ed in this Act.*

18 *SEC. 602. None of the funds appropriated in this Act*
19 *shall remain available for obligation beyond the current fis-*
20 *cal year, nor may any be transferred to other appropria-*
21 *tions, unless expressly so provided herein.*

22 *SEC. 603. The expenditure of any appropriation under*
23 *this Act for any consulting service through procurement*
24 *contract pursuant to 5 U.S.C. 3109, shall be limited to those*
25 *contracts where such expenditures are a matter of public*

1 *record and available for public inspection, except where oth-*
2 *erwise provided under existing law, or under existing Exec-*
3 *utive order issued pursuant to existing law.*

4 *SEC. 604. None of the funds made available in this*
5 *Act may be transferred to any department, agency, or in-*
6 *strumentality of the United States Government, except pur-*
7 *suant to a transfer made by, or transfer authority provided*
8 *in, this Act or any other appropriations Act.*

9 *SEC. 605. None of the funds made available by this*
10 *Act shall be available for any activity or for paying the*
11 *salary of any Government employee where funding an ac-*
12 *tivity or paying a salary to a Government employee would*
13 *result in a decision, determination, rule, regulation, or pol-*
14 *icy that would prohibit the enforcement of section 307 of*
15 *the Tariff Act of 1930 (19 U.S.C. 1307).*

16 *SEC. 606. No funds appropriated pursuant to this Act*
17 *may be expended by an entity unless the entity agrees that*
18 *in expending the assistance the entity will comply with*
19 *chapter 83 of title 41, United States Code.*

20 *SEC. 607. No funds appropriated or otherwise made*
21 *available under this Act shall be made available to any per-*
22 *son or entity that has been convicted of violating chapter*
23 *83 of title 41, United States Code.*

24 *SEC. 608. Except as otherwise provided in this Act,*
25 *none of the funds provided in this Act, provided by previous*

1 *appropriations Acts to the agencies or entities funded in*
2 *this Act that remain available for obligation or expenditure*
3 *in fiscal year 2016, or provided from any accounts in the*
4 *Treasury derived by the collection of fees and available to*
5 *the agencies funded by this Act, shall be available for obliga-*
6 *tion or expenditure through a reprogramming of funds that:*
7 *(1) creates a new program; (2) eliminates a program,*
8 *project, or activity; (3) increases funds or personnel for any*
9 *program, project, or activity for which funds have been de-*
10 *nied or restricted by the Congress; (4) proposes to use funds*
11 *directed for a specific activity by the Committee on Appro-*
12 *priations of either the House of Representatives or the Sen-*
13 *ate for a different purpose; (5) augments existing programs,*
14 *projects, or activities in excess of \$5,000,000 or 10 percent,*
15 *whichever is less; (6) reduces existing programs, projects,*
16 *or activities by \$5,000,000 or 10 percent, whichever is less;*
17 *or (7) creates or reorganizes offices, programs, or activities*
18 *unless prior approval is received from the Committees on*
19 *Appropriations of the House of Representatives and the*
20 *Senate: Provided, That prior to any significant reorganiza-*
21 *tion or restructuring of offices, programs, or activities, each*
22 *agency or entity funded in this Act shall consult with the*
23 *Committees on Appropriations of the House of Representa-*
24 *tives and the Senate: Provided further, That not later than*
25 *60 days after the date of enactment of this Act, each agency*

1 *funded by this Act shall submit a report to the Committees*
2 *on Appropriations of the House of Representatives and the*
3 *Senate to establish the baseline for application of re-*
4 *programming and transfer authorities for the current fiscal*
5 *year: Provided further, That at a minimum the report shall*
6 *include: (1) a table for each appropriation with a separate*
7 *column to display the President's budget request, adjust-*
8 *ments made by Congress, adjustments due to enacted rescis-*
9 *sions, if appropriate, and the fiscal year enacted level; (2)*
10 *a delineation in the table for each appropriation both by*
11 *object class and program, project, and activity as detailed*
12 *in the budget appendix for the respective appropriation;*
13 *and (3) an identification of items of special congressional*
14 *interest: Provided further, That the amount appropriated*
15 *or limited for salaries and expenses for an agency shall be*
16 *reduced by \$100,000 per day for each day after the required*
17 *date that the report has not been submitted to the Congress.*

18 *SEC. 609. Except as otherwise specifically provided by*
19 *law, not to exceed 50 percent of unobligated balances re-*
20 *maining available at the end of fiscal year 2016 from ap-*
21 *propriations made available for salaries and expenses for*
22 *fiscal year 2016 in this Act, shall remain available through*
23 *September 30, 2017, for each such account for the purposes*
24 *authorized: Provided, That a request shall be submitted to*
25 *the Committees on Appropriations of the House of Rep-*

1 *representatives and the Senate for approval prior to the ex-*
2 *penditure of such funds: Provided further, That these re-*
3 *quests shall be made in compliance with reprogramming*
4 *guidelines.*

5 *SEC. 610. (a) None of the funds made available in this*
6 *Act may be used by the Executive Office of the President*
7 *to request—*

8 *(1) any official background investigation report*
9 *on any individual from the Federal Bureau of Inves-*
10 *tigation; or*

11 *(2) a determination with respect to the treatment*
12 *of an organization as described in section 501(c) of*
13 *the Internal Revenue Code of 1986 and exempt from*
14 *taxation under section 501(a) of such Code from the*
15 *Department of the Treasury or the Internal Revenue*
16 *Service.*

17 *(b) Subsection (a) shall not apply—*

18 *(1) in the case of an official background inves-*
19 *tigation report, if such individual has given express*
20 *written consent for such request not more than 6*
21 *months prior to the date of such request and during*
22 *the same presidential administration; or*

23 *(2) if such request is required due to extraor-*
24 *dinary circumstances involving national security.*

1 *SEC. 611. The cost accounting standards promulgated*
2 *under chapter 15 of title 41, United States Code shall not*
3 *apply with respect to a contract under the Federal Employ-*
4 *ees Health Benefits Program established under chapter 89*
5 *of title 5, United States Code.*

6 *SEC. 612. For the purpose of resolving litigation and*
7 *implementing any settlement agreements regarding the non-*
8 *foreign area cost-of-living allowance program, the Office of*
9 *Personnel Management may accept and utilize (without re-*
10 *gard to any restriction on unanticipated travel expenses*
11 *imposed in an Appropriations Act) funds made available*
12 *to the Office of Personnel Management pursuant to court*
13 *approval.*

14 *SEC. 613. No funds appropriated by this Act shall be*
15 *available to pay for an abortion, or the administrative ex-*
16 *penses in connection with any health plan under the Fed-*
17 *eral employees health benefits program which provides any*
18 *benefits or coverage for abortions.*

19 *SEC. 614. The provision of section 613 shall not apply*
20 *where the life of the mother would be endangered if the fetus*
21 *were carried to term, or the pregnancy is the result of an*
22 *act of rape or incest.*

23 *SEC. 615. In order to promote Government access to*
24 *commercial information technology, the restriction on pur-*
25 *chasing nondomestic articles, materials, and supplies set*

1 *forth in chapter 83 of title 41, United States Code (popu-*
2 *larly known as the Buy American Act), shall not apply to*
3 *the acquisition by the Federal Government of information*
4 *technology (as defined in section 11101 of title 40, United*
5 *States Code), that is a commercial item (as defined in sec-*
6 *tion 103 of title 41, United States Code).*

7 *SEC. 616. Notwithstanding section 1353 of title 31,*
8 *United States Code, no officer or employee of any regulatory*
9 *agency or commission funded by this Act may accept on*
10 *behalf of that agency, nor may such agency or commission*
11 *accept, payment or reimbursement from a non-Federal enti-*
12 *ty for travel, subsistence, or related expenses for the purpose*
13 *of enabling an officer or employee to attend and participate*
14 *in any meeting or similar function relating to the official*
15 *duties of the officer or employee when the entity offering*
16 *payment or reimbursement is a person or entity subject to*
17 *regulation by such agency or commission, or represents a*
18 *person or entity subject to regulation by such agency or*
19 *commission, unless the person or entity is an organization*
20 *described in section 501(c)(3) of the Internal Revenue Code*
21 *of 1986 and exempt from tax under section 501(a) of such*
22 *Code.*

23 *SEC. 617. Notwithstanding section 708 of this Act,*
24 *funds made available to the Commodity Futures Trading*
25 *Commission and the Securities and Exchange Commission*

1 *by this or any other Act may be used for the interagency*
2 *funding and sponsorship of a joint advisory committee to*
3 *advise on emerging regulatory issues.*

4 *SEC. 618. (a)(1) Notwithstanding any other provision*
5 *of law, an Executive agency covered by this Act otherwise*
6 *authorized to enter into contracts for either leases or the*
7 *construction or alteration of real property for office, meet-*
8 *ing, storage, or other space must consult with the General*
9 *Services Administration before issuing a solicitation for of-*
10 *fers of new leases or construction contracts, and in the case*
11 *of succeeding leases, before entering into negotiations with*
12 *the current lessor.*

13 *(2) Any such agency with authority to enter into an*
14 *emergency lease may do so during any period declared by*
15 *the President to require emergency leasing authority with*
16 *respect to such agency.*

17 *(b) For purposes of this section, the term “Executive*
18 *agency covered by this Act” means any Executive agency*
19 *provided funds by this Act, but does not include the General*
20 *Services Administration or the United States Postal Serv-*
21 *ice.*

22 *SEC. 619. (a) There are appropriated for the following*
23 *activities the amounts required under current law:*

24 *(1) Compensation of the President (3 U.S.C.*
25 *102).*

1 (2) *Payments to—*

2 (A) *the Judicial Officers' Retirement Fund*

3 (28 U.S.C. 377(o));

4 (B) *the Judicial Survivors' Annuities Fund*

5 (28 U.S.C. 376(c)); and

6 (C) *the United States Court of Federal*

7 *Claims Judges' Retirement Fund* (28 U.S.C.

8 178(l)).

9 (3) *Payment of Government contributions—*

10 (A) *with respect to the health benefits of re-*

11 *tired employees, as authorized by chapter 89 of*

12 *title 5, United States Code, and the Retired Fed-*

13 *eral Employees Health Benefits Act* (74 Stat.

14 849); and

15 (B) *with respect to the life insurance bene-*

16 *fits for employees retiring after December 31,*

17 *1989* (5 U.S.C. ch. 87).

18 (4) *Payment to finance the unfunded liability of*

19 *new and increased annuity benefits under the Civil*

20 *Service Retirement and Disability Fund* (5 U.S.C.

21 8348).

22 (5) *Payment of annuities authorized to be paid*

23 *from the Civil Service Retirement and Disability*

24 *Fund by statutory provisions other than subchapter*

1 *III of chapter 83 or chapter 84 of title 5, United*
2 *States Code.*

3 *(b) Nothing in this section may be construed to exempt*
4 *any amount appropriated by this section from any other-*
5 *wise applicable limitation on the use of funds contained in*
6 *this Act.*

7 *SEC. 620. The Public Company Accounting Oversight*
8 *Board (Board) shall have authority to obligate funds for*
9 *the scholarship program established by section 109(c)(2) of*
10 *the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in*
11 *an aggregate amount not exceeding the amount of funds col-*
12 *lected by the Board as of December 31, 2015, including ac-*
13 *rued interest, as a result of the assessment of monetary*
14 *penalties. Funds available for obligation in fiscal year 2016*
15 *shall remain available until expended.*

16 *SEC. 621. None of the funds made available in this*
17 *Act may be used by the Federal Trade Commission to com-*
18 *plete the draft report entitled “Interagency Working Group*
19 *on Food Marketed to Children: Preliminary Proposed Nu-*
20 *trition Principles to Guide Industry Self-Regulatory Ef-*
21 *forts” unless the Interagency Working Group on Food Mar-*
22 *keted to Children complies with Executive Order No. 13563.*

23 *SEC. 622. None of the funds made available by this*
24 *Act may be used to pay the salaries and expenses for the*
25 *following positions:*

1 (1) *Director, White House Office of Health Re-*
2 *form.*

3 (2) *Assistant to the President for Energy and*
4 *Climate Change.*

5 (3) *Senior Advisor to the Secretary of the Treas-*
6 *ury assigned to the Presidential Task Force on the*
7 *Auto Industry and Senior Counselor for Manufac-*
8 *turing Policy.*

9 (4) *White House Director of Urban Affairs.*

10 *SEC. 623. None of the funds in this Act may be used*
11 *for the Director of the Office of Personnel Management to*
12 *award a contract, enter an extension of, or exercise an op-*
13 *tion on a contract to a contractor conducting the final qual-*
14 *ity review processes for background investigation fieldwork*
15 *services or background investigation support services that,*
16 *as of the date of the award of the contract, are being con-*
17 *ducted by that contractor.*

18 *SEC. 624. (a) The head of each executive branch agency*
19 *funded by this Act shall ensure that the Chief Information*
20 *Officer of the agency has the authority to participate in*
21 *decisions regarding the budget planning process related to*
22 *information technology.*

23 *(b) Amounts appropriated for any executive branch*
24 *agency funded by this Act that are available for informa-*
25 *tion technology shall be allocated within the agency, con-*

1 *sistent with the provisions of appropriations Acts and budg-*
2 *et guidelines and recommendations from the Director of the*
3 *Office of Management and Budget, in such manner as speci-*
4 *fied by, or approved by, the Chief Information Officer of*
5 *the agency in consultation with the Chief Financial Officer*
6 *of the agency and budget officials.*

7 *SEC. 625. None of the funds made available in this*
8 *Act may be used in contravention of chapter 29, 31, or 33*
9 *of title 44, United States Code.*

10 *SEC. 626. From the unobligated balances available in*
11 *the Securities and Exchange Commission Reserve Fund es-*
12 *tablished by section 991 of the Dodd-Frank Wall Street Re-*
13 *form and Consumer Protection Act (Public Law 111–203),*
14 *\$25,000,000 are rescinded.*

15 *SEC. 627. None of the funds made available in this*
16 *Act may be used by a governmental entity to require the*
17 *disclosure by a provider of electronic communication service*
18 *to the public or remote computing service of the contents*
19 *of a wire or electronic communication that is in electronic*
20 *storage with the provider (as such terms are defined in sec-*
21 *tions 2510 and 2711 of title 18, United States Code) in*
22 *a manner that violates the Fourth Amendment to the Con-*
23 *stitution of the United States.*

24 *SEC. 628. Beginning on the date of enactment of this*
25 *Act, in the current fiscal year and continuing through Sep-*

1 *t*ember 30, 2025, the *Further Notice of Proposed Rule-*
2 *making and Report and Order* adopted by the *Federal Com-*
3 *munications Commission* on *March 31, 2014 (FCC 14–28)*,
4 *and the amendments to the rules of the Commission* adopted
5 *in such Further Notice of Proposed Rulemaking and Report*
6 *and Order*, shall not apply to a joint sales agreement (as
7 defined in *Note 2(k)* to section 73.3555 of title 47, *Code*
8 *of Federal Regulations*) that was in effect on *March 31,*
9 *2014*, and a rule of the *Commission* amended by such an
10 *amendment* shall apply to such agreement as such rule was
11 *in effect on the day before the effective date of such amend-*
12 *ment*. A party to a joint sales agreement that was in effect
13 on *March 31, 2014*, shall not be considered to be in violation
14 of the ownership limitations of section 73.3555 of title 47,
15 *Code of Federal Regulations*, by reason of the application
16 of the rule in *Note 2(k)(2)*, as so amended, to the joint sales
17 agreement.

18 *SEC. 629. During fiscal year 2016, none of the*
19 *amounts made available by this Act may be used to finalize*
20 *or implement the Safety Standard for Recreational Off-*
21 *Highway Vehicles published by the Consumer Product Safe-*
22 *ty Commission in the Federal Register on November 19,*
23 *2014 (79 Fed. Reg. 68964) until after—*

24 *(1) the National Academy of Sciences, in con-*
25 *sultation with the National Highway Traffic Safety*

1 *Administration and the Department of Defense, com-*
2 *pletes a study to determine—*

3 *(A) the technical validity of the lateral sta-*
4 *bility and vehicle handling requirements pro-*
5 *posed by such standard for purposes of reducing*
6 *the risk of Recreational Off-Highway Vehicle (re-*
7 *ferred to in this section as “ROV”) rollovers in*
8 *the off-road environment, including the repeat-*
9 *ability and reproducibility of testing for compli-*
10 *ance with such requirements;*

11 *(B) the number of ROV rollovers that would*
12 *be prevented if the proposed requirements were*
13 *adopted;*

14 *(C) whether there is a technical basis for the*
15 *proposal to provide information on a point-of-*
16 *sale hangtag about a ROV’s rollover resistance*
17 *on a progressive scale; and*

18 *(D) the effect on the utility of ROVs used by*
19 *the United States military if the proposed re-*
20 *quirements were adopted; and*

21 *(2) a report containing the results of the study*
22 *completed under paragraph (1) is delivered to—*

23 *(A) the Committee on Commerce, Science,*
24 *and Transportation of the Senate;*

1 (B) the Committee on Energy and Com-
2 merce of the House of Representatives;

3 (C) the Committee on Appropriations of the
4 Senate; and

5 (D) the Committee on Appropriations of the
6 House of Representatives.

7 SEC. 630. Notwithstanding any other provision of law,
8 not to exceed \$2,266,085 of unobligated balances from
9 “Election Assistance Commission, Election Reform Pro-
10 grams” shall be available to record a disbursement pre-
11 viously incurred under that heading in fiscal year 2014
12 against a 2008 cancelled account.

13 SEC. 631. None of the funds appropriated by this Act
14 may be used by the Federal Communications Commission
15 to modify, amend, or change the rules or regulations of the
16 Commission for universal service high-cost support for com-
17 petitive eligible telecommunications carriers in a way that
18 is inconsistent with paragraph (e)(5) or (e)(6) of section
19 54.307 of title 47, Code of Federal Regulations, as in effect
20 on July 15, 2015: Provided, That this section shall not pro-
21 hibit the Commission from considering, developing, or
22 adopting other support mechanisms as an alternative to
23 Mobility Fund Phase II.

24 SEC. 632. (a) The Office of Personnel Management
25 shall provide to each affected individual as defined in sub-

1 *section (b) complimentary identity protection coverage*
2 *that—*

3 (1) *is not less comprehensive than the com-*
4 *plimentary identity protection coverage that the Of-*
5 *fice provided to affected individuals before the date of*
6 *enactment of this Act;*

7 (2) *is effective for a period of not less than 10*
8 *years; and*

9 (3) *includes not less than \$5,000,000 in identity*
10 *theft insurance.*

11 (b) *DEFINITION.—In this section, the term “affected*
12 *individual” means any individual whose Social Security*
13 *Number was compromised during—*

14 (1) *the data breach of personnel records of cur-*
15 *rent and former Federal employees, at a network*
16 *maintained by the Department of the Interior, that*
17 *was announced by the Office of Personnel Manage-*
18 *ment on June 4, 2015; or*

19 (2) *the data breach of systems of the Office of*
20 *Personnel Management containing information re-*
21 *lated to the background investigations of current,*
22 *former, and prospective Federal employees, and of*
23 *other individuals.*

24 *SEC. 633. Sections 1101(a) and 1104(a)(2)(A) of the*
25 *Internet Tax Freedom Act (title XI of division C of Public*

1 *Law 105–277; 47 U.S.C. 151 note) shall be applied by sub-*
2 *stituting “October 1, 2016” for “October 1, 2015”.*

3 *SEC. 634. (a) DEFINITIONS.—In this section:*

4 *(1) BANKING INSTITUTION.—The term “banking*
5 *institution” means an insured depository institution,*
6 *Federal credit union, State credit union, bank hold-*
7 *ing company, or savings and loan holding company.*

8 *(2) BASEL III CAPITAL REQUIREMENTS.—The*
9 *term “Basel III capital requirements” means the*
10 *Global Regulatory Framework for More Resilient*
11 *Banks and Banking Systems issued by the Basel*
12 *Committee on Banking Supervision on December 16,*
13 *2010, as revised on June 1, 2011.*

14 *(3) FEDERAL BANKING AGENCIES.—The term*
15 *“Federal banking agencies” means the Board of Gov-*
16 *ernors of the Federal Reserve System, the Office of the*
17 *Comptroller of the Currency, the Federal Deposit In-*
18 *surance Corporation, and the National Credit Union*
19 *Administration.*

20 *(4) MORTGAGE SERVICING ASSETS.—The term*
21 *“mortgage servicing assets” means those assets that*
22 *result from contracts to service loans secured by real*
23 *estate, where such loans are owned by third parties.*

24 *(5) NCUA CAPITAL REQUIREMENTS.—The term*
25 *“NCUA capital requirements” means the final rule of*

1 *the National Credit Union Administration entitled*
2 *“Risk-Based Capital” (80 Fed. Reg. 66625 (October*
3 *29, 2015)).*

4 (6) *OTHER DEFINITIONS.—*

5 (A) *BANKING DEFINITIONS.—The terms*
6 *“bank holding company”, “insured depository*
7 *institution”, and “savings and loan holding*
8 *company” have the meanings given those terms*
9 *in section 3 of the Federal Deposit Insurance Act*
10 *(12 U.S.C. 1813).*

11 (B) *CREDIT UNION DEFINITIONS.—The*
12 *terms “Federal credit union” and “State credit*
13 *union” have the meanings given those terms in*
14 *section 101 of the Federal Credit Union Act (12*
15 *U.S.C. 1752).*

16 (b) *STUDY OF THE APPROPRIATE CAPITAL FOR MORT-*
17 *GAGE SERVICING ASSETS.—*

18 (1) *IN GENERAL.—The Federal banking agencies*
19 *shall jointly conduct a study of the appropriate cap-*
20 *ital requirements for mortgage servicing assets for*
21 *banking institutions.*

22 (2) *ISSUES TO BE STUDIED.—The study required*
23 *under paragraph (1) shall include, with a specific*
24 *focus on banking institutions—*

1 (A) the risk to banking institutions of hold-
2 ing mortgage servicing assets;

3 (B) the history of the market for mortgage
4 servicing assets, including in particular the mar-
5 ket for those assets in the period of the financial
6 crisis;

7 (C) the ability of banking institutions to es-
8 tablish a value for mortgage servicing assets of
9 the institution through periodic sales or other
10 means;

11 (D) regulatory approaches to mortgage serv-
12 icing assets and capital requirements that may
13 be used to address concerns about the value of
14 and ability to sell mortgage servicing assets;

15 (E) the impact of imposing the Basel III
16 capital requirements and the NCUA capital re-
17 quirements on banking institutions on the abil-
18 ity of those institutions—

19 (i) to compete in the mortgage serv-
20 icing business, including the need for econo-
21 mies of scale to compete in that business;
22 and

23 (ii) to provide service to consumers to
24 whom the institutions have made mortgage
25 loans;

1 (F) an analysis of what the mortgage serv-
2 icing marketplace would look like if the Basel III
3 capital requirements and the NCUA capital re-
4 quirements on mortgage servicing assets—

5 (i) were fully implemented; and

6 (ii) applied to both banking institu-
7 tions and nondepository residential mort-
8 gage loan servicers;

9 (G) the significance of problems with mort-
10 gage servicing assets, if any, in banking institu-
11 tion failures and problem banking institutions,
12 including specifically identifying failed banking
13 institutions where mortgage servicing assets con-
14 tributed to the failure; and

15 (H) an analysis of the relevance of the Basel
16 III capital requirements and the NCUA capital
17 requirements on mortgage servicing assets to the
18 banking systems of other significantly developed
19 countries.

20 (3) *REPORT TO CONGRESS.*—Not later than 180
21 days after the date of enactment of this title, the Fed-
22 eral banking agencies shall submit to the Committee
23 on Banking, Housing, and Urban Affairs of the Sen-
24 ate and the Committee on Financial Services of the
25 House of Representatives a report containing—

1 *this or any other Act for fiscal year 2016 shall obligate or*
2 *expend any such funds, unless such department, agency, or*
3 *instrumentality has in place, and will continue to admin-*
4 *ister in good faith, a written policy designed to ensure that*
5 *all of its workplaces are free from the illegal use, possession,*
6 *or distribution of controlled substances (as defined in the*
7 *Controlled Substances Act (21 U.S.C. 802)) by the officers*
8 *and employees of such department, agency, or instrumen-*
9 *tality.*

10 *SEC. 702. Unless otherwise specifically provided, the*
11 *maximum amount allowable during the current fiscal year*
12 *in accordance with subsection 1343(c) of title 31, United*
13 *States Code, for the purchase of any passenger motor vehicle*
14 *(exclusive of buses, ambulances, law enforcement vehicles,*
15 *protective vehicles, and undercover surveillance vehicles), is*
16 *hereby fixed at \$19,947 except station wagons for which the*
17 *maximum shall be \$19,997: Provided, That these limits*
18 *may be exceeded by not to exceed \$7,250 for police-type vehi-*
19 *cles: Provided further, That the limits set forth in this sec-*
20 *tion may not be exceeded by more than 5 percent for electric*
21 *or hybrid vehicles purchased for demonstration under the*
22 *provisions of the Electric and Hybrid Vehicle Research, De-*
23 *velopment, and Demonstration Act of 1976: Provided fur-*
24 *ther, That the limits set forth in this section may be exceed-*
25 *ed by the incremental cost of clean alternative fuels vehicles*

1 *acquired pursuant to Public Law 101–549 over the cost of*
2 *comparable conventionally fueled vehicles: Provided further,*
3 *That the limits set forth in this section shall not apply to*
4 *any vehicle that is a commercial item and which operates*
5 *on alternative fuel, including but not limited to electric,*
6 *plug-in hybrid electric, and hydrogen fuel cell vehicles.*

7 *SEC. 703. Appropriations of the executive departments*
8 *and independent establishments for the current fiscal year*
9 *available for expenses of travel, or for the expenses of the*
10 *activity concerned, are hereby made available for quarters*
11 *allowances and cost-of-living allowances, in accordance*
12 *with 5 U.S.C. 5922–5924.*

13 *SEC. 704. Unless otherwise specified in law during the*
14 *current fiscal year, no part of any appropriation contained*
15 *in this or any other Act shall be used to pay the compensa-*
16 *tion of any officer or employee of the Government of the*
17 *United States (including any agency the majority of the*
18 *stock of which is owned by the Government of the United*
19 *States) whose post of duty is in the continental United*
20 *States unless such person: (1) is a citizen of the United*
21 *States; (2) is a person who is lawfully admitted for perma-*
22 *nent residence and is seeking citizenship as outlined in 8*
23 *U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as*
24 *a refugee under 8 U.S.C. 1157 or is granted asylum under*
25 *8 U.S.C. 1158 and has filed a declaration of intention to*

1 *become a lawful permanent resident and then a citizen*
2 *when eligible; or (4) is a person who owes allegiance to the*
3 *United States: Provided, That for purposes of this section,*
4 *affidavits signed by any such person shall be considered*
5 *prima facie evidence that the requirements of this section*
6 *with respect to his or her status are being complied with:*
7 *Provided further, That for purposes of subsections (2) and*
8 *(3) such affidavits shall be submitted prior to employment*
9 *and updated thereafter as necessary: Provided further, That*
10 *any person making a false affidavit shall be guilty of a*
11 *felony, and upon conviction, shall be fined no more than*
12 *\$4,000 or imprisoned for not more than 1 year, or both:*
13 *Provided further, That the above penal clause shall be in*
14 *addition to, and not in substitution for, any other provi-*
15 *sions of existing law: Provided further, That any payment*
16 *made to any officer or employee contrary to the provisions*
17 *of this section shall be recoverable in action by the Federal*
18 *Government: Provided further, That this section shall not*
19 *apply to any person who is an officer or employee of the*
20 *Government of the United States on the date of enactment*
21 *of this Act, or to international broadcasters employed by*
22 *the Broadcasting Board of Governors, or to temporary em-*
23 *ployment of translators, or to temporary employment in the*
24 *field service (not to exceed 60 days) as a result of emer-*
25 *gencies: Provided further, That this section does not apply*

1 *to the employment as Wildland firefighters for not more*
2 *than 120 days of nonresident aliens employed by the De-*
3 *partment of the Interior or the USDA Forest Service pursu-*
4 *ant to an agreement with another country.*

5 *SEC. 705. Appropriations available to any department*
6 *or agency during the current fiscal year for necessary ex-*
7 *penses, including maintenance or operating expenses, shall*
8 *also be available for payment to the General Services Ad-*
9 *ministration for charges for space and services and those*
10 *expenses of renovation and alteration of buildings and fa-*
11 *cilities which constitute public improvements performed in*
12 *accordance with the Public Buildings Act of 1959 (73 Stat.*
13 *479), the Public Buildings Amendments of 1972 (86 Stat.*
14 *216), or other applicable law.*

15 *SEC. 706. In addition to funds provided in this or any*
16 *other Act, all Federal agencies are authorized to receive and*
17 *use funds resulting from the sale of materials, including*
18 *Federal records disposed of pursuant to a records schedule*
19 *recovered through recycling or waste prevention programs.*
20 *Such funds shall be available until expended for the fol-*
21 *lowing purposes:*

22 *(1) Acquisition, waste reduction and prevention,*
23 *and recycling programs as described in Executive*
24 *Order No. 13423 (January 24, 2007), including any*

1 *such programs adopted prior to the effective date of*
2 *the Executive order.*

3 *(2) Other Federal agency environmental manage-*
4 *ment programs, including, but not limited to, the de-*
5 *velopment and implementation of hazardous waste*
6 *management and pollution prevention programs.*

7 *(3) Other employee programs as authorized by*
8 *law or as deemed appropriate by the head of the Fed-*
9 *eral agency.*

10 *SEC. 707. Funds made available by this or any other*
11 *Act for administrative expenses in the current fiscal year*
12 *of the corporations and agencies subject to chapter 91 of*
13 *title 31, United States Code, shall be available, in addition*
14 *to objects for which such funds are otherwise available, for*
15 *rent in the District of Columbia; services in accordance*
16 *with 5 U.S.C. 3109; and the objects specified under this*
17 *head, all the provisions of which shall be applicable to the*
18 *expenditure of such funds unless otherwise specified in the*
19 *Act by which they are made available: Provided, That in*
20 *the event any functions budgeted as administrative expenses*
21 *are subsequently transferred to or paid from other funds,*
22 *the limitations on administrative expenses shall be cor-*
23 *respondingly reduced.*

24 *SEC. 708. No part of any appropriation contained in*
25 *this or any other Act shall be available for interagency fi-*

1 nancing of boards (except Federal Executive Boards), com-
2 missions, councils, committees, or similar groups (whether
3 or not they are interagency entities) which do not have a
4 prior and specific statutory approval to receive financial
5 support from more than one agency or instrumentality.

6 SEC. 709. None of the funds made available pursuant
7 to the provisions of this or any other Act shall be used to
8 implement, administer, or enforce any regulation which has
9 been disapproved pursuant to a joint resolution duly adopt-
10 ed in accordance with the applicable law of the United
11 States.

12 SEC. 710. During the period in which the head of any
13 department or agency, or any other officer or civilian em-
14 ployee of the Federal Government appointed by the Presi-
15 dent of the United States, holds office, no funds may be obli-
16 gated or expended in excess of \$5,000 to furnish or redeco-
17 rate the office of such department head, agency head, officer,
18 or employee, or to purchase furniture or make improve-
19 ments for any such office, unless advance notice of such fur-
20 nishing or redecoration is transmitted to the Committees
21 on Appropriations of the House of Representatives and the
22 Senate. For the purposes of this section, the term "office"
23 shall include the entire suite of offices assigned to the indi-
24 vidual, as well as any other space used primarily by the

1 *individual or the use of which is directly controlled by the*
2 *individual.*

3 *SEC. 711. Notwithstanding 31 U.S.C. 1346, or section*
4 *708 of this Act, funds made available for the current fiscal*
5 *year by this or any other Act shall be available for the inter-*
6 *agency funding of national security and emergency pre-*
7 *paredness telecommunications initiatives which benefit*
8 *multiple Federal departments, agencies, or entities, as pro-*
9 *vided by Executive Order No. 13618 (July 6, 2012).*

10 *SEC. 712. (a) None of the funds made available by this*
11 *or any other Act may be obligated or expended by any de-*
12 *partment, agency, or other instrumentality of the Federal*
13 *Government to pay the salaries or expenses of any indi-*
14 *vidual appointed to a position of a confidential or policy-*
15 *determining character that is excepted from the competitive*
16 *service under section 3302 of title 5, United States Code,*
17 *(pursuant to schedule C of subpart C of part 213 of title*
18 *5 of the Code of Federal Regulations) unless the head of*
19 *the applicable department, agency, or other instrumentality*
20 *employing such schedule C individual certifies to the Direc-*
21 *tor of the Office of Personnel Management that the schedule*
22 *C position occupied by the individual was not created solely*
23 *or primarily in order to detail the individual to the White*
24 *House.*

1 (b) *The provisions of this section shall not apply to*
2 *Federal employees or members of the armed forces detailed*
3 *to or from an element of the intelligence community (as*
4 *that term is defined under section 3(4) of the National Secu-*
5 *rity Act of 1947 (50 U.S.C. 3003(4)).*

6 SEC. 713. *No part of any appropriation contained in*
7 *this or any other Act shall be available for the payment*
8 *of the salary of any officer or employee of the Federal Gov-*
9 *ernment, who—*

10 (1) *prohibits or prevents, or attempts or threat-*
11 *ens to prohibit or prevent, any other officer or em-*
12 *ployee of the Federal Government from having any*
13 *direct oral or written communication or contact with*
14 *any Member, committee, or subcommittee of the Con-*
15 *gress in connection with any matter pertaining to the*
16 *employment of such other officer or employee or per-*
17 *taining to the department or agency of such other of-*
18 *ficer or employee in any way, irrespective of whether*
19 *such communication or contact is at the initiative of*
20 *such other officer or employee or in response to the re-*
21 *quest or inquiry of such Member, committee, or sub-*
22 *committee; or*

23 (2) *removes, suspends from duty without pay,*
24 *demotes, reduces in rank, seniority, status, pay, or*
25 *performance or efficiency rating, denies promotion to,*

1 *relocates, reassigns, transfers, disciplines, or discrimi-*
2 *nates in regard to any employment right, entitlement,*
3 *or benefit, or any term or condition of employment of,*
4 *any other officer or employee of the Federal Govern-*
5 *ment, or attempts or threatens to commit any of the*
6 *foregoing actions with respect to such other officer or*
7 *employee, by reason of any communication or contact*
8 *of such other officer or employee with any Member,*
9 *committee, or subcommittee of the Congress as de-*
10 *scribed in paragraph (1).*

11 *SEC. 714. (a) None of the funds made available in this*
12 *or any other Act may be obligated or expended for any em-*
13 *ployee training 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. 715. No part of any funds appropriated in this*
10 *or any other Act shall be used by an agency of the executive*
11 *branch, other than for normal and recognized executive-leg-*
12 *islative relationships, for publicity or propaganda pur-*
13 *poses, and for the preparation, distribution or use of any*
14 *kit, pamphlet, booklet, publication, radio, television, or film*
15 *presentation designed to support or defeat legislation pend-*
16 *ing before the Congress, except in presentation to the Con-*
17 *gress itself.*

18 *SEC. 716. None of the funds appropriated by this or*
19 *any other Act may be used by an agency to provide a Fed-*
20 *eral employee's home address to any labor organization ex-*
21 *cept when the employee has authorized such disclosure or*
22 *when such disclosure has been ordered by a court of com-*
23 *petent jurisdiction.*

24 *SEC. 717. None of the funds made available in this*
25 *or any other Act may be used to provide any non-public*

1 *information such as mailing, telephone or electronic mail-*
2 *ing lists to any person or any organization outside of the*
3 *Federal Government without the approval of the Commit-*
4 *tees on Appropriations of the House of Representatives and*
5 *the Senate.*

6 *SEC. 718. No part of any appropriation contained in*
7 *this or any other Act shall be used directly or indirectly,*
8 *including by private contractor, for publicity or propa-*
9 *ganda purposes within the United States not heretofore au-*
10 *thorized by Congress.*

11 *SEC. 719. (a) In this section, the term “agency”—*

12 *(1) means an Executive agency, as defined under*
13 *5 U.S.C. 105; and*

14 *(2) includes a military department, as defined*
15 *under section 102 of such title, the Postal Service, and*
16 *the Postal Regulatory Commission.*

17 *(b) Unless authorized in accordance with law or regu-*
18 *lations to use such time for other purposes, an employee*
19 *of an agency shall use official time in an honest effort to*
20 *perform official duties. An employee not under a leave sys-*
21 *tem, including a Presidential appointee exempted under 5*
22 *U.S.C. 6301(2), has an obligation to expend an honest effort*
23 *and a reasonable proportion of such employee’s time in the*
24 *performance of official duties.*

1 *SEC. 720. Notwithstanding 31 U.S.C. 1346 and section*
2 *708 of this Act, funds made available for the current fiscal*
3 *year by this or any other Act to any department or agency,*
4 *which is a member of the Federal Accounting Standards*
5 *Advisory Board (FASAB), shall be available to finance an*
6 *appropriate share of FASAB administrative costs.*

7 *SEC. 721. Notwithstanding 31 U.S.C. 1346 and section*
8 *708 of this Act, the head of each Executive department and*
9 *agency is hereby authorized to transfer to or reimburse*
10 *“General Services Administration, Government-wide Pol-*
11 *icy” with the approval of the Director of the Office of Man-*
12 *agement and Budget, funds made available for the current*
13 *fiscal year by this or any other Act, including rebates from*
14 *charge card and other contracts: Provided, That these funds*
15 *shall be administered by the Administrator of General Serv-*
16 *ices to support Government-wide and other multi-agency fi-*
17 *nancial, information technology, procurement, and other*
18 *management innovations, initiatives, and activities, in-*
19 *cluding improving coordination and reducing duplication,*
20 *as approved by the Director of the Office of Management*
21 *and Budget, in consultation with the appropriate inter-*
22 *agency and multi-agency groups designated by the Director*
23 *(including the President’s Management Council for overall*
24 *management improvement initiatives, the Chief Financial*
25 *Officers Council for financial management initiatives, the*

1 *Chief Information Officers Council for information tech-*
2 *nology initiatives, the Chief Human Capital Officers Coun-*
3 *cil for human capital initiatives, the Chief Acquisition Offi-*
4 *cers Council for procurement initiatives, and the Perform-*
5 *ance Improvement Council for performance improvement*
6 *initiatives): Provided further, That the total funds trans-*
7 *ferred or reimbursed shall not exceed \$15,000,000 to im-*
8 *prove coordination, reduce duplication, and for other ac-*
9 *tivities related to Federal Government Priority Goals estab-*
10 *lished by 31 U.S.C. 1120, and not to exceed \$17,000,000*
11 *for Government-Wide innovations, initiatives, and activi-*
12 *ties: Provided further, That the funds transferred to or for*
13 *reimbursement of “General Services Administration, Gov-*
14 *ernment-wide Policy” during fiscal year 2016 shall remain*
15 *available for obligation through September 30, 2017: Pro-*
16 *vided further, That such transfers or reimbursements may*
17 *only be made after 15 days following notification of the*
18 *Committees on Appropriations of the House of Representa-*
19 *tives and the Senate by the Director of the Office of Manage-*
20 *ment and Budget.*

21 *SEC. 722. Notwithstanding any other provision of law,*
22 *a woman may breastfeed her child at any location in a*
23 *Federal building or on Federal property, if the woman and*
24 *her child are otherwise authorized to be present at the loca-*
25 *tion.*

1 *SEC. 723. Notwithstanding 31 U.S.C. 1346, or section*
2 *708 of this Act, funds made available for the current fiscal*
3 *year by this or any other Act shall be available for the inter-*
4 *agency funding of specific projects, workshops, studies, and*
5 *similar efforts to carry out the purposes of the National*
6 *Science and Technology Council (authorized by Executive*
7 *Order No. 12881), which benefit multiple Federal depart-*
8 *ments, agencies, or entities: Provided, That the Office of*
9 *Management and Budget shall provide a report describing*
10 *the budget of and resources connected with the National*
11 *Science and Technology Council to the Committees on Ap-*
12 *propriations, the House Committee on Science and Tech-*
13 *nology, and the Senate Committee on Commerce, Science,*
14 *and Transportation 90 days after enactment of this Act.*

15 *SEC. 724. Any request for proposals, solicitation, grant*
16 *application, form, notification, press release, or other publi-*
17 *cations involving the distribution of Federal funds shall*
18 *comply with any relevant requirements in part 200 of title*
19 *2, Code of Federal Regulations: Provided, That this section*
20 *shall apply to direct payments, formula funds, and grants*
21 *received by a State receiving Federal funds.*

22 *SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY*
23 *MONITORING OF INDIVIDUALS' INTERNET USE.—None of*
24 *the funds made available in this or any other Act may be*
25 *used by any Federal agency—*

1 (1) to collect, review, or create any aggregation
2 of data, derived from any means, that includes any
3 personally identifiable information relating to an in-
4 dividual's access to or use of any Federal Government
5 Internet site of the agency; or

6 (2) to enter into any agreement with a third
7 party (including another government agency) to col-
8 lect, review, or obtain any aggregation of data, de-
9 rived from any means, that includes any personally
10 identifiable information relating to an individual's
11 access to or use of any nongovernmental Internet site.

12 (b) *EXCEPTIONS.*—The limitations established in sub-
13 section (a) shall not apply to—

14 (1) any record of aggregate data that does not
15 identify particular persons;

16 (2) any voluntary submission of personally iden-
17 tifiable information;

18 (3) any action taken for law enforcement, regu-
19 latory, or supervisory purposes, in accordance with
20 applicable law; or

21 (4) any action described in subsection (a)(1) that
22 is a system security action taken by the operator of
23 an Internet site and is necessarily incident to pro-
24 viding the Internet site services or to protecting the
25 rights or property of the provider of the Internet site.

1 (c) *DEFINITIONS.*—*For the purposes of this section:*

2 (1) *The term “regulatory” means agency actions*
3 *to implement, interpret or enforce authorities pro-*
4 *vided in law.*

5 (2) *The term “supervisory” means examinations*
6 *of the agency’s supervised institutions, including as-*
7 *sessing safety and soundness, overall financial condi-*
8 *tion, management practices and policies and compli-*
9 *ance with applicable standards as provided in law.*

10 *SEC. 726. (a) None of the funds appropriated by this*
11 *Act may be used to enter into or renew a contract which*
12 *includes a provision providing prescription drug coverage,*
13 *except where the contract also includes a provision for con-*
14 *traceptive coverage.*

15 (i) *Nothing in this section shall apply to a contract*
16 *with—*

17 (1) *any of the following religious plans:*

18 (A) *Personal Care’s HMO; and*

19 (B) *OSF HealthPlans, Inc.; and*

20 (2) *any existing or future plan, if the carrier for*
21 *the plan objects to such coverage on the basis of reli-*
22 *gious beliefs.*

23 (c) *In implementing this section, any plan that enters*
24 *into or renews a contract under this section may not subject*
25 *any individual to discrimination on the basis that the indi-*

1 *vidual refuses to prescribe or otherwise provide for contra-*
2 *ceptives because such activities would be contrary to the in-*
3 *dividual's religious beliefs or moral convictions.*

4 *(d) Nothing in this section shall be construed to require*
5 *coverage of abortion or abortion-related services.*

6 *SEC. 727. The United States is committed to ensuring*
7 *the health of its Olympic, Pan American, and Paralympic*
8 *athletes, and supports the strict adherence to anti-doping*
9 *in sport through testing, adjudication, education, and re-*
10 *search as performed by nationally recognized oversight au-*
11 *thorities.*

12 *SEC. 728. Notwithstanding any other provision of law,*
13 *funds appropriated for official travel to Federal depart-*
14 *ments and agencies may be used by such departments and*
15 *agencies, if consistent with Office of Management and*
16 *Budget Circular A-126 regarding official travel for Govern-*
17 *ment personnel, to participate in the fractional aircraft*
18 *ownership pilot program.*

19 *SEC. 729. Notwithstanding any other provision of law,*
20 *none of the funds appropriated or made available under*
21 *this or any other appropriations Act may be used to imple-*
22 *ment or enforce restrictions or limitations on the Coast*
23 *Guard Congressional Fellowship Program, or to implement*
24 *the proposed regulations of the Office of Personnel Manage-*
25 *ment to add sections 300.311 through 300.316 to part 300*

1 of title 5 of the Code of Federal Regulations, published in
2 the Federal Register, volume 68, number 174, on September
3 9, 2003 (relating to the detail of executive branch employees
4 to the legislative branch).

5 *SEC. 730. Notwithstanding any other provision of law,*
6 *no executive branch agency shall purchase, construct, or*
7 *lease any additional facilities, except within or contiguous*
8 *to existing locations, to be used for the purpose of con-*
9 *ducting Federal law enforcement training without the ad-*
10 *vance approval of the Committees on Appropriations of the*
11 *House of Representatives and the Senate, except that the*
12 *Federal Law Enforcement Training Center is authorized to*
13 *obtain the temporary use of additional facilities by lease,*
14 *contract, or other agreement for training which cannot be*
15 *accommodated in existing Center facilities.*

16 *SEC. 731. Unless otherwise authorized by existing law,*
17 *none of the funds provided in this or any other Act may*
18 *be used by an executive branch agency to produce any pre-*
19 *packaged news story intended for broadcast or distribution*
20 *in the United States, unless the story includes a clear notifi-*
21 *cation within the text or audio of the prepackaged news*
22 *story that the prepackaged news story was prepared or*
23 *funded by that executive branch agency.*

24 *SEC. 732. None of the funds made available in this*
25 *Act may be used in contravention of section 552a of title*

1 5, *United States Code* (popularly known as the *Privacy*
2 *Act*), and regulations implementing that section.

3 *SEC. 733. (a) IN GENERAL.*—None of the funds appro-
4 priated or otherwise made available by this or any other
5 Act may be used for any Federal Government contract with
6 any foreign incorporated entity which is treated as an in-
7 verted domestic corporation under section 835(b) of the
8 *Homeland Security Act of 2002* (6 U.S.C. 395(b)) or any
9 subsidiary of such an entity.

10 *(b) WAIVERS.*—

11 *(1) IN GENERAL.*—Any Secretary shall waive
12 subsection (a) with respect to any Federal Govern-
13 ment contract under the authority of such Secretary
14 if the Secretary determines that the waiver is required
15 in the interest of national security.

16 *(2) REPORT TO CONGRESS.*—Any Secretary
17 issuing a waiver under paragraph (1) shall report
18 such issuance to Congress.

19 *(c) EXCEPTION.*—This section shall not apply to any
20 Federal Government contract entered into before the date
21 of the enactment of this Act, or to any task order issued
22 pursuant to such contract.

23 *SEC. 734.* During fiscal year 2016, for each employee
24 who—

1 (1) *retires under section 8336(d)(2) or*
2 *8414(b)(1)(B) of title 5, United States Code; or*

3 (2) *retires under any other provision of sub-*
4 *chapter III of chapter 83 or chapter 84 of such title*
5 *5 and receives a payment as an incentive to separate,*
6 *the separating agency shall remit to the Civil Service*
7 *Retirement and Disability Fund an amount equal to*
8 *the Office of Personnel Management's average unit*
9 *cost of processing a retirement claim for the preceding*
10 *fiscal year. Such amounts shall be available until ex-*
11 *pended to the Office of Personnel Management and*
12 *shall be deemed to be an administrative expense*
13 *under section 8348(a)(1)(B) of title 5, United States*
14 *Code.*

15 *SEC. 735. (a) None of the funds made available in this*
16 *or any other Act may be used to recommend or require any*
17 *entity submitting an offer for a Federal contract to disclose*
18 *any of the following information as a condition of submit-*
19 *ting the offer:*

20 (1) *Any payment consisting of a contribution,*
21 *expenditure, independent expenditure, or disburse-*
22 *ment for an electioneering communication that is*
23 *made by the entity, its officers or directors, or any of*
24 *its affiliates or subsidiaries to a candidate for election*
25 *for Federal office or to a political committee, or that*

1 *is otherwise made with respect to any election for*
2 *Federal office.*

3 (2) *Any disbursement of funds (other than a*
4 *payment described in paragraph (1)) made by the en-*
5 *tity, its officers or directors, or any of its affiliates or*
6 *subsidiaries to any person with the intent or the rea-*
7 *sonable expectation that the person will use the funds*
8 *to make a payment described in paragraph (1).*

9 (b) *In this section, each of the terms “contribution”,*
10 *“expenditure”, “independent expenditure”, “electioneering*
11 *communication”, “candidate”, “election”, and “Federal of-*
12 *fice” has the meaning given such term in the Federal Elec-*
13 *tion Campaign Act of 1971 (2 U.S.C. 431 et seq.).*

14 SEC. 736. *None of the funds made available in this*
15 *or any other Act may be used to pay for the painting of*
16 *a portrait of an officer or employee of the Federal govern-*
17 *ment, including the President, the Vice President, a member*
18 *of Congress (including a Delegate or a Resident Commis-*
19 *sioner to Congress), the head of an executive branch agency*
20 *(as defined in section 133 of title 41, United States Code),*
21 *or the head of an office of the legislative branch.*

22 SEC. 737. (a)(1) *Notwithstanding any other provision*
23 *of law, and except as otherwise provided in this section,*
24 *no part of any of the funds appropriated for fiscal year*
25 *2016, by this or any other Act, may be used to pay any*

1 prevailing rate employee described in section 5342(a)(2)(A)
2 of title 5, United States Code—

3 (A) during the period from the date of expiration
4 of the limitation imposed by the comparable section
5 for the previous fiscal years until the normal effective
6 date of the applicable wage survey adjustment that is
7 to take effect in fiscal year 2016, in an amount that
8 exceeds the rate payable for the applicable grade and
9 step of the applicable wage schedule in accordance
10 with such section; and

11 (B) during the period consisting of the remain-
12 der of fiscal year 2016, in an amount that exceeds,
13 as a result of a wage survey adjustment, the rate pay-
14 able under subparagraph (A) by more than the sum
15 of—

16 (i) the percentage adjustment taking effect
17 in fiscal year 2016 under section 5303 of title 5,
18 United States Code, in the rates of pay under the
19 General Schedule; and

20 (ii) the difference between the overall aver-
21 age percentage of the locality-based com-
22 parability payments taking effect in fiscal year
23 2016 under section 5304 of such title (whether by
24 adjustment or otherwise), and the overall average

1 percentage of such payments which was effective
2 in the previous fiscal year under such section.

3 (2) Notwithstanding any other provision of law, no
4 prevailing rate employee described in subparagraph (B) or
5 (C) of section 5342(a)(2) of title 5, United States Code, and
6 no employee covered by section 5348 of such title, may be
7 paid during the periods for which paragraph (1) is in effect
8 at a rate that exceeds the rates that would be payable under
9 paragraph (1) were paragraph (1) applicable to such em-
10 ployee.

11 (3) For the purposes of this subsection, the rates pay-
12 able to an employee who is covered by this subsection and
13 who is paid from a schedule not in existence on September
14 30, 2015, shall be determined under regulations prescribed
15 by the Office of Personnel Management.

16 (4) Notwithstanding any other provision of law, rates
17 of premium pay for employees subject to this subsection
18 may not be changed from the rates in effect on September
19 30, 2015, except to the extent determined by the Office of
20 Personnel Management to be consistent with the purpose of
21 this subsection.

22 (5) This subsection shall apply with respect to pay for
23 service performed after September 30, 2015.

24 (6) For the purpose of administering any provision
25 of law (including any rule or regulation that provides pre-

1 mium pay, retirement, life insurance, or any other em-
2 ployee benefit) that requires any deduction or contribution,
3 or that imposes any requirement or limitation on the basis
4 of a rate of salary or basic pay, the rate of salary or basic
5 pay payable after the application of this subsection shall
6 be treated as the rate of salary or basic pay.

7 (7) Nothing in this subsection shall be considered to
8 permit or require the payment to any employee covered by
9 this subsection at a rate in excess of the rate that would
10 be payable were this subsection not in effect.

11 (8) The Office of Personnel Management may provide
12 for exceptions to the limitations imposed by this subsection
13 if the Office determines that such exceptions are necessary
14 to ensure the recruitment or retention of qualified employ-
15 ees.

16 (b) Notwithstanding subsection (a), the adjustment in
17 rates of basic pay for the statutory pay systems that take
18 place in fiscal year 2016 under sections 5344 and 5348 of
19 title 5, United States Code, shall be—

20 (1) not less than the percentage received by em-
21 ployees in the same location whose rates of basic pay
22 are adjusted pursuant to the statutory pay systems
23 under sections 5303 and 5304 of title 5, United States
24 Code: Provided, That prevailing rate employees at lo-
25 cations where there are no employees whose pay is in-

1 *creased pursuant to sections 5303 and 5304 of title 5,*
2 *United States Code, and prevailing rate employees de-*
3 *scribed in section 5343(a)(5) of title 5, United States*
4 *Code, shall be considered to be located in the pay lo-*
5 *cality designated as “Rest of United States” pursuant*
6 *to section 5304 of title 5, United States Code, for pur-*
7 *poses of this subsection; and*

8 *(2) effective as of the first day of the first appli-*
9 *cable pay period beginning after September 30, 2015.*

10 *SEC. 738. (a) The Vice President may not receive a*
11 *pay raise in calendar year 2016, notwithstanding the rate*
12 *adjustment made under section 104 of title 3, United States*
13 *Code, or any other provision of law.*

14 *(b) An employee serving in an Executive Schedule po-*
15 *sition, or in a position for which the rate of pay is fixed*
16 *by statute at an Executive Schedule rate, may not receive*
17 *a pay rate increase in calendar year 2016, notwithstanding*
18 *schedule adjustments made under section 5318 of title 5,*
19 *United States Code, or any other provision of law, except*
20 *as provided in subsection (g), (h), or (i). This subsection*
21 *applies only to employees who are holding a position under*
22 *a political appointment.*

23 *(c) A chief of mission or ambassador at large may not*
24 *receive a pay rate increase in calendar year 2016, notwith-*
25 *standing section 401 of the Foreign Service Act of 1980*

1 *(Public Law 96–465) or any other provision of law, except*
2 *as provided in subsection (g), (h), or (i).*

3 *(d) Notwithstanding sections 5382 and 5383 of title*
4 *5, United States Code, a pay rate increase may not be re-*
5 *ceived in calendar year 2016 (except as provided in sub-*
6 *section (g), (h), or (i)) by—*

7 *(1) a noncareer appointee in the Senior Execu-*
8 *tive Service paid a rate of basic pay at or above level*
9 *IV of the Executive Schedule; or*

10 *(2) a limited term appointee or limited emer-*
11 *gency appointee in the Senior Executive Service serv-*
12 *ing under a political appointment and paid a rate of*
13 *basic pay at or above level IV of the Executive Sched-*
14 *ule.*

15 *(e) Any employee paid a rate of basic pay (including*
16 *any locality-based payments under section 5304 of title 5,*
17 *United States Code, or similar authority) at or above level*
18 *IV of the Executive Schedule who serves under a political*
19 *appointment may not receive a pay rate increase in cal-*
20 *endar year 2016, notwithstanding any other provision of*
21 *law, except as provided in subsection (g), (h), or (i). This*
22 *subsection does not apply to employees in the General*
23 *Schedule pay system or the Foreign Service pay system, or*
24 *to employees appointed under section 3161 of title 5, United*
25 *States Code, or to employees in another pay system whose*

1 *position would be classified at GS–15 or below if chapter*
2 *51 of title 5, United States Code, applied to them.*

3 *(f) Nothing in subsections (b) through (e) shall prevent*
4 *employees who do not serve under a political appointment*
5 *from receiving pay increases as otherwise provided under*
6 *applicable law.*

7 *(g) A career appointee in the Senior Executive Service*
8 *who receives a Presidential appointment and who makes*
9 *an election to retain Senior Executive Service basic pay*
10 *entitlements under section 3392 of title 5, United States*
11 *Code, is not subject to this section.*

12 *(h) A member of the Senior Foreign Service who re-*
13 *ceives a Presidential appointment to any position in the*
14 *executive branch and who makes an election to retain Sen-*
15 *ior Foreign Service pay entitlements under section 302(b)*
16 *of the Foreign Service Act of 1980 (Public Law 96–465)*
17 *is not subject to this section.*

18 *(i) Notwithstanding subsections (b) through (e), an em-*
19 *ployee in a covered position may receive a pay rate increase*
20 *upon an authorized movement to a different covered posi-*
21 *tion with higher-level duties and a pre-established higher*
22 *level or range of pay, except that any such increase must*
23 *be based on the rates of pay and applicable pay limitations*
24 *in effect on December 31, 2013.*

1 (j) Notwithstanding any other provision of law, for an
2 individual who is newly appointed to a covered position
3 during the period of time subject to this section, the initial
4 pay rate shall be based on the rates of pay and applicable
5 pay limitations in effect on December 31, 2013.

6 (k) If an employee affected by subsections (b) through
7 (e) is subject to a biweekly pay period that begins in cal-
8 endar year 2016 but ends in calendar year 2017, the bar
9 on the employee's receipt of pay rate increases shall apply
10 through the end of that pay period.

11 SEC. 739. (a) The head of any Executive branch de-
12 partment, agency, board, commission, or office funded by
13 this or any other appropriations Act shall submit annual
14 reports to the Inspector General or senior ethics official for
15 any entity without an Inspector General, regarding the
16 costs and contracting procedures related to each conference
17 held by any such department, agency, board, commission,
18 or office during fiscal year 2016 for which the cost to the
19 United States Government was more than \$100,000.

20 (b) Each report submitted shall include, for each con-
21 ference described in subsection (a) held during the applica-
22 ble period—

23 (1) a description of its purpose;

24 (2) the number of participants attending;

1 (3) a detailed statement of the costs to the United
2 *States Government, including—*

3 (A) the cost of any food or beverages;

4 (B) the cost of any audio-visual services;

5 (C) the cost of employee or contractor travel
6 *to and from the conference; and*

7 (D) a discussion of the methodology used to
8 *determine which costs relate to the conference;*
9 *and*

10 (4) a description of the contracting procedures
11 *used including—*

12 (A) whether contracts were awarded on a
13 *competitive basis; and*

14 (B) a discussion of any cost comparison
15 *conducted by the departmental component or of-*
16 *fice in evaluating potential contractors for the*
17 *conference.*

18 (c) *Within 15 days of the date of a conference held*
19 *by any Executive branch department, agency, board, com-*
20 *mission, or office funded by this or any other appropria-*
21 *tions Act during fiscal year 2016 for which the cost to the*
22 *United States Government was more than \$20,000, the head*
23 *of any such department, agency, board, commission, or of-*
24 *fice shall notify the Inspector General or senior ethics offi-*
25 *cial for any entity without an Inspector General, of the*

1 *date, location, and number of employees attending such con-*
2 *ference.*

3 (d) *A grant or contract funded by amounts appro-*
4 *priated by this or any other appropriations Act may not*
5 *be used for the purpose of defraying the costs of a conference*
6 *described in subsection (c) that is not directly and program-*
7 *matically related to the purpose for which the grant or con-*
8 *tract was awarded, such as a conference held in connection*
9 *with planning, training, assessment, review, or other rou-*
10 *tine purposes related to a project funded by the grant or*
11 *contract.*

12 (e) *None of the funds made available in this or any*
13 *other appropriations Act may be used for travel and con-*
14 *ference activities that are not in compliance with Office of*
15 *Management and Budget Memorandum M-12-12 dated*
16 *May 11, 2012 or any subsequent revisions to that memo-*
17 *randum.*

18 SEC. 740. *None of the funds made available in this*
19 *or any other appropriations Act may be used to increase,*
20 *eliminate, or reduce funding for a program, project, or ac-*
21 *tivity as proposed in the President's budget request for a*
22 *fiscal year until such proposed change is subsequently en-*
23 *acted in an appropriation Act, or unless such change is*
24 *made pursuant to the reprogramming or transfer provisions*
25 *of this or any other appropriations Act.*

1 *SEC. 741. None of the funds made available by this*
2 *or any other Act may be used to implement, administer,*
3 *enforce, or apply the rule entitled “Competitive Area” pub-*
4 *lished by the Office of Personnel Management in the Federal*
5 *Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).*

6 *SEC. 742. None of the funds appropriated or otherwise*
7 *made available by this or any other Act may be used to*
8 *begin or announce a study or public-private competition*
9 *regarding the conversion to contractor performance of any*
10 *function performed by Federal employees pursuant to Office*
11 *of Management and Budget Circular A–76 or any other ad-*
12 *ministrative regulation, directive, or policy.*

13 *SEC. 743. (a) None of the funds appropriated or other-*
14 *wise made available by this or any other Act may be avail-*
15 *able for a contract, grant, or cooperative agreement with*
16 *an entity that requires employees or contractors of such en-*
17 *tity seeking to report fraud, waste, or abuse to sign internal*
18 *confidentiality agreements or statements prohibiting or oth-*
19 *erwise restricting such employees or contractors from law-*
20 *fully reporting such waste, fraud, or abuse to a designated*
21 *investigative or law enforcement representative of a Federal*
22 *department or agency authorized to receive such informa-*
23 *tion.*

24 *(b) The limitation in subsection (a) shall not con-*
25 *travene requirements applicable to Standard Form 312,*

1 *Form 4414, or any other form issued by a Federal depart-*
2 *ment or agency governing the nondisclosure of classified in-*
3 *formation.*

4 *SEC. 744. (a) No funds appropriated in this or any*
5 *other Act may be used to implement or enforce the agree-*
6 *ments in Standard Forms 312 and 4414 of the Government*
7 *or any other nondisclosure policy, form, or agreement if*
8 *such policy, form, or agreement does not contain the fol-*
9 *lowing provisions: "These provisions are consistent with*
10 *and do not supersede, conflict with, or otherwise alter the*
11 *employee obligations, rights, or liabilities created by exist-*
12 *ing statute or Executive order relating to (1) classified in-*
13 *formation, (2) communications to Congress, (3) the report-*
14 *ing to an Inspector General of a violation of any law, rule,*
15 *or regulation, or mismanagement, a gross waste of funds,*
16 *an abuse of authority, or a substantial and specific danger*
17 *to public health or safety, or (4) any other whistleblower*
18 *protection. The definitions, requirements, obligations,*
19 *rights, sanctions, and liabilities created by controlling Ex-*
20 *ecutive orders and statutory provisions are incorporated*
21 *into this agreement and are controlling.": Provided, That*
22 *notwithstanding the preceding provision of this section, a*
23 *nondisclosure policy form or agreement that is to be exe-*
24 *cuted by a person connected with the conduct of an intel-*
25 *ligence or intelligence-related activity, other than an em-*

1 *ployee or officer of the United States Government, may con-*
2 *tain provisions appropriate to the particular activity for*
3 *which such document is to be used. Such form or agreement*
4 *shall, at a minimum, require that the person will not dis-*
5 *close any classified information received in the course of*
6 *such activity unless specifically authorized to do so by the*
7 *United States Government. Such nondisclosure forms shall*
8 *also make it clear that they do not bar disclosures to Con-*
9 *gress, or to an authorized official of an executive agency*
10 *or the Department of Justice, that are essential to reporting*
11 *a substantial violation of law.*

12 *(b) A nondisclosure agreement may continue to be im-*
13 *plemented and enforced notwithstanding subsection (a) if*
14 *it complies with the requirements for such agreement that*
15 *were in effect when the agreement was entered into.*

16 *(c) No funds appropriated in this or any other Act*
17 *may be used to implement or enforce any agreement entered*
18 *into during fiscal year 2014 which does not contain sub-*
19 *stantially similar language to that required in subsection*
20 *(a).*

21 *SEC. 745. None of the funds made available by this*
22 *or any other Act may be used to enter into a contract,*
23 *memorandum of understanding, or cooperative agreement*
24 *with, make a grant to, or provide a loan or loan guarantee*
25 *to, any corporation that has any unpaid Federal tax liabil-*

1 *ity that has been assessed, for which all judicial and admin-*
2 *istrative remedies have been exhausted or have lapsed, and*
3 *that is not being paid in a timely manner pursuant to an*
4 *agreement with the authority responsible for collecting the*
5 *tax liability, where the awarding agency is aware of the*
6 *unpaid tax liability, unless a Federal agency has considered*
7 *suspension or debarment of the corporation and has made*
8 *a determination that this further action is not necessary*
9 *to protect the interests of the Government.*

10 *SEC. 746. None of the funds made available by this*
11 *or any other Act may be used to enter into a contract,*
12 *memorandum of understanding, or cooperative agreement*
13 *with, make a grant to, or provide a loan or loan guarantee*
14 *to, any corporation that was convicted of a felony criminal*
15 *violation under any Federal law within the preceding 24*
16 *months, where the awarding agency is aware of the convic-*
17 *tion, unless a Federal agency has considered suspension or*
18 *debarment of the corporation and has made a determina-*
19 *tion that this further action is not necessary to protect the*
20 *interests of the Government.*

21 *SEC. 747. (a) The Act entitled “An Act providing for*
22 *the incorporation of certain persons as Group Hospitaliza-*
23 *tion and Medical Services, Inc.”, approved August 11, 1939*
24 *(53 Stat. 1412), is amended—*

1 (1) *by redesignating section 11 as section 12;*
2 *and*

3 (2) *by inserting after section 10 the following:*

4 “*SEC. 11. The surplus of the corporation is for the ben-*
5 *efit and protection of all of its certificate holders and shall*
6 *be available for the satisfaction of all obligations of the cor-*
7 *poration regardless of the jurisdiction in which such surplus*
8 *originated or such obligations arise. The corporation shall*
9 *not divide, attribute, distribute, or reduce its surplus pursu-*
10 *ant to any statute, regulation, or order of any jurisdiction*
11 *without the express agreement of the District of Columbia,*
12 *Maryland, and Virginia—*

13 *“(1) that the entire surplus of the corporation is*
14 *excessive; and*

15 *“(2) to any plan for reduction or distribution of*
16 *surplus.”.*

17 *(b) The amendments made by subsection (a) shall*
18 *apply with respect to the surplus of Group Hospitalization*
19 *and Medical Services, Inc. for any year after 2011.*

20 *SEC. 748. (a) During fiscal year 2016, on the date on*
21 *which a request is made for a transfer of funds in accord-*
22 *ance with section 1017 of Public Law 111–203, the Bureau*
23 *of Consumer Financial Protection shall notify the Commit-*
24 *tees on Appropriations of the House of Representatives and*
25 *the Senate, the Committee on Financial Services of the*

1 *House of Representatives, and the Committee on Banking,*
2 *Housing, and Urban Affairs of the Senate of such request.*

3 *(b) Any notification required by this section shall be*
4 *made available on the Bureau's public Web site.*

5 *SEC. 749. (a) Notwithstanding the time limitations*
6 *specified in section 3744 of title 10, United States Code,*
7 *or any other time limitation with respect to the awarding*
8 *of certain medals to persons who served in the Armed*
9 *Forces, the President may award the Medal of Honor under*
10 *section 3741 of such title to Charles S. Kettles for the acts*
11 *of valor during the Vietnam War described in subsection*
12 *(b).*

13 *(b) The acts of valor referred to in subsection (a) are*
14 *the actions of Charles S. Kettles during combat operations*
15 *on May 15, 1967, while serving as Flight Commander,*
16 *176th Aviation Company, 14th Aviation Battalion, Task*
17 *Force Oregon, Republic of Vietnam, for which he was pre-*
18 *viously awarded the Distinguished Service Cross.*

19 *SEC. 750. (a) None of the funds made available under*
20 *this or any other Act may be used to—*

21 *(1) implement, administer, carry out, modify,*
22 *revise, or enforce Executive Order 13690, entitled*
23 *“Establishing a Federal Flood Risk Management*
24 *Standard and a Process for Further Soliciting and*

1 *Considering Stakeholder Input*” (issued January 30,
2 2015), other than for—

3 (A) *acquiring, managing, or disposing of*
4 *Federal lands and facilities;*

5 (B) *providing federally undertaken, fi-*
6 *nanced, or assisted construction or improve-*
7 *ments; or*

8 (C) *conducting Federal activities or pro-*
9 *grams affecting land use, including water and*
10 *related land resources planning, regulating, and*
11 *licensing activities;*

12 (2) *implement Executive Order 13690 in a man-*
13 *ner that modifies the non-grant components of the*
14 *National Flood Insurance Program; or*

15 (3) *apply Executive Order 13690 or the Federal*
16 *Flood Risk Management Standard by any component*
17 *of the Department of Defense, including the Army*
18 *Corps of Engineers in a way that changes the “flood-*
19 *plain” considered when determining whether or not to*
20 *issue a Department of the Army permit under section*
21 *404 of the Clean Water Act or section 10 of the Rivers*
22 *and Harbors Act.*

23 (b) *Subsection (a) of this section shall not be in effect*
24 *during the period beginning on October 1, 2016 and ending*
25 *on September 30, 2017.*

1 (1) *creates new programs;*

2 (2) *eliminates a program, project, or responsi-*
3 *bility center;*

4 (3) *establishes or changes allocations specifically*
5 *denied, limited or increased under this Act;*

6 (4) *increases funds or personnel by any means*
7 *for any program, project, or responsibility center for*
8 *which funds have been denied or restricted;*

9 (5) *re-establishes any program or project pre-*
10 *viously deferred through reprogramming;*

11 (6) *augments any existing program, project, or*
12 *responsibility center through a reprogramming of*
13 *funds in excess of \$3,000,000 or 10 percent, whichever*
14 *is less; or*

15 (7) *increases by 20 percent or more personnel as-*
16 *signed to a specific program, project or responsibility*
17 *center,*

18 *unless prior approval is received from the Committees on*
19 *Appropriations of the House of Representatives and the*
20 *Senate.*

21 (b) *The District of Columbia government is authorized*
22 *to approve and execute reprogramming and transfer re-*
23 *quests of local funds under this title through November 7,*
24 *2016.*

1 *SEC. 804. None of the Federal funds provided in this*
2 *Act may be used by the District of Columbia to provide*
3 *for salaries, expenses, or other costs associated with the of-*
4 *fices of United States Senator or United States Representa-*
5 *tive under section 4(d) of the District of Columbia State-*
6 *hood Constitutional Convention Initiatives of 1979 (D.C.*
7 *Law 3–171; D.C. Official Code, sec. 1–123).*

8 *SEC. 805. Except as otherwise provided in this section,*
9 *none of the funds made available by this Act or by any*
10 *other Act may be used to provide any officer or employee*
11 *of the District of Columbia with an official vehicle unless*
12 *the officer or employee uses the vehicle only in the perform-*
13 *ance of the officer’s or employee’s official duties. For pur-*
14 *poses of this section, the term “official duties” does not in-*
15 *clude travel between the officer’s or employee’s residence and*
16 *workplace, except in the case of—*

17 *(1) an officer or employee of the Metropolitan*
18 *Police Department who resides in the District of Co-*
19 *lumbia or is otherwise designated by the Chief of the*
20 *Department;*

21 *(2) at the discretion of the Fire Chief, an officer*
22 *or employee of the District of Columbia Fire and*
23 *Emergency Medical Services Department who resides*
24 *in the District of Columbia and is on call 24 hours*
25 *a day;*

1 (3) *at the discretion of the Director of the De-*
2 *partment of Corrections, an officer or employee of the*
3 *District of Columbia Department of Corrections who*
4 *resides in the District of Columbia and is on call 24*
5 *hours a day;*

6 (4) *at the discretion of the Chief Medical Exam-*
7 *iner, an officer or employee of the Office of the Chief*
8 *Medical Examiner who resides in the District of Co-*
9 *lumbia and is on call 24 hours a day;*

10 (5) *at the discretion of the Director of the Home-*
11 *land Security and Emergency Management Agency,*
12 *an officer or employee of the Homeland Security and*
13 *Emergency Management Agency who resides in the*
14 *District of Columbia and is on call 24 hours a day;*

15 (6) *the Mayor of the District of Columbia; and*

16 (7) *the Chairman of the Council of the District*
17 *of Columbia.*

18 SEC. 806. (a) *None of the Federal funds contained in*
19 *this Act may be used by the District of Columbia Attorney*
20 *General or any other officer or entity of the District govern-*
21 *ment to provide assistance for any petition drive or civil*
22 *action which seeks to require Congress to provide for voting*
23 *representation in Congress for the District of Columbia.*

24 (b) *Nothing in this section bars the District of Colum-*
25 *bia Attorney General from reviewing or commenting on*

1 *briefs in private lawsuits, or from consulting with officials*
2 *of the District government regarding such lawsuits.*

3 *SEC. 807. None of the Federal funds contained in this*
4 *Act may be used to distribute any needle or syringe for the*
5 *purpose of preventing the spread of blood borne pathogens*
6 *in any location that has been determined by the local public*
7 *health or local law enforcement authorities to be inappro-*
8 *priate for such distribution.*

9 *SEC. 808. Nothing in this Act may be construed to pre-*
10 *vent the Council or Mayor of the District of Columbia from*
11 *addressing the issue of the provision of contraceptive cov-*
12 *erage by health insurance plans, but it is the intent of Con-*
13 *gress that any legislation enacted on such issue should in-*
14 *clude a “conscience clause” which provides exceptions for*
15 *religious beliefs and moral convictions.*

16 *SEC. 809. (a) None of the Federal funds contained in*
17 *this Act may be used to enact or carry out any law, rule,*
18 *or regulation to legalize or otherwise reduce penalties asso-*
19 *ciated with the possession, use, or distribution of any sched-*
20 *ule I substance under the Controlled Substances Act (21*
21 *U.S.C. 801 et seq.) or any tetrahydrocannabinols deriva-*
22 *tive.*

23 *(b) None of the funds contained in this Act may be*
24 *used to enact any law, rule, or regulation to legalize or oth-*
25 *erwise reduce penalties associated with the possession, use,*

1 *or distribution of any schedule I substance under the Con-*
2 *trolled Substances Act (21 U.S.C. 801 et seq.) or any*
3 *tetrahydrocannabinols derivative for recreational purposes.*

4 *SEC. 810. None of the funds appropriated under this*
5 *Act shall be expended for any abortion except where the life*
6 *of the mother would be endangered if the fetus were carried*
7 *to term or where the pregnancy is the result of an act of*
8 *rape or incest.*

9 *SEC. 811. (a) No later than 30 calendar days after*
10 *the date of the enactment of this Act, the Chief Financial*
11 *Officer for the District of Columbia shall submit to the ap-*
12 *propriate committees of Congress, the Mayor, and the Coun-*
13 *cil of the District of Columbia, a revised appropriated funds*
14 *operating budget in the format of the budget that the Dis-*
15 *trict of Columbia government submitted pursuant to section*
16 *442 of the District of Columbia Home Rule Act (D.C. Offi-*
17 *cial Code, sec. 1–204.42), for all agencies of the District of*
18 *Columbia government for fiscal year 2016 that is in the*
19 *total amount of the approved appropriation and that re-*
20 *aligns all budgeted data for personal services and other-*
21 *than-personal services, respectively, with anticipated actual*
22 *expenditures.*

23 *(b) This section shall apply only to an agency for*
24 *which the Chief Financial Officer for the District of Colum-*

1 *bia certifies that a reallocation is required to address unan-*
2 *ticipated changes in program requirements.*

3 *SEC. 812. No later than 30 calendar days after the*
4 *date of the enactment of this Act, the Chief Financial Offi-*
5 *cer for the District of Columbia shall submit to the appro-*
6 *priate committees of Congress, the Mayor, and the Council*
7 *for the District of Columbia, a revised appropriated funds*
8 *operating budget for the District of Columbia Public*
9 *Schools that aligns schools budgets to actual enrollment. The*
10 *revised appropriated funds budget shall be in the format*
11 *of the budget that the District of Columbia government sub-*
12 *mitted pursuant to section 442 of the District of Columbia*
13 *Home Rule Act (D.C. Official Code, sec. 1–204.42).*

14 *SEC. 813. (a) Amounts appropriated in this Act as*
15 *operating funds may be transferred to the District of Co-*
16 *lumbia’s enterprise and capital funds and such amounts,*
17 *once transferred, shall retain appropriation authority con-*
18 *sistent with the provisions of this Act.*

19 *(b) The District of Columbia government is authorized*
20 *to reprogram or transfer for operating expenses any local*
21 *funds transferred or reprogrammed in this or the four prior*
22 *fiscal years from operating funds to capital funds, and such*
23 *amounts, once transferred or reprogrammed, shall retain*
24 *appropriation authority consistent with the provisions of*
25 *this Act.*

1 (c) *The District of Columbia government may not*
2 *transfer or reprogram for operating expenses any funds de-*
3 *rived from bonds, notes, or other obligations issued for cap-*
4 *ital projects.*

5 *SEC. 814. None of the Federal funds appropriated in*
6 *this Act shall remain available for obligation beyond the*
7 *current fiscal year, nor may any be transferred to other*
8 *appropriations, unless expressly so provided herein.*

9 *SEC. 815. Except as otherwise specifically provided by*
10 *law or under this Act, not to exceed 50 percent of unobli-*
11 *gated balances remaining available at the end of fiscal year*
12 *2016 from appropriations of Federal funds made available*
13 *for salaries and expenses for fiscal year 2016 in this Act,*
14 *shall remain available through September 30, 2017, for each*
15 *such account for the purposes authorized: Provided, That*
16 *a request shall be submitted to the Committees on Appro-*
17 *priations of the House of Representatives and the Senate*
18 *for approval prior to the expenditure of such funds: Pro-*
19 *vided further, That these requests shall be made in compli-*
20 *ance with reprogramming guidelines outlined in section*
21 *803 of this Act.*

22 *SEC. 816. (a) During fiscal year 2017, during a period*
23 *in which neither a District of Columbia continuing resolu-*
24 *tion or a regular District of Columbia appropriation bill*
25 *is in effect, local funds are appropriated in the amount pro-*

1 *vided for any project or activity for which local funds are*
2 *provided in the Fiscal Year 2017 Budget Request Act of*
3 *2016 as submitted to Congress (subject to any modifications*
4 *enacted by the District of Columbia as of the beginning of*
5 *the period during which this subsection is in effect) at the*
6 *rate set forth by such Act.*

7 *(b) Appropriations made by subsection (a) shall cease*
8 *to be available—*

9 *(1) during any period in which a District of Co-*
10 *lumbia continuing resolution for fiscal year 2017 is*
11 *in effect; or*

12 *(2) upon the enactment into law of the regular*
13 *District of Columbia appropriation bill for fiscal year*
14 *2017.*

15 *(c) An appropriation made by subsection (a) is pro-*
16 *vided under the authority and conditions as provided under*
17 *this Act and shall be available to the extent and in the man-*
18 *ner that would be provided by this Act.*

19 *(d) An appropriation made by subsection (a) shall*
20 *cover all obligations or expenditures incurred for such*
21 *project or activity during the portion of fiscal year 2017*
22 *for which this section applies to such project or activity.*

23 *(e) This section shall not apply to a project or activity*
24 *during any period of fiscal year 2017 if any other provision*
25 *of law (other than an authorization of appropriations)—*

1 (1) *makes an appropriation, makes funds avail-*
2 *able, or grants authority for such project or activity*
3 *to continue for such period; or*

4 (2) *specifically provides that no appropriation*
5 *shall be made, no funds shall be made available, or*
6 *no authority shall be granted for such project or ac-*
7 *tivity to continue for such period.*

8 (f) *Nothing in this section shall be construed to affect*
9 *obligations of the government of the District of Columbia*
10 *mandated by other law.*

11 SEC. 817. (a) *This section may be cited as the “D.C.*
12 *Opportunity Scholarship Program School Certification Re-*
13 *quirements Act”.*

14 (b) *Section 3007(a) of the Scholarships for Oppor-*
15 *tunity and Results Act (Public Law 112–10; 125 Stat. 203)*
16 *is amended—*

17 (1) *in paragraph (4)—*

18 (A) *in subparagraph (E), by striking “and”*
19 *after the semicolon;*

20 (B) *in subparagraph (F), by striking the*
21 *period at the end and inserting a semicolon; and*

22 (C) *by adding at the end the following:*

23 “(G)(i) *is provisionally or fully accredited*
24 *by a national or regional accrediting agency*
25 *that is recognized in the District of Columbia*

1 *School Reform Act of 1995 (sec. 38–*
2 *1802.02(16)(A)–(G), D.C. Official Code) or any*
3 *other accrediting body deemed appropriate by*
4 *the Office of the State Superintendent for Schools*
5 *for the purposes of accrediting an elementary or*
6 *secondary school; or*

7 *“(ii) in the case of a school that is a*
8 *participating school as of the day before the*
9 *date of enactment of the D.C. Opportunity*
10 *Scholarship Program School Certification*
11 *Requirements Act and, as of such day, does*
12 *not meet the requirements of clause (i)—*

13 *“(I) by not later than 1 year after*
14 *such date of enactment, is pursuing ac-*
15 *creditation by a national or regional*
16 *accrediting agency recognized in the*
17 *District of Columbia School Reform*
18 *Act of 1995 (sec. 38–1802.02(16)(A)–*
19 *(G), D.C. Official Code) or any other*
20 *accrediting body deemed appropriate*
21 *by the Office of the State Super-*
22 *intendent for Schools for the purposes*
23 *of accrediting an elementary or sec-*
24 *ondary school; and*

1 “(II) by not later than 5 years
2 after such date of enactment, is provi-
3 sionally or fully accredited by such ac-
4 crediting agency, except that an eligi-
5 ble entity may grant not more than
6 one 1-year extension to meet this re-
7 quirement for each participating school
8 that provides evidence to the eligible
9 entity from such accrediting agency
10 that the school’s application for accred-
11 itation is in process and the school will
12 be awarded accreditation before the end
13 of the 1-year extension period;

14 “(H) conducts criminal background checks
15 on school employees who have direct and unsu-
16 pervised interaction with students; and

17 “(I) complies with all requests for data and
18 information regarding the reporting require-
19 ments described in section 3010.”; and

20 (2) by adding at the end the following:

21 “(5) NEW PARTICIPATING SCHOOLS.—If a school
22 is not a participating school as of the date of enact-
23 ment of the D.C. Opportunity Scholarship Program
24 School Certification Requirements Act, the school
25 shall not become a participating school and none of

1 *the funds provided under this division for oppor-*
2 *tunity scholarships may be used by an eligible student*
3 *to enroll in that school unless the school—*

4 *“(A) is actively pursuing provisional or full*
5 *accreditation by a national or regional accred-*
6 *iting agency that is recognized in the District of*
7 *Columbia School Reform Act of 1995 (sec. 38–*
8 *1802.02(16)(A)–(G), D.C. Official Code) or any*
9 *other accrediting body deemed appropriate by*
10 *the Office of the State Superintendent for Schools*
11 *for the purposes of accrediting an elementary or*
12 *secondary school; and*

13 *“(B) meets all of the other requirements for*
14 *participating schools under this Act.*

15 *“(6) ENROLLING IN ANOTHER SCHOOL.—An eli-*
16 *gible entity shall assist the parents of a participating*
17 *eligible student in identifying, applying to, and en-*
18 *rolling in an another participating school for which*
19 *opportunity scholarship funds may be used, if—*

20 *“(A) such student is enrolled in a partici-*
21 *pating private school and may no longer use op-*
22 *portunity scholarship funds for enrollment in*
23 *that participating private school because such*
24 *school fails to meet a requirement under para-*
25 *graph 4, or any other requirement of this Act; or*

1 “(B) a participating eligible student is en-
2 rolled in a school that ceases to be a partici-
3 pating school.”.

4 (c) *REPORT TO ELIGIBLE ENTITIES.*—Section 3010 of
5 the *Scholarships for Opportunity and Results Act* (Public
6 Law 112–10; 125 Stat. 203) is further amended—

7 (1) by redesignating subsection (d) as subsection

8 (e); and

9 (2) by inserting after subsection (c) the fol-
10 lowing:

11 “(d) *REPORTS TO ELIGIBLE ENTITIES.*—The eligible
12 entity receiving funds under section 3004(a) shall ensure
13 that each participating school under this division submits
14 to the eligible entity beginning not later than 5 years after
15 the date of the enactment of the *D.C. Opportunity Scholar-
16 ship Program School Certification Requirements Act*, a cer-
17 tification that the school has been awarded provisional or
18 full accreditation, or has been granted an extension by the
19 eligible entity in accordance with section 3007(a)(4)(G).”.

20 (d) Unless specifically provided otherwise, this section,
21 and the amendments made by this section, shall take effect
22 1 year after the date of enactment of this Act.

23 SEC. 818. Subparagraph (G) of section 3(c)(2) of the
24 *District of Columbia College Access Act of 1999* (Public
25 Law 106–98), as amended, is further amended:

1 (1) by inserting after “(G)”, “(i) for individuals
2 who began an undergraduate course of study prior to
3 school year 2015–2016,”; and

4 (2) by inserting the following before the period at
5 the end: “and (ii) for individuals who begin an un-
6 dergraduate course of study in or after school year
7 2016–2017, is from a family with a taxable annual
8 income of less than \$750,000. Beginning with school
9 year 2017–2018, the Mayor shall adjust the amounts
10 in clauses (i) and (ii) for inflation, as measured by
11 the percentage increase, if any, from the preceding fis-
12 cal year in the Consumer Price Index for All Urban
13 Consumers, published by the Bureau of Labor Statis-
14 tics of the Department of Labor”.

15 SEC. 819. Except as expressly provided otherwise, any
16 reference to “this Act” contained in this title or in title
17 IV shall be treated as referring only to the provisions of
18 this title or of title IV.

19 This division may be cited as the “Financial Services
20 and General Government Appropriations Act, 2016”.

1 ***DIVISION F—DEPARTMENT OF HOMELAND***
2 ***SECURITY APPROPRIATIONS ACT, 2016***

3 *TITLE I*

4 *DEPARTMENTAL MANAGEMENT AND*
5 *OPERATIONS*

6 *OFFICE OF THE SECRETARY AND EXECUTIVE*
7 *MANAGEMENT*

8 *For necessary expenses of the Office of the Secretary*
9 *of Homeland Security, as authorized by section 102 of the*
10 *Homeland Security Act of 2002 (6 U.S.C. 112), and execu-*
11 *tive management of the Department of Homeland Security,*
12 *as authorized by law, \$137,466,000: Provided, That not to*
13 *exceed \$45,000 shall be for official reception and representa-*
14 *tion expenses: Provided further, That all official costs asso-*
15 *ciated with the use of government aircraft by Department*
16 *of Homeland Security personnel to support official travel*
17 *of the Secretary and the Deputy Secretary shall be paid*
18 *from amounts made available for the Immediate Office of*
19 *the Secretary and the Immediate Office of the Deputy Sec-*
20 *retary: Provided further, That not later than 30 days after*
21 *the date of enactment of this Act, the Secretary of Homeland*
22 *Security shall submit to the Committees on Appropriations*
23 *of the Senate and the House of Representatives, the Com-*
24 *mittees on the Judiciary of the Senate and the House of*
25 *Representatives, the Committee on Homeland Security and*

1 *Governmental Affairs of the Senate, and the Committee on*
2 *Homeland Security of the House of Representatives, the*
3 *comprehensive plan for implementation of the biometric*
4 *entry and exit data system as required under this heading*
5 *in Public Law 114–4 and a report on visa overstay data*
6 *by country as required by section 1376 of title 8, United*
7 *States Code: Provided further, That the report on visa over-*
8 *stay data shall also include—*

9 (1) *overstays from all nonimmigrant visa cat-*
10 *egories under the immigration laws, delineated by*
11 *each of the classes and sub-classes of such categories;*
12 *and*

13 (2) *numbers as well as rates of overstays for each*
14 *class and sub-class of such nonimmigrant categories*
15 *on a per-country basis:*

16 *Provided further, That of the funds provided under this*
17 *heading, \$13,000,000 shall be withheld from obligation for*
18 *the Office of the Secretary and Executive Management until*
19 *both the comprehensive plan and the report are submitted.*

20 *OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT*

21 *For necessary expenses of the Office of the Under Sec-*
22 *retary for Management, as authorized by sections 701*
23 *through 705 of the Homeland Security Act of 2002 (6*
24 *U.S.C. 341 through 345), \$196,810,000, of which not to ex-*
25 *ceed \$2,000 shall be for official reception and representation*

1 *expenses: Provided, That of the total amount made available*
2 *under this heading, \$4,456,000 shall remain available until*
3 *September 30, 2017, solely for the alteration and improve-*
4 *ment of facilities, tenant improvements, and relocation costs*
5 *to consolidate Department headquarters operations at the*
6 *Nebraska Avenue Complex; and \$7,778,000 shall remain*
7 *available until September 30, 2017, for the Human Re-*
8 *sources Information Technology program: Provided further,*
9 *That the Under Secretary for Management shall include in*
10 *the President’s budget proposal for fiscal year 2017, sub-*
11 *mitted pursuant to section 1105(a) of title 31, United States*
12 *Code, a Comprehensive Acquisition Status Report, which*
13 *shall include the information required under the heading*
14 *“Office of the Under Secretary for Management” under title*
15 *I of division D of the Consolidated Appropriations Act,*
16 *2012 (Public Law 112–74), and shall submit quarterly up-*
17 *dates to such report not later than 45 days after the comple-*
18 *tion of each quarter.*

19 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

20 *For necessary expenses of the Office of the Chief Finan-*
21 *cial Officer, as authorized by section 103 of the Homeland*
22 *Security Act of 2002 (6 U.S.C. 113), \$56,420,000: Provided,*
23 *That the Secretary of Homeland Security shall submit to*
24 *the Committees on Appropriations of the Senate and the*
25 *House of Representatives, at the time the President’s budget*

1 *proposal for fiscal year 2017 is submitted pursuant to sec-*
2 *tion 1105(a) of title 31, United States Code, the Future*
3 *Years Homeland Security Program, as authorized by sec-*
4 *tion 874 of Public Law 107–296 (6 U.S.C. 454).*

5 *OFFICE OF THE CHIEF INFORMATION OFFICER*

6 *For necessary expenses of the Office of the Chief Infor-*
7 *mation Officer, as authorized by section 103 of the Home-*
8 *land Security Act of 2002 (6 U.S.C. 113), and Department-*
9 *wide technology investments, \$309,976,000; of which*
10 *\$109,957,000 shall be available for salaries and expenses;*
11 *and of which \$200,019,000, to remain available until Sep-*
12 *tember 30, 2017, shall be available for development and ac-*
13 *quisition of information technology equipment, software,*
14 *services, and related activities for the Department of Home-*
15 *land Security.*

16 *ANALYSIS AND OPERATIONS*

17 *For necessary expenses for intelligence analysis and*
18 *operations coordination activities, as authorized by title II*
19 *of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.),*
20 *\$264,714,000; of which not to exceed \$3,825 shall be for offi-*
21 *cial reception and representation expenses; of which not to*
22 *exceed \$2,000,000 is available for facility needs associated*
23 *with secure space at fusion centers, including improvements*
24 *to buildings; and of which \$111,021,000 shall remain avail-*
25 *able until September 30, 2017.*

1 *OFFICE OF INSPECTOR GENERAL*

2 *For necessary expenses of the Office of Inspector Gen-*
3 *eral in carrying out the provisions of the Inspector General*
4 *Act of 1978 (5 U.S.C. App.), \$137,488,000; of which not*
5 *to exceed \$300,000 may be used for certain confidential*
6 *operational expenses, including the payment of informants,*
7 *to be expended at the direction of the Inspector General.*

8 *TITLE II*9 *SECURITY, ENFORCEMENT, AND INVESTIGATIONS*10 *U.S. CUSTOMS AND BORDER PROTECTION*11 *SALARIES AND EXPENSES*

12 *For necessary expenses for enforcement of laws relating*
13 *to border security, immigration, customs, agricultural in-*
14 *spections and regulatory activities related to plant and ani-*
15 *mal imports, and transportation of unaccompanied minor*
16 *aliens; purchase and lease of up to 7,500 (6,500 for replace-*
17 *ment only) police-type vehicles; and contracting with indi-*
18 *viduals for personal services abroad; \$8,628,902,000; of*
19 *which \$3,274,000 shall be derived from the Harbor Mainte-*
20 *nance Trust Fund for administrative expenses related to the*
21 *collection of the Harbor Maintenance Fee pursuant to sec-*
22 *tion 9505(c)(3) of the Internal Revenue Code of 1986 (26*
23 *U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1)*
24 *of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1));*
25 *of which \$30,000,000 shall be available until September 30,*

1 2017, solely for the purpose of recruiting, hiring, training,
2 and equipping law enforcement officers and Border Patrol
3 agents; of which not to exceed \$34,425 shall be for official
4 reception and representation expenses; of which such sums
5 as become available in the Customs User Fee Account, ex-
6 cept sums subject to section 13031(f)(3) of the Consolidated
7 Omnibus Budget Reconciliation Act of 1985 (19 U.S.C.
8 58c(f)(3)), shall be derived from that account; of which not
9 to exceed \$150,000 shall be available for payment for rental
10 space in connection with preclearance operations; and of
11 which not to exceed \$1,000,000 shall be for awards of com-
12 pensation to informants, to be accounted for solely under
13 the certificate of the Secretary of Homeland Security: Pro-
14 vided, That of the amounts made available under this head-
15 ing for Inspection and Detection Technology Investments,
16 \$18,500,000 shall remain available until September 30,
17 2018: Provided further, That for fiscal year 2016, the over-
18 time limitation prescribed in section 5(c)(1) of the Act of
19 February 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$35,000;
20 and notwithstanding any other provision of law, none of
21 the funds appropriated by this Act shall be available to
22 compensate any employee of U.S. Customs and Border Pro-
23 tection for overtime, from whatever source, in an amount
24 that exceeds such limitation, except in individual cases de-
25 termined by the Secretary of Homeland Security, or the des-

1 *ignee of the Secretary, to be necessary for national security*
2 *purposes, to prevent excessive costs, or in cases of immigra-*
3 *tion emergencies: Provided further, That the Border Patrol*
4 *shall maintain an active duty presence of not less than*
5 *21,370 full-time equivalent agents protecting the borders of*
6 *the United States in the fiscal year.*

7 *AUTOMATION MODERNIZATION*

8 *For necessary expenses for U.S. Customs and Border*
9 *Protection for operation and improvement of automated*
10 *systems, including salaries and expenses, \$829,460,000; of*
11 *which \$465,732,000 shall remain available until September*
12 *30, 2018; and of which not less than \$151,184,000 shall be*
13 *for the development of the Automated Commercial Environ-*
14 *ment.*

15 *BORDER SECURITY FENCING, INFRASTRUCTURE, AND*

16 *TECHNOLOGY*

17 *For necessary expenses for border security fencing, in-*
18 *frastructure, and technology, \$447,461,000; of which*
19 *\$273,931,000 shall remain available until September 30,*
20 *2017, for operations and maintenance; and of which*
21 *\$173,530,000 shall remain available until September 30,*
22 *2018, for development and deployment.*

23 *AIR AND MARINE OPERATIONS*

24 *For necessary expenses for the operations, mainte-*
25 *nance, and procurement of marine vessels, aircraft, un-*

1 *manned aerial systems, the Air and Marine Operations*
2 *Center, and other related equipment of the air and marine*
3 *program, including salaries and expenses, operational*
4 *training, and mission-related travel, the operations of*
5 *which include the following: the interdiction of narcotics*
6 *and other goods; the provision of support to Federal, State,*
7 *and local agencies in the enforcement or administration of*
8 *laws enforced by the Department of Homeland Security;*
9 *and, at the discretion of the Secretary of Homeland Secu-*
10 *rity, the provision of assistance to Federal, State, and local*
11 *agencies in other law enforcement and emergency humani-*
12 *tarian efforts; \$802,298,000; of which \$300,429,000 shall be*
13 *available for salaries and expenses; and of which*
14 *\$501,869,000 shall remain available until September 30,*
15 *2018: Provided, That no aircraft or other related equip-*
16 *ment, with the exception of aircraft that are one of a kind*
17 *and have been identified as excess to U.S. Customs and Bor-*
18 *der Protection requirements and aircraft that have been*
19 *damaged beyond repair, shall be transferred to any other*
20 *Federal agency, department, or office outside of the Depart-*
21 *ment of Homeland Security during fiscal year 2016 without*
22 *prior notice to the Committees on Appropriations of the*
23 *Senate and the House of Representatives: Provided further,*
24 *That funding made available under this heading shall be*

1 *available for customs expenses when necessary to maintain*
2 *or to temporarily increase operations in Puerto Rico.*

3 *CONSTRUCTION AND FACILITIES MANAGEMENT*

4 *For necessary expenses to plan, acquire, construct, ren-*
5 *ovate, equip, furnish, operate, manage, and maintain build-*
6 *ings, facilities, and related infrastructure necessary for the*
7 *administration and enforcement of the laws relating to cus-*
8 *toms, immigration, and border security, \$340,128,000, to*
9 *remain available until September 30, 2020.*

10 *U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses for enforcement of immigration*
13 *and customs laws, detention and removals, and investiga-*
14 *tions, including intellectual property rights and overseas*
15 *vetted units operations; and purchase and lease of up to*
16 *3,790 (2,350 for replacement only) police-type vehicles;*
17 *\$5,779,041,000; of which not to exceed \$10,000,000 shall be*
18 *available until expended for conducting special operations*
19 *under section 3131 of the Customs Enforcement Act of 1986*
20 *(19 U.S.C. 2081); of which not to exceed \$11,475 shall be*
21 *for official reception and representation expenses; of which*
22 *not to exceed \$2,000,000 shall be for awards of compensa-*
23 *tion to informants, to be accounted for solely under the cer-*
24 *tificate of the Secretary of Homeland Security; of which not*
25 *less than \$305,000 shall be for promotion of public aware-*

1 *ness of the child pornography tipline and activities to*
2 *counter child exploitation; of which not less than \$5,400,000*
3 *shall be used to facilitate agreements consistent with section*
4 *287(g) of the Immigration and Nationality Act (8 U.S.C.*
5 *1357(g)); of which not to exceed \$45,000,000, to remain*
6 *available until September 30, 2017, is for maintenance,*
7 *construction, and leasehold improvements at owned and*
8 *leased facilities; and of which not to exceed \$11,216,000*
9 *shall be available to fund or reimburse other Federal agen-*
10 *cies for the costs associated with the care, maintenance, and*
11 *repatriation of smuggled aliens unlawfully present in the*
12 *United States: Provided, That of the total amount made*
13 *available under this heading, \$100,000,000 shall be with-*
14 *held from obligation until the Director of U.S. Immigration*
15 *and Customs Enforcement submits to the Committees on*
16 *Appropriations of the Senate and the House of Representa-*
17 *tives a report detailing the number of full-time equivalent*
18 *employees hired and lost through attrition for the period*
19 *beginning on October 1, 2015, and ending on June 30,*
20 *2016: Provided further, That of the total amount made*
21 *available under this heading, \$5,000,000 shall be withheld*
22 *from obligation until the Director of U.S. Immigration and*
23 *Customs Enforcement briefs the Committees on Appropria-*
24 *tions of the Senate and the House of Representatives on ef-*
25 *forts to increase the number of communities and law en-*

1 *forcement agencies participating in the Priority Enforce-*
2 *ment Program, including details as to the jurisdictions and*
3 *law enforcement agencies approached and the level of par-*
4 *ticipation on a by-community basis: Provided further, That*
5 *none of the funds made available under this heading shall*
6 *be available to compensate any employee for overtime in*
7 *an annual amount in excess of \$35,000, except that the Sec-*
8 *retary of Homeland Security, or the designee of the Sec-*
9 *retary, may waive that amount as necessary for national*
10 *security purposes and in cases of immigration emergencies:*
11 *Provided further, That of the total amount provided,*
12 *\$15,770,000 shall be for activities to enforce laws against*
13 *forced child labor, of which not to exceed \$6,000,000 shall*
14 *remain available until expended: Provided further, That of*
15 *the total amount available, not less than \$1,600,000,000*
16 *shall be available to identify aliens convicted of a crime*
17 *who may be deportable, and to remove them from the United*
18 *States once they are judged deportable: Provided further,*
19 *That the Secretary of Homeland Security shall prioritize*
20 *the identification and removal of aliens convicted of a crime*
21 *by the severity of that crime: Provided further, That fund-*
22 *ing made available under this heading shall maintain a*
23 *level of not less than 34,000 detention beds through Sep-*
24 *tember 30, 2016: Provided further, That of the total amount*
25 *provided, not less than \$3,217,942,000 is for enforcement,*

1 *detention, and removal operations, including transpor-*
2 *tation of unaccompanied minor aliens: Provided further,*
3 *That of the amount provided for Custody Operations in the*
4 *previous proviso, \$45,000,000 shall remain available until*
5 *September 30, 2020: Provided further, That of the total*
6 *amount provided for the Visa Security Program and inter-*
7 *national investigations, \$13,300,000 shall remain available*
8 *until September 30, 2017: Provided further, That not less*
9 *than \$15,000,000 shall be available for investigation of in-*
10 *tellectual property rights violations, including operation of*
11 *the National Intellectual Property Rights Coordination*
12 *Center: Provided further, That none of the funds provided*
13 *under this heading may be used to continue a delegation*
14 *of law enforcement authority authorized under section*
15 *287(g) of the Immigration and Nationality Act (8 U.S.C.*
16 *1357(g)) if the Department of Homeland Security Inspector*
17 *General determines that the terms of the agreement gov-*
18 *erning the delegation of authority have been materially vio-*
19 *lated: Provided further, That none of the funds provided*
20 *under this heading may be used to continue any contract*
21 *for the provision of detention services if the two most recent*
22 *overall performance evaluations received by the contracted*
23 *facility are less than “adequate” or the equivalent median*
24 *score in any subsequent performance evaluation system:*
25 *Provided further, That nothing under this heading shall*

1 *prevent U.S. Immigration and Customs Enforcement from*
2 *exercising those authorities provided under the immigration*
3 *laws (as defined in section 101(a)(17) of the Immigration*
4 *and Nationality Act (8 U.S.C. 1101(a)(17))) during pri-*
5 *ority operations pertaining to aliens convicted of a crime:*
6 *Provided further, That without regard to the limitation as*
7 *to time and condition of section 503(d) of this Act, the Sec-*
8 *retary may propose to reprogram and transfer funds within*
9 *and into this appropriation necessary to ensure the deten-*
10 *tion of aliens prioritized for removal.*

11 *AUTOMATION MODERNIZATION*

12 *For expenses of immigration and customs enforcement*
13 *automated systems, \$53,000,000, to remain available until*
14 *September 30, 2018.*

15 *TRANSPORTATION SECURITY ADMINISTRATION*

16 *AVIATION SECURITY*

17 *For necessary expenses of the Transportation Security*
18 *Administration related to providing civil aviation security*
19 *services pursuant to the Aviation and Transportation Secu-*
20 *rity Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C.*
21 *40101 note), \$5,719,437,000, to remain available until Sep-*
22 *tember 30, 2017; of which not to exceed \$7,650 shall be for*
23 *official reception and representation expenses: Provided,*
24 *That any award to deploy explosives detection systems shall*
25 *be based on risk, the airport’s current reliance on other*

1 screening solutions, lobby congestion resulting in increased
2 security concerns, high injury rates, airport readiness, and
3 increased cost effectiveness: Provided further, That security
4 service fees authorized under section 44940 of title 49,
5 United States Code, shall be credited to this appropriation
6 as offsetting collections and shall be available only for avia-
7 tion security: Provided further, That the sum appropriated
8 under this heading from the general fund shall be reduced
9 on a dollar-for-dollar basis as such offsetting collections are
10 received during fiscal year 2016 so as to result in a final
11 fiscal year appropriation from the general fund estimated
12 at not more than \$3,589,437,000: Provided further, That
13 the funds deposited pursuant to section 44945 of title 49,
14 United States Code, that are currently unavailable for obli-
15 gation are hereby permanently cancelled: Provided further,
16 That notwithstanding section 44923 of title 49, United
17 States Code, for fiscal year 2016, any funds in the Aviation
18 Security Capital Fund established by section 44923(h) of
19 title 49, United States Code, may be used for the procure-
20 ment and installation of explosives detection systems or for
21 the issuance of other transaction agreements for the purpose
22 of funding projects described in section 44923(a) of such
23 title: Provided further, That notwithstanding any other pro-
24 vision of law, for the current fiscal year and each fiscal
25 year hereafter, mobile explosives detection systems pur-

1 *chased and deployed using funds made available under this*
2 *heading may be moved and redeployed to meet evolving pas-*
3 *senger and baggage screening security priorities at airports:*
4 *Provided further, That none of the funds made available*
5 *in this Act may be used for any recruiting or hiring of*
6 *personnel into the Transportation Security Administration*
7 *that would cause the agency to exceed a staffing level of*
8 *45,000 full-time equivalent screeners: Provided further,*
9 *That the preceding proviso shall not apply to personnel*
10 *hired as part-time employees: Provided further, That not*
11 *later than 90 days after the date of enactment of this Act,*
12 *the Secretary of Homeland Security shall submit to the*
13 *Committees on Appropriations of the Senate and the House*
14 *of Representatives a detailed report on—*

15 *(1) the Department of Homeland Security efforts*
16 *and resources being devoted to develop more advanced*
17 *integrated passenger screening technologies for the*
18 *most effective security of passengers and baggage at*
19 *the lowest possible operating and acquisition costs, in-*
20 *cluding projected funding levels for each fiscal year*
21 *for the next 5 years or until project completion,*
22 *whichever is earlier;*

23 *(2) how the Transportation Security Adminis-*
24 *tration is deploying its existing passenger and bag-*

1 *gage screener workforce in the most cost-effective man-*
2 *ner; and*

3 *(3) labor savings from the deployment of im-*
4 *proved technologies for passenger and baggage screen-*
5 *ing, including high-speed baggage screening, and how*
6 *those savings are being used to offset security costs or*
7 *reinvested to address security vulnerabilities:*

8 *Provided further, That Members of the United States House*
9 *of Representatives and the United States Senate, including*
10 *the leadership; the heads of Federal agencies and commis-*
11 *sions, including the Secretary, Deputy Secretary, Under*
12 *Secretaries, 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 *SURFACE TRANSPORTATION SECURITY*

20 *For necessary expenses of the Transportation Security*
21 *Administration related to surface transportation security*
22 *activities, \$110,798,000, to remain available until Sep-*
23 *tember 30, 2017.*

1 *any location; payments pursuant to section 156 of Public*
2 *Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recre-*
3 *ation and welfare; \$7,061,490,000, of which \$500,002,000*
4 *shall be for defense-related activities, of which \$160,002,000*
5 *is designated by the Congress for Overseas Contingency Op-*
6 *erations/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; of which \$24,500,000 shall be*
9 *derived from the Oil Spill Liability Trust Fund to carry*
10 *out the purposes of section 1012(a)(5) of the Oil Pollution*
11 *Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to*
12 *exceed \$23,000 shall be for official reception and representa-*
13 *tion expenses: Provided, That none of the funds made avail-*
14 *able by this Act shall be for expenses incurred for rec-*
15 *reational vessels under section 12114 of title 46, United*
16 *States Code, except to the extent fees are collected from own-*
17 *ers of yachts and credited to this appropriation: Provided*
18 *further, That to the extent fees are insufficient to pay ex-*
19 *penses of recreational vessel documentation under such sec-*
20 *tion 12114, and there is a backlog of recreational vessel ap-*
21 *plications, then personnel performing non-recreational ves-*
22 *sel documentation functions under subchapter II of chapter*
23 *121 of title 46, United States Code, may perform docu-*
24 *mentation under section 12114: Provided further, That of*
25 *the funds provided under this heading, \$85,000,000 shall*

1 *be withheld from obligation for Coast Guard Headquarters*
2 *Directorates until a future-years capital investment plan*
3 *for fiscal years 2017 through 2021, as specified under the*
4 *heading “Coast Guard, Acquisition, Construction, and Im-*
5 *provements” of this Act, is submitted to the Committees on*
6 *Appropriations of the Senate and the House of Representa-*
7 *tives: Provided further, That funds made available under*
8 *this heading for Overseas Contingency Operations/Global*
9 *War on Terrorism may be allocated by program, project,*
10 *and activity, notwithstanding section 503 of this Act: Pro-*
11 *vided further, That without regard to the limitation as to*
12 *time and condition of section 503(d) of this Act, after June*
13 *30, up to \$10,000,000 may be reprogrammed to or from*
14 *Military Pay and Allowances in accordance with sub-*
15 *sections (a), (b), and (c) of section 503.*

16 *ENVIRONMENTAL COMPLIANCE AND RESTORATION*

17 *For necessary expenses to carry out the environmental*
18 *compliance and restoration functions of the Coast Guard*
19 *under chapter 19 of title 14, United States Code,*
20 *\$13,221,000, to remain available until September 30, 2020.*

21 *RESERVE TRAINING*

22 *For necessary expenses of the Coast Guard Reserve, as*
23 *authorized by law; operations and maintenance of the Coast*
24 *Guard reserve program; personnel and training costs; and*
25 *equipment and services; \$110,614,000.*

1 *ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

2 *For necessary expenses of acquisition, construction,*
3 *renovation, and improvement of aids to navigation, shore*
4 *facilities, vessels, and aircraft, including equipment related*
5 *thereto; and maintenance, rehabilitation, lease, and oper-*
6 *ation of facilities and equipment; as authorized by law;*
7 *\$1,945,169,000; of which \$20,000,000 shall be derived from*
8 *the Oil Spill Liability Trust Fund to carry out the purposes*
9 *of section 1012(a)(5) of the Oil Pollution Act of 1990 (33*
10 *U.S.C. 2712(a)(5)); and of which the following amounts*
11 *shall be available until September 30, 2020 (except as subse-*
12 *quently specified): \$21,000,000 for military family housing;*
13 *\$1,264,400,000 to acquire, effect major repairs to, renovate,*
14 *or improve vessels, small boats, and related equipment;*
15 *\$295,000,000 to acquire, effect major repairs to, renovate,*
16 *or improve aircraft or increase aviation capability;*
17 *\$65,100,000 for other acquisition programs; \$181,600,000*
18 *for shore facilities and aids to navigation, including facili-*
19 *ties at Department of Defense installations used by the*
20 *Coast Guard; and \$118,069,000, to remain available until*
21 *September 30, 2016, for personnel compensation and bene-*
22 *fits and related costs: Provided, That of the funds provided*
23 *by this Act, not less than \$640,000,000 shall be immediately*
24 *available and allotted to contract for the production of the*
25 *ninth National Security Cutter notwithstanding the avail-*

1 ability of funds for post-production costs: Provided further,
2 That the Commandant of the Coast Guard shall submit to
3 the Congress, at the time the President's budget proposal
4 for fiscal year 2017 is submitted pursuant to section
5 1105(a) of title 31, United States Code, a future-years cap-
6 ital investment plan as described in the second proviso
7 under the heading "Coast Guard, Acquisition, Construction,
8 and Improvements" in the Department of Homeland Secu-
9 rity Appropriations Act, 2015 (Public Law 114-4), which
10 shall be subject to the requirements in the third and fourth
11 provisos under such heading.

12 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

13 For necessary expenses for applied scientific research,
14 development, test, and evaluation; and for maintenance, re-
15 habilitation, lease, and operation of facilities and equip-
16 ment; as authorized by law; \$18,019,000, to remain avail-
17 able until September 30, 2018, of which \$500,000 shall be
18 derived from the Oil Spill Liability Trust Fund to carry
19 out the purposes of section 1012(a)(5) of the Oil Pollution
20 Act of 1990 (33 U.S.C. 2712(a)(5)): Provided, That there
21 may be credited to and used for the purposes of this appro-
22 priation funds received from State and local governments,
23 other public authorities, private sources, and foreign coun-
24 tries for expenses incurred for research, development, test-
25 ing, and evaluation.

1 *RETIRE*
2 *D PAY*

3 *For retired pay, including the payment of obligations*
4 *otherwise chargeable to lapsed appropriations for this pur-*
5 *pose, payments under the Retired Serviceman's Family*
6 *Protection and Survivor Benefits Plans, payment for career*
7 *status bonuses, concurrent receipts, and combat-related spe-*
8 *cial compensation under the National Defense Authoriza-*
9 *tion Act, and payments for medical care of retired per-*
10 *sonnel and their dependents under chapter 55 of title 10,*
11 *United States Code, \$1,604,000,000, to remain available*
12 *until expended.*

12 *UNITED STATES SECRET SERVICE*13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the United States Secret*
15 *Service, including purchase of not to exceed 652 vehicles*
16 *for police-type use for replacement only; hire of passenger*
17 *motor vehicles; purchase of motorcycles made in the United*
18 *States; hire of aircraft; services of expert witnesses at such*
19 *rates as may be determined by the Director of the United*
20 *States Secret Service; rental of buildings in the District of*
21 *Columbia, and fencing, lighting, guard booths, and other*
22 *facilities on private or other property not in Government*
23 *ownership or control, as may be necessary to perform pro-*
24 *TECTIVE functions; payment of per diem or subsistence allow-*
25 *ances to employees in cases in which a protective assign-*

1 *ment on the actual day or days of the visit of a protectee*
2 *requires an employee to work 16 hours per day or to remain*
3 *overnight at a post of duty; conduct of and participation*
4 *in firearms matches; presentation of awards; travel of*
5 *United States Secret Service employees on protective mis-*
6 *sions without regard to the limitations on such expenditures*
7 *in this or any other Act if approval is obtained in advance*
8 *from the Committees on Appropriations of the Senate and*
9 *the House of Representatives; research and development;*
10 *grants to conduct behavioral research in support of protec-*
11 *tive research and operations; and payment in advance for*
12 *commercial accommodations as may be necessary to per-*
13 *form protective functions; \$1,854,526,000; of which not to*
14 *exceed \$19,125 shall be for official reception and representa-*
15 *tion expenses; of which not to exceed \$100,000 shall be to*
16 *provide technical assistance and equipment to foreign law*
17 *enforcement organizations in counterfeit investigations; of*
18 *which \$2,366,000 shall be for forensic and related support*
19 *of investigations of missing and exploited children; of which*
20 *\$6,000,000 shall be for a grant for activities related to in-*
21 *vestigations of missing and exploited children and shall re-*
22 *main available until September 30, 2017; and of which not*
23 *less than \$12,000,000 shall be for activities related to train-*
24 *ing in electronic crimes investigations and forensics: Pro-*
25 *vided, That \$18,000,000 for protective travel shall remain*

1 *available until September 30, 2017: Provided further, That*
2 *of the amounts made available under this heading for secu-*
3 *rity improvements at the White House complex, \$8,200,000*
4 *shall remain available until September 30, 2017: Provided*
5 *further, That \$4,500,000 for National Special Security*
6 *Events shall remain available until expended: Provided fur-*
7 *ther, That the United States Secret Service is authorized*
8 *to obligate funds in anticipation of reimbursements from*
9 *Federal agencies and entities, as defined in section 105 of*
10 *title 5, United States Code, for personnel receiving training*
11 *sponsored by the James J. Rowley Training Center, except*
12 *that total obligations at the end of the fiscal year shall not*
13 *exceed total budgetary resources available under this head-*
14 *ing at the end of the fiscal year: Provided further, That*
15 *none of the funds made available under this heading shall*
16 *be available to compensate any employee for overtime in*
17 *an annual amount in excess of \$35,000, except that the Sec-*
18 *retary of Homeland Security, or the designee of the Sec-*
19 *retary, may waive that amount as necessary for national*
20 *security purposes: Provided further, That none of the funds*
21 *made available to the United States Secret Service by this*
22 *Act or by previous appropriations Acts may be made avail-*
23 *able for the protection of the head of a Federal agency other*
24 *than the Secretary of Homeland Security: Provided further,*
25 *That the Director of the United States Secret Service may*

1 *enter into an agreement to provide such protection on a*
2 *fully reimbursable basis: Provided further, That none of the*
3 *funds made available to the United States Secret Service*
4 *by this Act or by previous appropriations Acts may be obli-*
5 *gated for the purpose of opening a new permanent domestic*
6 *or overseas office or location unless the Committees on Ap-*
7 *propriations of the Senate and the House of Representatives*
8 *are notified 15 days in advance of such obligation: Provided*
9 *further, That for purposes of section 503 of this Act,*
10 *\$15,000,000 or 10 percent, whichever is less, may be repro-*
11 *grammed between Protection of Persons and Facilities and*
12 *Domestic Field Operations.*

13 *ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND*
14 *RELATED EXPENSES*

15 *For necessary expenses for acquisition, construction,*
16 *repair, alteration, and improvement of physical and techno-*
17 *logical infrastructure, \$79,019,000, to remain available*
18 *until September 30, 2018.*

19 *TITLE III*

20 *PROTECTION, PREPAREDNESS, RESPONSE, AND*
21 *RECOVERY*

22 *NATIONAL PROTECTION AND PROGRAMS DIRECTORATE*
23 *MANAGEMENT AND ADMINISTRATION*

24 *For the management and administration of the Na-*
25 *tional Protection and Programs Directorate, and support*

1 *OFFICE OF BIOMETRIC IDENTITY MANAGEMENT*

2 *For necessary expenses for the Office of Biometric*
3 *Identity Management, as authorized by section 7208 of the*
4 *Intelligence Reform and Terrorism Prevention Act of 2004*
5 *(8 U.S.C. 1365b), \$282,473,000, of which \$159,054,000*
6 *shall remain available until September 30, 2018.*

7 *OFFICE OF HEALTH AFFAIRS*

8 *For necessary expenses of the Office of Health Affairs,*
9 *\$125,369,000; of which \$27,010,000 is for salaries and ex-*
10 *penses and \$82,078,000 is for BioWatch operations: Pro-*
11 *vided, That of the amount made available under this head-*
12 *ing, \$16,281,000 shall remain available until September 30,*
13 *2017, for biosurveillance, chemical defense, medical and*
14 *health planning and coordination, and workforce health*
15 *protection.*

16 *FEDERAL EMERGENCY MANAGEMENT AGENCY*17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Federal Emergency Man-*
19 *agement Agency, \$960,754,000, including activities author-*
20 *ized by the National Flood Insurance Act of 1968 (42*
21 *U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief*
22 *and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the*
23 *Cerro Grande Fire Assistance Act of 2000 (division C, title*
24 *I, 114 Stat. 583), the Earthquake Hazards Reduction Act*
25 *of 1977 (42 U.S.C. 7701 et seq.), the Defense Production*

1 *Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and*
2 *303 of the National Security Act of 1947 (50 U.S.C. 404,*
3 *405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.),*
4 *the National Dam Safety Program Act (33 U.S.C. 467 et*
5 *seq.), the Homeland Security Act of 2002 (6 U.S.C. 101*
6 *et seq.), the Implementing Recommendations of the 9/11*
7 *Commission Act of 2007 (Public Law 110–53), the Federal*
8 *Fire Prevention and Control Act of 1974 (15 U.S.C. 2201*
9 *et seq.), the Post-Katrina Emergency Management Reform*
10 *Act of 2006 (Public Law 109–295; 120 Stat. 1394), the*
11 *Biggert-Waters Flood Insurance Reform Act of 2012 (Public*
12 *Law 112–141, 126 Stat. 916), and the Homeowner Flood*
13 *Insurance Affordability Act of 2014 (Public Law 113–89):*
14 *Provided, That not to exceed \$2,250 shall be for official re-*
15 *ception and representation expenses: Provided further, That*
16 *of the total amount made available under this heading,*
17 *\$35,180,000 shall be for the Urban Search and Rescue Re-*
18 *sponse System, of which none is available for Federal Emer-*
19 *gency Management Agency administrative costs: Provided*
20 *further, That of the total amount made available under this*
21 *heading, \$27,500,000 shall remain available until Sep-*
22 *tember 30, 2017, for capital improvements and other ex-*
23 *penses related to continuity of operations at the Mount*
24 *Weather Emergency Operations Center: Provided further,*

1 *That of the total amount made available, \$3,422,000 shall*
2 *be for the Office of National Capital Region Coordination.*

3 *STATE AND LOCAL PROGRAMS*

4 *For grants, contracts, cooperative agreements, and*
5 *other activities, \$1,500,000,000, which shall be allocated as*
6 *follows:*

7 *(1) \$467,000,000 shall be for the State Homeland*
8 *Security Grant Program under section 2004 of the*
9 *Homeland Security Act of 2002 (6 U.S.C. 605), of*
10 *which \$55,000,000 shall be for Operation*
11 *Stonegarden: Provided, That notwithstanding sub-*
12 *section (c)(4) of such section 2004, for fiscal year*
13 *2016, the Commonwealth of Puerto Rico shall make*
14 *available to local and tribal governments amounts*
15 *provided to the Commonwealth of Puerto Rico under*
16 *this paragraph in accordance with subsection (c)(1)*
17 *of such section 2004.*

18 *(2) \$600,000,000 shall be for the Urban Area Se-*
19 *curity Initiative under section 2003 of the Homeland*
20 *Security Act of 2002 (6 U.S.C. 604), of which*
21 *\$20,000,000 shall be for organizations (as described*
22 *under section 501(c)(3) of the Internal Revenue Code*
23 *of 1986 and exempt from tax under section 501(a) of*
24 *such code) determined by the Secretary of Homeland*
25 *Security to be at high risk of a terrorist attack.*

1 (3) \$100,000,000 shall be for Public Transpor-
2 tation Security Assistance, Railroad Security Assist-
3 ance, and Over-the-Road Bus Security Assistance
4 under sections 1406, 1513, and 1532 of the Imple-
5 menting Recommendations of the 9/11 Commission
6 Act of 2007 (Public Law 110–53; 6 U.S.C. 1135,
7 1163, and 1182), of which \$10,000,000 shall be for
8 Amtrak security and \$3,000,000 shall be for Over-the-
9 Road Bus Security: Provided, That such public trans-
10 portation security assistance shall be provided di-
11 rectly to public transportation agencies.

12 (4) \$100,000,000 shall be for Port Security
13 Grants in accordance with 46 U.S.C. 70107.

14 (5) \$233,000,000 shall be to sustain current op-
15 erations for training, exercises, technical assistance,
16 and other programs, of which \$162,991,000 shall be
17 for training of State, local, and tribal emergency re-
18 sponse providers:

19 Provided, That for grants under paragraphs (1) through
20 (4), applications for grants shall be made available to eligi-
21 ble applicants not later than 60 days after the date of enact-
22 ment of this Act, that eligible applicants shall submit appli-
23 cations not later than 80 days after the grant announce-
24 ment, and the Administrator of the Federal Emergency
25 Management Agency shall act within 65 days after the re-

1 *ceipt of an application: Provided further, That notwith-*
2 *standing section 2008(a)(11) of the Homeland Security Act*
3 *of 2002 (6 U.S.C. 609(a)(11)) or any other provision of law,*
4 *a grantee may not use more than 5 percent of the amount*
5 *of a grant made available under this heading for expenses*
6 *directly related to administration of the grant: Provided*
7 *further, That for grants under paragraphs (1) and (2), the*
8 *installation of communications towers is not considered*
9 *construction of a building or other physical facility: Pro-*
10 *vided further, That grantees shall provide reports on their*
11 *use of funds, as determined necessary by the Secretary of*
12 *Homeland Security: Provided further, That notwith-*
13 *standing section 509 of this Act, the Administrator of the*
14 *Federal Emergency Management Agency may use the funds*
15 *provided in paragraph (5) to acquire real property for the*
16 *purpose of establishing or appropriately extending the secu-*
17 *rity buffer zones around Federal Emergency Management*
18 *Agency training facilities.*

19 *FIREFIGHTER ASSISTANCE GRANTS*

20 *For grants for programs authorized by the Federal*
21 *Fire Prevention and Control Act of 1974 (15 U.S.C. 2201*
22 *et seq.), \$690,000,000, to remain available until September*
23 *30, 2017, of which \$345,000,000 shall be available to carry*
24 *out section 33 of that Act (15 U.S.C. 2229) and*

1 \$345,000,000 shall be available to carry out section 34 of
2 that Act (15 U.S.C. 2229a).

3 *EMERGENCY MANAGEMENT PERFORMANCE GRANTS*

4 *For emergency management performance grants, as*
5 *authorized by the National Flood Insurance Act of 1968 (42*
6 *U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief*
7 *and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the*
8 *Earthquake Hazards Reduction Act of 1977 (42 U.S.C.*
9 *7701 et seq.), and Reorganization Plan No. 3 of 1978 (5*
10 *U.S.C. App.), \$350,000,000.*

11 *RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM*

12 *The aggregate charges assessed during fiscal year 2016,*
13 *as authorized in title III of the Departments of Veterans*
14 *Affairs and Housing and Urban Development, and Inde-*
15 *pendent Agencies Appropriations Act, 1999 (42 U.S.C.*
16 *5196e), shall not be less than 100 percent of the amounts*
17 *anticipated by the Department of Homeland Security nec-*
18 *essary for its radiological emergency preparedness program*
19 *for the next fiscal year: Provided, That the methodology for*
20 *assessment and collection of fees shall be fair and equitable*
21 *and shall reflect costs of providing such services, including*
22 *administrative costs of collecting such fees: Provided fur-*
23 *ther, That fees received under this heading shall be deposited*
24 *in this account as offsetting collections and will become*

1 *available for authorized purposes on October 1, 2016, and*
2 *remain available until expended.*

3 *UNITED STATES FIRE ADMINISTRATION*

4 *For necessary expenses of the United States Fire Ad-*
5 *ministration and for other purposes, as authorized by the*
6 *Federal Fire Prevention and Control Act of 1974 (15 U.S.C.*
7 *2201 et seq.) and the Homeland Security Act of 2002 (6*
8 *U.S.C. 101 et seq.), \$44,000,000.*

9 *DISASTER RELIEF FUND*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For necessary expenses in carrying out the Robert T.*
12 *Stafford Disaster Relief and Emergency Assistance Act (42*
13 *U.S.C. 5121 et seq.), \$7,374,693,000 to remain available*
14 *until expended, of which \$24,000,000 shall be transferred*
15 *to the Department of Homeland Security Office of Inspector*
16 *General for audits and investigations related to disasters:*
17 *Provided, That the reporting requirements in paragraphs*
18 *(1) and (2) under the heading “Federal Emergency Man-*
19 *agement Agency, Disaster Relief Fund” in the Department*
20 *of Homeland Security Appropriations Act, 2015 (Public*
21 *Law 114–4) shall be applied in fiscal year 2016 with re-*
22 *spect to budget year 2017 and current fiscal year 2016, re-*
23 *spectively, by substituting “fiscal year 2017” for “fiscal*
24 *year 2016” in paragraph (1): Provided further, That of the*
25 *amount provided under this heading, \$6,712,953,000 shall*

1 *be for major disasters declared pursuant to the Robert T.*
2 *Stafford Disaster Relief and Emergency Assistance Act (42*
3 *U.S.C. 5121 et seq.): Provided further, That the amount in*
4 *the preceding proviso is designated by the Congress as being*
5 *for disaster relief pursuant to section 251(b)(2)(D) of the*
6 *Balanced Budget and Emergency Deficit Control Act of*
7 *1985.*

8 *FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM*

9 *For necessary expenses, including administrative costs,*
10 *under section 1360 of the National Flood Insurance Act of*
11 *1968 (42 U.S.C. 4101), and under sections 100215, 100216,*
12 *100226, 100230, and 100246 of the Biggert-Waters Flood*
13 *Insurance Reform Act of 2012, (Public Law 112–141, 126*
14 *Stat. 916), \$190,000,000, and such additional sums as may*
15 *be provided by State and local governments or other polit-*
16 *ical subdivisions for cost-shared mapping activities under*
17 *section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to re-*
18 *main available until expended.*

19 *NATIONAL FLOOD INSURANCE FUND*

20 *For activities under the National Flood Insurance Act*
21 *of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protec-*
22 *tion Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-*
23 *Waters Flood Insurance Reform Act of 2012 (Public Law*
24 *112–141, 126 Stat. 916), and the Homeowner Flood Insur-*
25 *ance Affordability Act of 2014 (Public Law 113–89; 128*

1 *Stat. 1020), \$181,198,000, which shall remain available*
2 *until September 30, 2017, and shall be derived from offset-*
3 *ting amounts collected under section 1308(d) of the Na-*
4 *tional Flood Insurance Act of 1968 (42 U.S.C. 4015(d));*
5 *of which \$25,299,000 shall be available for salaries and ex-*
6 *penses associated with flood management and flood insur-*
7 *ance operations and \$155,899,000 shall be available for*
8 *flood plain management and flood mapping: Provided,*
9 *That any additional fees collected pursuant to section*
10 *1308(d) of the National Flood Insurance Act of 1968 (42*
11 *U.S.C. 4015(d)) shall be credited as an offsetting collection*
12 *to this account, to be available for flood plain management*
13 *and flood mapping: Provided further, That in fiscal year*
14 *2016, no funds shall be available from the National Flood*
15 *Insurance Fund under section 1310 of the National Flood*
16 *Insurance Act of 1968 (42 U.S.C. 4017) in excess of:*

- 17 (1) *\$133,252,000 for operating expenses;*
18 (2) *\$1,123,000,000 for commissions and taxes of*
19 *agents;*
20 (3) *such sums as are necessary for interest on*
21 *Treasury borrowings; and*
22 (4) *\$175,000,000, which shall remain available*
23 *until expended, for flood mitigation actions and for*
24 *flood mitigation assistance under section 1366 of the*
25 *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 NATIONAL PREDISASTER MITIGATION FUND

18 *For the predisaster mitigation grant program under*
19 *section 203 of the Robert T. Stafford Disaster Relief and*
20 *Emergency Assistance Act (42 U.S.C. 5133), \$100,000,000,*
21 *to remain available until expended.*

22 EMERGENCY FOOD AND SHELTER

23 *To carry out the Emergency Food and Shelter pro-*
24 *gram pursuant to title III of the McKinney-Vento Homeless*
25 *Assistance Act (42 U.S.C. 11331 et seq.), \$120,000,000, to*

1 *remain available until expended: Provided, That total ad-*
2 *ministrative costs shall not exceed 3.5 percent of the total*
3 *amount made available under this heading: Provided fur-*
4 *ther, That if the President's budget proposal for fiscal year*
5 *2017, submitted pursuant to section 1105(a) of title 31,*
6 *United States Code, proposes to move the Emergency Food*
7 *and Shelter program from the Federal Emergency Manage-*
8 *ment Agency to the Department of Housing and Urban De-*
9 *velopment, or to fund such program directly through the*
10 *Department of Housing and Urban Development, a joint*
11 *transition plan from the Federal Emergency Management*
12 *Agency and the Department of Housing and Urban Devel-*
13 *opment shall be submitted to the Committees on Appropria-*
14 *tions of the Senate and the House of Representatives not*
15 *later than 90 days after the date the fiscal year 2017 budget*
16 *is submitted to Congress: Provided further, That such plan*
17 *shall include details on the transition of programmatic re-*
18 *sponsibilities, efforts to consult with stakeholders, and mech-*
19 *anisms to ensure that the original purpose of the program*
20 *will be retained.*

1 *TITLE IV*
2 *RESEARCH, DEVELOPMENT, TRAINING, AND*
3 *SERVICES*

4 *UNITED STATES CITIZENSHIP AND IMMIGRATION*
5 *SERVICES*

6 *For necessary expenses for citizenship and immigra-*
7 *tion services, \$119,671,000 for the E-Verify Program, as de-*
8 *scribed in section 403(a) of the Illegal Immigration Reform*
9 *and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a*
10 *note), to assist United States employers with maintaining*
11 *a legal workforce: Provided, That notwithstanding any*
12 *other provision of law, funds otherwise made available to*
13 *United States Citizenship and Immigration Services may*
14 *be used to acquire, operate, equip, and dispose of up to 5*
15 *vehicles, for replacement only, for areas where the Adminis-*
16 *trator of General Services does not provide vehicles for lease:*
17 *Provided further, That the Director of United States Citi-*
18 *zenship and Immigration Services may authorize employees*
19 *who are assigned to those areas to use such vehicles to travel*
20 *between the employees' residences and places of employment.*

21 *FEDERAL LAW ENFORCEMENT TRAINING CENTER*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Federal Law Enforce-*
24 *ment Training Center, including materials and support*
25 *costs of Federal law enforcement basic training; the pur-*

1 chase of not to exceed 117 vehicles for police-type use and
2 hire of passenger motor vehicles; expenses for student ath-
3 letic and related activities; the conduct of and participation
4 in firearms matches and presentation of awards; public
5 awareness and enhancement of community support of law
6 enforcement training; room and board for student interns;
7 a flat monthly reimbursement to employees authorized to
8 use personal mobile phones for official duties; and services
9 as authorized by section 3109 of title 5, United States Code;
10 \$217,485,000; of which up to \$38,981,000 shall remain
11 available until September 30, 2017, for materials and sup-
12 port costs of Federal law enforcement basic training; and
13 of which not to exceed \$7,180 shall be for official reception
14 and representation expenses: Provided, That the Center is
15 authorized to obligate funds in anticipation of reimburse-
16 ments from agencies receiving training sponsored by the
17 Center, except that total obligations at the end of the fiscal
18 year shall not exceed total budgetary resources available at
19 the end of the fiscal year: Provided further, That section
20 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as
21 amended under this heading in Public Law 114–4, is fur-
22 ther amended by striking “December 31, 2017” and insert-
23 ing “December 31, 2018”: Provided further, That the Direc-
24 tor of the Federal Law Enforcement Training Center shall
25 schedule basic or advanced law enforcement training, or

1 *SCIENCE AND TECHNOLOGY*2 *MANAGEMENT AND ADMINISTRATION*

3 *For salaries and expenses of the Office of the Under*
4 *Secretary for Science and Technology and for management*
5 *and administration of programs and activities, as author-*
6 *ized by title III of the Homeland Security Act of 2002 (6*
7 *U.S.C. 181 et seq.), \$131,531,000: Provided, That not to*
8 *exceed \$7,650 shall be for official reception and representa-*
9 *tion expenses.*

10 *RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS*

11 *For necessary expenses for science and technology re-*
12 *search, including advanced research projects, development,*
13 *test and evaluation, acquisition, and operations as author-*
14 *ized by title III of the Homeland Security Act of 2002 (6*
15 *U.S.C. 181 et seq.), and the purchase or lease of not to ex-*
16 *ceed 5 vehicles, \$655,407,000, to remain available until*
17 *September 30, 2018.*

18 *DOMESTIC NUCLEAR DETECTION OFFICE*19 *MANAGEMENT AND ADMINISTRATION*

20 *For salaries and expenses of the Domestic Nuclear De-*
21 *tection Office, as authorized by title XIX of the Homeland*
22 *Security Act of 2002 (6 U.S.C. 591 et seq.), for management*
23 *and administration of programs and activities,*
24 *\$38,109,000: Provided, That not to exceed \$2,250 shall be*
25 *for official reception and representation expenses.*

1 *RESEARCH, DEVELOPMENT, AND OPERATIONS*

2 *For necessary expenses for radiological and nuclear re-*
3 *search, development, testing, evaluation, and operations,*
4 *\$196,000,000, to remain available until September 30,*
5 *2018.*

6 *SYSTEMS ACQUISITION*

7 *For necessary expenses for the Domestic Nuclear Detec-*
8 *tion Office acquisition and deployment of radiological de-*
9 *tection systems in accordance with the global nuclear detec-*
10 *tion architecture, \$113,011,000, to remain available until*
11 *September 30, 2018.*

12 *TITLE V*13 *GENERAL PROVISIONS*

14 *(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)*

15 *SEC. 501. No part of any appropriation contained in*
16 *this Act shall remain available for obligation beyond the*
17 *current fiscal year unless expressly so provided herein.*

18 *SEC. 502. Subject to the requirements of section 503*
19 *of this Act, the unexpended balances of prior appropriations*
20 *provided for activities in this Act may be transferred to*
21 *appropriation accounts for such activities established pur-*
22 *suant to this Act, may be merged with funds in the applica-*
23 *ble established accounts, and thereafter may be accounted*
24 *for as one fund for the same time period as originally en-*
25 *acted.*

1 *SEC. 503. (a) None of the funds provided by this Act,*
2 *provided by previous appropriations Acts to the agencies*
3 *in or transferred to the Department of Homeland Security*
4 *that remain available for obligation or expenditure in fiscal*
5 *year 2016, or provided from any accounts in the Treasury*
6 *of the United States derived by the collection of fees avail-*
7 *able to the agencies funded by this Act, shall be available*
8 *for obligation or expenditure through a reprogramming of*
9 *funds that—*

10 (1) *creates a new program, project, or activity;*

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

12 (3) *increases funds for any program, project, or*
13 *activity for which funds have been denied or restricted*
14 *by the Congress;*

15 (4) *contracts out any function or activity pres-*
16 *ently performed by Federal employees or any new*
17 *function or activity proposed to be performed by Fed-*
18 *eral employees in the President's budget proposal for*
19 *fiscal year 2016 for the Department of Homeland Se-*
20 *curity;*

21 (5) *augments existing programs, projects, or ac-*
22 *tivities in excess of \$5,000,000 or 10 percent, which-*
23 *ever is less;*

24 (6) *reduces any program, project, or activity, or*
25 *numbers of personnel by 10 percent; or*

1 (7) results from any general savings from a re-
2 duction in personnel that would result in a change in
3 existing programs, projects, or activities as approved
4 by the Congress, unless the Committees on Appropria-
5 tions of the Senate and the House of Representatives
6 are notified 15 days in advance of such reprogram-
7 ming of funds.

8 (b) Not to exceed 5 percent of any appropriation made
9 available for the current fiscal year for the Department of
10 Homeland Security by this Act or provided by previous ap-
11 propriations Acts may be transferred between such appro-
12 priations.

13 (c) Any transfer under this section shall be treated as
14 a reprogramming of funds under subsection (a) and shall
15 not be available for obligation unless the Committees on Ap-
16 propriations of the Senate and the House of Representatives
17 are notified 15 days in advance of such transfer.

18 (d) Notwithstanding subsections (a), (b), and (c), no
19 funds shall be reprogrammed within or transferred between
20 appropriations based upon an initial notification provided
21 after June 30, except in extraordinary circumstances that
22 imminently threaten the safety of human life or the protec-
23 tion of property.

24 (e) The notification thresholds and procedures set forth
25 in this section shall apply to any use of deobligated balances

1 *of funds provided in previous Department of Homeland Se-*
2 *curity Appropriations Acts.*

3 *SEC. 504. The Department of Homeland Security*
4 *Working Capital Fund, established pursuant to section 403*
5 *of Public Law 103–356 (31 U.S.C. 501 note), shall continue*
6 *operations as a permanent working capital fund for fiscal*
7 *year 2016: Provided, That none of the funds appropriated*
8 *or otherwise made available to the Department of Home-*
9 *land Security may be used to make payments to the Work-*
10 *ing Capital Fund, except for the activities and amounts al-*
11 *lowed in the President’s fiscal year 2016 budget: Provided*
12 *further, That funds provided to the Working Capital Fund*
13 *shall be available for obligation until expended to carry out*
14 *the purposes of the Working Capital Fund: Provided fur-*
15 *ther, That all Departmental components shall be charged*
16 *only for direct usage of each Working Capital Fund service:*
17 *Provided further, That funds provided to the Working Cap-*
18 *ital Fund shall be used only for purposes consistent with*
19 *the contributing component: Provided further, That the*
20 *Working Capital Fund shall be paid in advance or reim-*
21 *bursed at rates which will return the full cost of each serv-*
22 *ice: Provided further, That the Committees on Appropria-*
23 *tions of the Senate and the House of Representatives shall*
24 *be notified of any activity added to or removed from the*
25 *fund: Provided further, That for any activity added to the*

1 *fund, the notification shall identify sources of funds by pro-*
2 *gram, project, and activity: Provided further, That the*
3 *Chief Financial Officer of the Department of Homeland Se-*
4 *curity shall submit a quarterly execution report with activ-*
5 *ity level detail, not later than 30 days after the end of each*
6 *quarter.*

7 *SEC. 505. Except as otherwise specifically provided by*
8 *law, not to exceed 50 percent of unobligated balances re-*
9 *maining available at the end of fiscal year 2016, as re-*
10 *corded in the financial records at the time of a reprogram-*
11 *ming request, but not later than June 30, 2017, from appro-*
12 *priations for salaries and expenses for fiscal year 2016 in*
13 *this Act shall remain available through September 30, 2017,*
14 *in the account and for the purposes for which the appro-*
15 *priations were provided: Provided, That prior to the obliga-*
16 *tion of such funds, a request shall be submitted to the Com-*
17 *mittees on Appropriations of the Senate and the House of*
18 *Representatives for approval in accordance with section 503*
19 *of this Act.*

20 *SEC. 506. Funds made available by this Act for intel-*
21 *ligence activities are deemed to be specifically authorized*
22 *by the Congress for purposes of section 504 of the National*
23 *Security Act of 1947 (50 U.S.C. 414) during fiscal year*
24 *2016 until the enactment of an Act authorizing intelligence*
25 *activities for fiscal year 2016.*

1 *SEC. 507. (a) Except as provided in subsections (b)*
2 *and (c), none of the funds made available by this Act may*
3 *be used to—*

4 *(1) make or award a grant allocation, grant,*
5 *contract, other transaction agreement, or task or de-*
6 *livery order on a Department of Homeland Security*
7 *multiple award contract, or to issue a letter of intent*
8 *totaling in excess of \$1,000,000;*

9 *(2) award a task or delivery order requiring an*
10 *obligation of funds in an amount greater than*
11 *\$10,000,000 from multi-year Department of Home-*
12 *land Security funds;*

13 *(3) make a sole-source grant award; or*

14 *(4) announce publicly the intention to make or*
15 *award items under paragraph (1), (2), or (3) includ-*
16 *ing a contract covered by the Federal Acquisition*
17 *Regulation.*

18 *(b) The Secretary of Homeland Security may waive*
19 *the prohibition under subsection (a) if the Secretary notifies*
20 *the Committees on Appropriations of the Senate and the*
21 *House of Representatives at least 3 full business days in*
22 *advance of making an award or issuing a letter as described*
23 *in that subsection.*

24 *(c) If the Secretary of Homeland Security determines*
25 *that compliance with this section would pose a substantial*

1 *risk to human life, health, or safety, an award may be made*
2 *without notification, and the Secretary shall notify the*
3 *Committees on Appropriations of the Senate and the House*
4 *of Representatives not later than 5 full business days after*
5 *such an award is made or letter issued.*

6 *(d) A notification under this section—*

7 *(1) may not involve funds that are not available*
8 *for obligation; and*

9 *(2) shall include the amount of the award; the*
10 *fiscal year for which the funds for the award were ap-*
11 *propriated; the type of contract; and the account from*
12 *which the funds are being drawn.*

13 *(e) The Administrator of the Federal Emergency Man-*
14 *agement Agency shall brief the Committees on Appropria-*
15 *tions of the Senate and the House of Representatives 5 full*
16 *business days in advance of announcing publicly the inten-*
17 *tion of making an award under “State and Local Pro-*
18 *grams”.*

19 *SEC. 508. Notwithstanding any other provision of law,*
20 *no agency shall purchase, construct, or lease any additional*
21 *facilities, except within or contiguous to existing locations,*
22 *to be used for the purpose of conducting Federal law enforce-*
23 *ment training without advance notification to the Commit-*
24 *tees on Appropriations of the Senate and the House of Rep-*
25 *resentatives, except that the Federal Law Enforcement*

1 *Training Center is authorized to obtain the temporary use*
2 *of additional facilities by lease, contract, or other agreement*
3 *for training that cannot be accommodated in existing Cen-*
4 *ter facilities.*

5 *SEC. 509. None of the funds appropriated or otherwise*
6 *made available by this Act may be used for expenses for*
7 *any construction, repair, alteration, or acquisition project*
8 *for which a prospectus otherwise required under chapter 33*
9 *of title 40, United States Code, has not been approved, ex-*
10 *cept that necessary funds may be expended for each project*
11 *for required expenses for the development of a proposed pro-*
12 *spectus.*

13 *SEC. 510. (a) Sections 520, 522, and 530 of the De-*
14 *partment of Homeland Security Appropriations Act, 2008*
15 *(division E of Public Law 110–161; 121 Stat. 2073 and*
16 *2074) shall apply with respect to funds made available in*
17 *this Act in the same manner as such sections applied to*
18 *funds made available in that Act.*

19 *(b) The third proviso of section 537 of the Department*
20 *of Homeland Security Appropriations Act, 2006 (6 U.S.C.*
21 *114), shall hereafter not apply with respect to funds made*
22 *available in this or any other Act.*

23 *(c) Section 525 of Public Law 109–90 is amended by*
24 *striking “thereafter”, and section 554 of Public Law 111–*

1 83 is amended by striking “and shall report annually there-
2 after”.

3 *SEC. 511. None of the funds made available in this*
4 *Act may be used in contravention of the applicable provi-*
5 *sions of the Buy American Act. For purposes of the pre-*
6 *ceding sentence, the term “Buy American Act” means chap-*
7 *ter 83 of title 41, United States Code.*

8 *SEC. 512. None of the funds made available in this*
9 *Act may be used to amend the oath of allegiance required*
10 *by section 337 of the Immigration and Nationality Act (8*
11 *U.S.C. 1448).*

12 *SEC. 513. Not later than 30 days after the last day*
13 *of each month, the Chief Financial Officer of the Depart-*
14 *ment of Homeland Security shall submit to the Committees*
15 *on Appropriations of the Senate and the House of Rep-*
16 *resentatives a monthly budget and staffing report for that*
17 *month that includes total obligations of the Department for*
18 *that month for the fiscal year at the appropriation and pro-*
19 *gram, project, and activity levels, by the source year of the*
20 *appropriation: Provided, That total obligations for staffing*
21 *shall also be provided by subcategory of on-board and fund-*
22 *ed full-time equivalent staffing levels, respectively: Provided*
23 *further, That the report shall specify the number of, and*
24 *total obligations for, contract employees for each office of*
25 *the Department.*

1 *SEC. 514. Except as provided in section 44945 of title*
2 *49, United States Code, funds appropriated or transferred*
3 *to Transportation Security Administration “Aviation Se-*
4 *curity”, “Administration”, and “Transportation Security*
5 *Support” for fiscal years 2004 and 2005 that are recovered*
6 *or deobligated shall be available only for the procurement*
7 *or installation of explosives detection systems, air cargo,*
8 *baggage, and checkpoint screening systems, subject to notifi-*
9 *cation: Provided, That semiannual reports shall be sub-*
10 *mitted to the Committees on Appropriations of the Senate*
11 *and the House of Representatives on any funds that are*
12 *recovered or deobligated.*

13 *SEC. 515. None of the funds appropriated by this Act*
14 *may be used to process or approve a competition under Of-*
15 *fice of Management and Budget Circular A-76 for services*
16 *provided by employees (including employees serving on a*
17 *temporary or term basis) of United States Citizenship and*
18 *Immigration Services of the Department of Homeland Se-*
19 *curity who are known as Immigration Information Offi-*
20 *cers, Immigration Service Analysts, Contact Representa-*
21 *tives, Investigative Assistants, or Immigration Services Of-*
22 *ficers.*

23 *SEC. 516. Any funds appropriated to “Coast Guard,*
24 *Acquisition, Construction, and Improvements” for fiscal*
25 *years 2002, 2003, 2004, 2005, and 2006 for the 110-123*

1 *foot patrol boat conversion that are recovered, collected, or*
2 *otherwise received as the result of negotiation, mediation,*
3 *or litigation, shall be available until expended for the Fast*
4 *Response Cutter program.*

5 *SEC. 517. The functions of the Federal Law Enforce-*
6 *ment Training Center instructor staff shall be classified as*
7 *inherently governmental for the purpose of the Federal Ac-*
8 *tivities Inventory Reform Act of 1998 (31 U.S.C. 501 note).*

9 *SEC. 518. (a) The Secretary of Homeland Security*
10 *shall submit a report not later than October 15, 2016, to*
11 *the Inspector General of the Department of Homeland Secu-*
12 *rity listing all grants and contracts awarded by any means*
13 *other than full and open competition during fiscal year*
14 *2016.*

15 *(b) The Inspector General shall review the report re-*
16 *quired by subsection (a) to assess Departmental compliance*
17 *with applicable laws and regulations and report the results*
18 *of that review to the Committees on Appropriations of the*
19 *Senate and the House of Representatives not later than Feb-*
20 *ruary 15, 2017.*

21 *SEC. 519. None of the funds provided by this or pre-*
22 *vious appropriations Acts shall be used to fund any posi-*
23 *tion designated as a Principal Federal Official (or the suc-*
24 *cessor thereto) for any Robert T. Stafford Disaster Relief*

1 *and Emergency Assistance Act (42 U.S.C. 5121 et seq.) de-*
2 *clared disasters or emergencies unless—*

3 (1) *the responsibilities of the Principal Federal*
4 *Official do not include operational functions related*
5 *to incident management, including coordination of*
6 *operations, and are consistent with the requirements*
7 *of section 509(c) and sections 503(c)(3) and*
8 *503(c)(4)(A) of the Homeland Security Act of 2002 (6*
9 *U.S.C. 319(c), 313(c)(3), and 313(c)(4)(A)) and sec-*
10 *tion 302 of the Robert T. Stafford Disaster Relief and*
11 *Assistance Act (42 U.S.C. 5143);*

12 (2) *not later than 10 business days after the lat-*
13 *ter of the date on which the Secretary of Homeland*
14 *Security appoints the Principal Federal Official and*
15 *the date on which the President issues a declaration*
16 *under section 401 or section 501 of the Robert T.*
17 *Stafford Disaster Relief and Emergency Assistance*
18 *Act (42 U.S.C. 5170 and 5191, respectively), the Sec-*
19 *retary of Homeland Security shall submit a notifica-*
20 *tion of the appointment of the Principal Federal Offi-*
21 *cial and a description of the responsibilities of such*
22 *Official and how such responsibilities are consistent*
23 *with paragraph (1) to the Committees on Appropria-*
24 *tions of the Senate and the House of Representatives,*
25 *the Committee on Homeland Security and Govern-*

1 *mental Affairs of the Senate, and the Committee on*
2 *Transportation and Infrastructure of the House of*
3 *Representatives; and*

4 *(3) not later than 60 days after the date of en-*
5 *actment of this Act, the Secretary shall provide a re-*
6 *port specifying timeframes and milestones regarding*
7 *the update of operations, planning and policy docu-*
8 *ments, and training and exercise protocols, to ensure*
9 *consistency with paragraph (1) of this section.*

10 *SEC. 520. None of the funds provided or otherwise*
11 *made available in this Act shall be available to carry out*
12 *section 872 of the Homeland Security Act of 2002 (6 U.S.C.*
13 *452) unless explicitly authorized by Congress.*

14 *SEC. 521. (a) None of the funds appropriated by this*
15 *or previous appropriations Acts may be used to establish*
16 *an Office of Chemical, Biological, Radiological, Nuclear,*
17 *and Explosives Defense until such time as Congress has au-*
18 *thorized such establishment.*

19 *(b) Subject to the limitation in subsection (a) and not-*
20 *withstanding section 503 of this Act, the Secretary may*
21 *transfer funds for the purpose of executing authorization*
22 *of the Office of Chemical, Biological, Radiological, Nuclear,*
23 *and Explosives Defense.*

24 *(c) Not later than 15 days before transferring funds*
25 *pursuant to subsection (b), the Secretary of Homeland Se-*

1 *curity shall submit a report to the Committees on Appro-*
2 *priations of the Senate and the House of Representatives,*
3 *the Committee on Homeland Security and Governmental*
4 *Affairs of the Senate, and the Committee on Homeland Se-*
5 *curity of the House of Representatives on—*

6 (1) *the transition plan for the establishment of*
7 *the office; and*

8 (2) *the funds and positions to be transferred by*
9 *source.*

10 *SEC. 522. None of the funds made available in this*
11 *Act may be used by United States Citizenship and Immi-*
12 *gration Services to grant an immigration benefit unless the*
13 *results of background checks required by law to be completed*
14 *prior to the granting of the benefit have been received by*
15 *United States Citizenship and Immigration Services, and*
16 *the results do not preclude the granting of the benefit.*

17 *SEC. 523. Section 831 of the Homeland Security Act*
18 *of 2002 (6 U.S.C. 391) is amended—*

19 (1) *in subsection (a), by striking “Until Sep-*
20 *tember 30, 2015,” and inserting “Until September 30,*
21 *2016,”; and*

22 (2) *in subsection (c)(1), by striking “September*
23 *30, 2015,” and inserting “September 30, 2016,”.*

24 *SEC. 524. The Secretary of Homeland Security shall*
25 *require that all contracts of the Department of Homeland*

1 *Security that provide award fees link such fees to successful*
2 *acquisition outcomes (which outcomes shall be specified in*
3 *terms of cost, schedule, and performance).*

4 *SEC. 525. Notwithstanding any other provision of law,*
5 *none of the funds provided in this or any other Act shall*
6 *be used to approve a waiver of the navigation and vessel-*
7 *inspection laws pursuant to 46 U.S.C. 501(b) for the trans-*
8 *portation of crude oil distributed from and to the Strategic*
9 *Petroleum Reserve until the Secretary of Homeland Secu-*
10 *rity, after consultation with the Secretaries of the Depart-*
11 *ments of Energy and Transportation and representatives*
12 *from the United States flag maritime industry, takes ade-*
13 *quate measures to ensure the use of United States flag ves-*
14 *sels: Provided, That the Secretary shall notify the Commit-*
15 *tees on Appropriations of the Senate and the House of Rep-*
16 *resentatives, the Committee on Commerce, Science, and*
17 *Transportation of the Senate, and the Committee on Trans-*
18 *portation and Infrastructure of the House of Representa-*
19 *tives within 2 business days of any request for waivers of*
20 *navigation and vessel-inspection laws pursuant to 46*
21 *U.S.C. 501(b).*

22 *SEC. 526. 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. 527. None of the funds in this Act shall be used*
14 *to reduce the Coast Guard's Operations Systems Center*
15 *mission or its government-employed or contract staff levels.*

16 *SEC. 528. The Secretary of Homeland Security, in*
17 *consultation with the Secretary of the Treasury, shall notify*
18 *the Committees on Appropriations of the Senate and the*
19 *House of Representatives of any proposed transfers of funds*
20 *available under section 9703.1(g)(4)(B) of title 31, United*
21 *States Code (as added by Public Law 102–393) from the*
22 *Department of the Treasury Forfeiture Fund to any agency*
23 *within the Department of Homeland Security: Provided,*
24 *That none of the funds identified for such a transfer may*
25 *be obligated until the Committees on Appropriations of the*

1 *Senate and the House of Representatives approve the pro-*
2 *posed transfers.*

3 *SEC. 529. None of the funds made available in this*
4 *Act may be used for planning, testing, piloting, or devel-*
5 *oping a national identification card.*

6 *SEC. 530. None of the funds appropriated by this Act*
7 *may be used to conduct, or to implement the results of, a*
8 *competition under Office of Management and Budget Cir-*
9 *cular A-76 for activities performed with respect to the Coast*
10 *Guard National Vessel Documentation Center.*

11 *SEC. 531. Any official that is required by this Act to*
12 *report or to certify to the Committees on Appropriations*
13 *of the Senate and the House of Representatives may not*
14 *delegate such authority to perform that act unless specifi-*
15 *cally authorized herein.*

16 *SEC. 532. None of the funds appropriated or otherwise*
17 *made available in this or any other Act may be used to*
18 *transfer, release, or assist in the transfer or release to or*
19 *within the United States, its territories, or possessions*
20 *Khalid Sheikh Mohammed or any other detainee who—*

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

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

1 *SEC. 533. None of the funds made available in this*
2 *Act may be used for first-class travel by the employees of*
3 *agencies funded by this Act in contravention of sections*
4 *301–10.122 through 301–10.124 of title 41, Code of Federal*
5 *Regulations.*

6 *SEC. 534. None of the funds made available in this*
7 *Act may be used to employ workers described in section*
8 *274A(h)(3) of the Immigration and Nationality Act (8*
9 *U.S.C. 1324a(h)(3)).*

10 *SEC. 535. Funds made available in this Act may be*
11 *used to alter operations within the Civil Engineering Pro-*
12 *gram of the Coast Guard nationwide, including civil engi-*
13 *neering units, facilities design and construction centers,*
14 *maintenance and logistics commands, and the Coast Guard*
15 *Academy, except that none of the funds provided in this*
16 *Act may be used to reduce operations within any civil engi-*
17 *neering unit unless specifically authorized by a statute en-*
18 *acted after the date of enactment of this Act.*

19 *SEC. 536. Notwithstanding any other provision of this*
20 *Act, none of the funds appropriated or otherwise made*
21 *available by this Act may be used to pay award or incentive*
22 *fees for contractor performance that has been judged to be*
23 *below satisfactory performance or performance that does not*
24 *meet the basic requirements of a contract.*

1 *SEC. 537. In developing any process to screen aviation*
2 *passengers and crews for transportation or national secu-*
3 *rity purposes, the Secretary of Homeland Security shall en-*
4 *sure that all such processes take into consideration such*
5 *passengers' and crews' privacy and civil liberties consistent*
6 *with applicable laws, regulations, and guidance.*

7 *SEC. 538. (a) Notwithstanding section 1356(n) of title*
8 *8, United States Code, of the funds deposited into the Immi-*
9 *gration Examinations Fee Account, up to \$10,000,000 may*
10 *be allocated by United States Citizenship and Immigration*
11 *Services in fiscal year 2016 for the purpose of providing*
12 *an immigrant integration grants program.*

13 *(b) None of the funds made available to United States*
14 *Citizenship and Immigration Services for grants for immi-*
15 *grant integration may be used to provide services to aliens*
16 *who have not been lawfully admitted for permanent resi-*
17 *dence.*

18 *SEC. 539. For an additional amount for the "Office*
19 *of the Under Secretary for Management", \$215,679,000, to*
20 *remain available until expended, for necessary expenses to*
21 *plan, acquire, design, construct, renovate, remediate, equip,*
22 *furnish, improve infrastructure, and occupy buildings and*
23 *facilities for the Department headquarters consolidation*
24 *project and associated mission support consolidation: Pro-*
25 *vided, That the Committees on Appropriations of the Senate*

1 *and the House of Representatives shall receive an expendi-*
2 *ture plan not later than 90 days after the date of enactment*
3 *of this Act detailing the allocation of these funds.*

4 *SEC. 540. None of the funds appropriated or otherwise*
5 *made available by this Act may be used by the Department*
6 *of Homeland Security to enter into any Federal contract*
7 *unless such contract is entered into in accordance with the*
8 *requirements of subtitle I of title 41, United States Code,*
9 *or chapter 137 of title 10, United States Code, and the Fed-*
10 *eral Acquisition Regulation, unless such contract is other-*
11 *wise authorized by statute to be entered into without regard*
12 *to the above referenced statutes.*

13 *SEC. 541. (a) For an additional amount for financial*
14 *systems modernization, \$52,977,000 to remain available*
15 *until September 30, 2017.*

16 *(b) Funds made available in subsection (a) for finan-*
17 *cial systems modernization may be transferred by the Sec-*
18 *retary of Homeland Security between appropriations for*
19 *the same purpose, notwithstanding section 503 of this Act.*

20 *(c) No transfer described in subsection (b) shall occur*
21 *until 15 days after the Committees on Appropriations of*
22 *the Senate and the House of Representatives are notified*
23 *of such transfer.*

24 *SEC. 542. (a) For an additional amount for cybersecu-*
25 *rity to safeguard and enhance Department of Homeland Se-*

1 *curity systems and capabilities, \$100,000,000 to remain*
2 *available until September 30, 2017.*

3 *(b) Funds made available in subsection (a) for cyberse-*
4 *curity may be transferred by the Secretary of Homeland*
5 *Security between appropriations for the same purpose, not-*
6 *withstanding section 503 of this Act.*

7 *(c) No transfer described in subsection (b) shall occur*
8 *until 15 days after the Committees on Appropriations of*
9 *the Senate and the House of Representatives are notified*
10 *of such transfer.*

11 *SEC. 543. (a) For an additional amount for emergent*
12 *threats from violent extremism and from complex, coordi-*
13 *nated terrorist attacks, \$50,000,000 to remain available*
14 *until September 30, 2017.*

15 *(b) Funds made available in subsection (a) for emer-*
16 *gent threats may be transferred by the Secretary of Home-*
17 *land Security between appropriations for the same purpose,*
18 *notwithstanding section 503 of this Act.*

19 *(c) No transfer described in subsection (b) shall occur*
20 *until 15 days after the Committees on Appropriations of*
21 *the Senate and the House of Representatives are notified*
22 *of such transfer.*

23 *SEC. 544. The Secretary of Homeland Security may*
24 *transfer to the fund established by 8 U.S.C. 1101 note, up*
25 *to \$20,000,000 from appropriations available to the De-*

1 *partment of Homeland Security: Provided, That the Sec-*
2 *retary shall notify the Committees on Appropriations of the*
3 *Senate and the House of Representatives 5 days in advance*
4 *of such transfer.*

5 *SEC. 545. The Secretary of Homeland Security shall*
6 *ensure enforcement of all immigration laws (as defined in*
7 *section 101(a)(17) of the Immigration and Nationality Act*
8 *(8 U.S.C. 1101(a)(17))).*

9 *SEC. 546. (a) None of the funds made available in this*
10 *Act may be used to maintain or establish a computer net-*
11 *work unless such network blocks the viewing, downloading,*
12 *and exchanging of pornography.*

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

17 *SEC. 547. None of the funds made available in this*
18 *Act may be used by a Federal law enforcement officer to*
19 *facilitate the transfer of an operable firearm to an indi-*
20 *vidual if the Federal law enforcement officer knows or sus-*
21 *pects that the individual is an agent of a drug cartel unless*
22 *law enforcement personnel of the United States continu-*
23 *ously monitor or control the firearm at all times.*

24 *SEC. 548. None of the funds provided in this or any*
25 *other Act may be obligated to implement the National Pre-*

1 *paredness Grant Program or any other successor grant pro-*
2 *grams unless explicitly authorized by Congress.*

3 *SEC. 549. None of the funds made available in this*
4 *Act may be used to provide funding for the position of Pub-*
5 *lic Advocate, or a successor position, within U.S. Immigra-*
6 *tion and Customs Enforcement.*

7 *SEC. 550. Section 559(e)(3)(D) of Public Law 113-*
8 *76 is amended by striking “five pilots per year” and insert-*
9 *ing “10 pilots per year”.*

10 *SEC. 551. None of the funds made available in this*
11 *Act may be used to pay for the travel to or attendance of*
12 *more than 50 employees of a single component of the De-*
13 *partment of Homeland Security, who are stationed in the*
14 *United States, at a single international conference unless*
15 *the Secretary of Homeland Security, or a designee, deter-*
16 *mines that such attendance is in the national interest and*
17 *notifies the Committees on Appropriations of the Senate*
18 *and the House of Representatives within at least 10 days*
19 *of that determination and the basis for that determination:*
20 *Provided, That for purposes of this section the term “inter-*
21 *national conference” shall mean a conference occurring out-*
22 *side of the United States attended by representatives of the*
23 *United States Government and of foreign governments,*
24 *international organizations, or nongovernmental organiza-*
25 *tions: Provided further, That the total cost to the Depart-*

1 *ment of Homeland Security of any such conference shall*
2 *not exceed \$500,000.*

3 *SEC. 552. None of the funds made available in this*
4 *Act may be used to reimburse any Federal department or*
5 *agency for its participation in a National Special Security*
6 *Event.*

7 *SEC. 553. With the exception of countries with*
8 *preclearance facilities in service prior to 2013, none of the*
9 *funds made available in this Act may be used for new U.S.*
10 *Customs and Border Protection air preclearance agreements*
11 *entering into force after February 1, 2014, unless: (1) the*
12 *Secretary of Homeland Security, in consultation with the*
13 *Secretary of State, has certified to Congress that air*
14 *preclearance operations at the airport provide a homeland*
15 *or national security benefit to the United States; (2) U.S.*
16 *passenger air carriers are not precluded from operating at*
17 *existing preclearance locations; and (3) a U.S. passenger*
18 *air carrier is operating at all airports contemplated for es-*
19 *tablishment of new air preclearance operations.*

20 *SEC. 554. None of the funds made available by this*
21 *or any other Act may be used by the Administrator of the*
22 *Transportation Security Administration to implement, ad-*
23 *minister, or enforce, in abrogation of the responsibility de-*
24 *scribed in section 44903(n)(1) of title 49, United States*
25 *Code, any requirement that airport operators provide air-*

1 *port-financed staffing to monitor exit points from the sterile*
2 *area of any airport at which the Transportation Security*
3 *Administration provided such monitoring as of December*
4 *1, 2013.*

5 *SEC. 555. The administrative law judge annuitants*
6 *participating in the Senior Administrative Law Judge Pro-*
7 *gram managed by the Director of the Office of Personnel*
8 *Management under section 3323 of title 5, United States*
9 *Code, shall be available on a temporary reemployment basis*
10 *to conduct arbitrations of disputes arising from delivery of*
11 *assistance under the Federal Emergency Management Agen-*
12 *cy Public Assistance Program.*

13 *SEC. 556. As authorized by section 601(b) of the*
14 *United States-Colombia Trade Promotion Agreement Im-*
15 *plementation Act (Public Law 112-42) fees collected from*
16 *passengers arriving from Canada, Mexico, or an adjacent*
17 *island pursuant to section 13031(a)(5) of the Consolidated*
18 *Omnibus Budget Reconciliation Act of 1985 (19 U.S.C.*
19 *58c(a)(5)) shall be available until expended.*

20 *SEC. 557. None of the funds made available to the De-*
21 *partment of Homeland Security by this or any other Act*
22 *may be obligated for any structural pay reform that affects*
23 *more than 100 full-time equivalent employee positions or*
24 *costs more than \$5,000,000 in a single year before the end*
25 *of the 30-day period beginning on the date on which the*

1 *Secretary of Homeland Security submits to Congress a noti-*
2 *fication that includes—*

3 (1) *the number of full-time equivalent employee*
4 *positions affected by such change;*

5 (2) *funding required for such change for the cur-*
6 *rent year and through the Future Years Homeland*
7 *Security Program;*

8 (3) *justification for such change; and*

9 (4) *an analysis of compensation alternatives to*
10 *such change that were considered by the Department.*

11 *SEC. 558. (a) Any agency receiving funds made avail-*
12 *able in this Act shall, subject to subsections (b) and (c),*
13 *post on the public Web site of that agency any report re-*
14 *quired to be submitted by the Committees on Appropria-*
15 *tions of the Senate and the House of Representatives in this*
16 *Act, upon the determination by the head of the agency that*
17 *it shall serve the national interest.*

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

19 (1) *the public posting of the report compromises*
20 *homeland or national security; or*

21 (2) *the report contains proprietary information.*

22 *(c) The head of the agency posting such report shall*
23 *do so only after such report has been made available to the*
24 *requesting Committee or Committees of Congress for no less*
25 *than 45 days except as otherwise specified in law.*

1 *SEC. 559. (a) IN GENERAL.—Beginning on the date*
2 *of enactment of this Act, the Secretary of Homeland Secu-*
3 *urity shall not—*

4 *(1) establish, collect, or otherwise impose any*
5 *new border crossing fee on individuals crossing the*
6 *Southern border or the Northern border at a land port*
7 *of entry; or*

8 *(2) conduct any study relating to the imposition*
9 *of a border crossing fee.*

10 *(b) BORDER CROSSING FEE DEFINED.—In this sec-*
11 *tion, the term “border crossing fee” means a fee that every*
12 *pedestrian, cyclist, and driver and passenger of a private*
13 *motor vehicle is required to pay for the privilege of crossing*
14 *the Southern border or the Northern border at a land port*
15 *of entry.*

16 *SEC. 560. Notwithstanding any other provision of law,*
17 *grants awarded to States along the Southwest Border of the*
18 *United States under sections 2003 or 2004 of the Homeland*
19 *Security Act of 2002 (6 U.S.C. 604 and 605) using funds*
20 *provided under the heading “Federal Emergency Manage-*
21 *ment Agency, State and Local Programs” in this Act, Pub-*
22 *lic Law 114–4, division F of Public Law 113–76, or divi-*
23 *sion D of Public Law 113–6 may be used by recipients or*
24 *sub-recipients for costs, or reimbursement of costs, related*
25 *to providing humanitarian relief to unaccompanied alien*

1 *children and alien adults accompanied by an alien minor*
2 *where they are encountered after entering the United States,*
3 *provided that such costs were incurred between January 1,*
4 *2014, and December 31, 2014, or during the award period*
5 *of performance.*

6 *SEC. 561. (a) Each major acquisition program of the*
7 *Department of Homeland Security, as defined in Depart-*
8 *ment of Homeland Security Management Directive 102–2,*
9 *shall meet established acquisition documentation require-*
10 *ments for its acquisition program baseline established in*
11 *the Department of Homeland Security Instruction Manual*
12 *102–01–001 and the Department of Homeland Security Ac-*
13 *quisition Instruction/Guidebook 102–01–001, Appendix K.*

14 *(b) The Department shall report to the Committees on*
15 *Appropriations of the Senate and the House of Representa-*
16 *tives in the Comprehensive Acquisition Status Report and*
17 *its quarterly updates, required under the heading “Office*
18 *of the Under Secretary for Management” of this Act, on*
19 *any major acquisition program that does not meet such doc-*
20 *umentation requirements and the schedule by which the*
21 *program will come into compliance with these require-*
22 *ments.*

23 *(c) None of the funds made available by this or any*
24 *other Act for any fiscal year may be used for a major acqui-*
25 *sition program that is out of compliance with such docu-*

1 *mentation requirements for more than two years except that*
2 *funds may be used solely to come into compliance with such*
3 *documentation requirements or to terminate the program.*

4 *SEC. 562. None of the funds appropriated by this or*
5 *any other Act shall be used to pay the salaries and expenses*
6 *of personnel who prepare or submit appropriations lan-*
7 *guage as part of the President's budget proposal to the Con-*
8 *gress of the United States for programs under the jurisdic-*
9 *tion of the Appropriations Subcommittees on the Depart-*
10 *ment of Homeland Security that assumes revenues or re-*
11 *flects a reduction from the previous year due to user fees*
12 *proposals that have not been enacted into law prior to the*
13 *submission of the budget unless such budget submission*
14 *identifies which additional spending reductions should*
15 *occur in the event the user fees proposals are not enacted*
16 *prior to the date of the convening of a committee of con-*
17 *ference for the fiscal year 2017 appropriations Act.*

18 *SEC. 563. (a) The Secretary of Homeland Security*
19 *may include, in the President's budget proposal for fiscal*
20 *year 2017, submitted pursuant to section 1105(a) of title*
21 *31, United States Code, and accompanying justification*
22 *materials, an account structure under which each appro-*
23 *priation under each agency heading either remains the*
24 *same as fiscal year 2016 or falls within the following cat-*
25 *egories of appropriations:*

1 (1) *Operations and Support.*

2 (2) *Procurements, Construction, and Improve-*
3 *ments.*

4 (3) *Research and Development.*

5 (4) *Federal Assistance.*

6 (b) *The Under Secretary for Management, acting*
7 *through the Chief Financial Officer, shall determine and*
8 *provide centralized guidance to each agency on how to*
9 *structure appropriations for purposes of subsection (a).*

10 (c) *Not earlier than October 1, 2016, the accounts des-*
11 *ignated under subsection (a) may be established, and the*
12 *Secretary of Homeland Security may execute appropri-*
13 *ations of the Department as provided pursuant to such sub-*
14 *section, including any continuing appropriations made*
15 *available for fiscal year 2017 before enactment of a regular*
16 *appropriations Act.*

17 (d) *Notwithstanding any other provision of law, the*
18 *Secretary of Homeland Security may transfer any appro-*
19 *priation made available to the Department of Homeland*
20 *Security by any appropriations Acts to the accounts created*
21 *pursuant to subsection (c) to carry out the requirements of*
22 *such subsection, and shall notify the Committees on Appro-*
23 *priations of the Senate and the House of Representatives*
24 *within 5 days of each transfer.*

1 (e)(1) *Not later than November 1, 2016, the Secretary*
2 *of Homeland Security shall establish the preliminary base-*
3 *line for application of reprogramming and transfer au-*
4 *thorities and submit the report specified in paragraph (2)*
5 *to the Committees on Appropriations of the Senate and the*
6 *House of Representatives.*

7 (2) *The report required in this subsection shall in-*
8 *clude—*

9 (A) *a delineation of the amount and account of*
10 *each transfer made pursuant to subsection (c) or (d);*

11 (B) *a table for each appropriation with a sepa-*
12 *rate column to display the President’s budget pro-*
13 *posal, adjustments made by Congress, adjustments*
14 *due to enacted rescissions, if appropriate, adjustments*
15 *made pursuant to the transfer authority in subsection*
16 *(c) or (d), and the fiscal year level;*

17 (C) *a delineation in the table for each appro-*
18 *priation, adjusted as described in paragraph (2), both*
19 *by budget activity and program, project, and activity*
20 *as detailed in the Budget Appendix; and*

21 (D) *an identification of funds directed for a spe-*
22 *cific activity.*

23 (f) *The Secretary shall not exercise the authority pro-*
24 *vided in subsections (c), (d), and (e) unless, not later than*
25 *April 1, 2016, the Chief Financial Officer has submitted*

1 *to the Committees on Appropriations of the Senate and the*
2 *House of Representatives—*

3 (1) *technical assistance on new legislative lan-*
4 *guage in the account structure under subsection (a);*

5 (2) *comparison tables of fiscal years 2015, 2016,*
6 *and 2017 in the account structure under subsection*
7 *(a);*

8 (3) *cross-component comparisons that the ac-*
9 *count structure under subsection (a) facilitates;*

10 (4) *a copy of the interim financial management*
11 *policy manual addressing changes made in this Act;*

12 (5) *an outline of the financial management pol-*
13 *icy manual changes necessary for the account struc-*
14 *ture under subsection (a);*

15 (6) *proposed changes to transfer and reprogram-*
16 *ming requirements, including technical assistance on*
17 *legislative language;*

18 (7) *certification by the Chief Financial Officer*
19 *that the Department's financial systems can report in*
20 *the new account structure; and*

21 (8) *a plan for training and implementation of*
22 *the account structure under subsections (a) and (c).*

23 *SEC. 564. None of the funds made available by this*
24 *Act may be obligated or expended to implement the Arms*

1 *Trade Treaty until the Senate approves a resolution of rati-*
2 *fication for the Treaty.*

3 *SEC. 565. Section 214(g)(9)(A) of the Immigration*
4 *and Nationality Act (8 U.S.C. 1184(g)(9)(A)) is amended*
5 *by striking “2004, 2005, or 2006 shall not again be counted*
6 *toward such limitation during fiscal year 2007.” and in-*
7 *serting “2013, 2014, or 2015 shall not again be counted*
8 *toward such limitation during fiscal year 2016.”.*

9 *SEC. 566. For an additional amount for “U.S. Cus-*
10 *toms and Border Protection, Salaries and Expenses”,*
11 *\$14,000,000, to remain available until expended, to be re-*
12 *duced by amounts collected and credited to this appropria-*
13 *tion from amounts authorized to be collected by section*
14 *286(i) of the Immigration and Nationality Act (8 U.S.C.*
15 *1356(i)), section 10412 of the Farm Security and Rural*
16 *Investment Act of 2002 (7 U.S.C. 8311), and section 817*
17 *of the Trade Facilitation and Trade Enforcement Act of*
18 *2015: Provided, That to the extent that amounts realized*
19 *from such collections exceed \$14,000,000, those amounts in*
20 *excess of \$14,000,000 shall be credited to this appropriation*
21 *and remain available until expended: Provided further,*
22 *That this authority is contingent on enactment of the Trade*
23 *Facilitation and Trade Enforcement Act of 2015.*

(RESCISSIONS)

1
2 *SEC. 567. Of the funds appropriated to the Depart-*
3 *ment of Homeland Security, the following funds are hereby*
4 *rescinded from the following accounts and programs in the*
5 *specified amounts: Provided, That no amounts may be re-*
6 *scinded from amounts that were designated by the Congress*
7 *as an emergency requirement pursuant to a concurrent res-*
8 *olution on the budget or the Balanced Budget and Emer-*
9 *gency Deficit Control Act of 1985 (Public Law 99–177):*

10 (1) \$27,338,000 from Public Law 109–88;

11 (2) \$4,188,000 from unobligated prior year bal-
12 *ances from “Analysis and Operations”;*

13 (3) \$7,000,000 from unobligated prior year bal-
14 *ances from “U.S. Customs and Border Protection,*
15 *Automation Modernization”;*

16 (4) \$21,856,000 from unobligated prior year bal-
17 *ances from “U.S. Customs and Border Protection,*
18 *Border Security, Fencing, Infrastructure, and Tech-*
19 *nology”;*

20 (5) \$4,500,000 from unobligated prior year bal-
21 *ances from “U.S. Customs and Border Protection,*
22 *Construction and Facilities Management”;*

23 (6) \$158,414,000 from Public Law 114–4 under
24 *the heading “Transportation Security Administra-*
25 *tion, Aviation Security”;*

1 *lowing funds are hereby rescinded from the following ac-*
2 *counts and programs in the specified amounts:*

3 (1) \$417,017 from “U.S. Customs and Border
4 *Protection, Salaries and Expenses*”;

5 (2) \$15,238 from “Federal Emergency Manage-
6 *ment Agency, Office of Domestic Preparedness*”; and

7 (3) \$573,828 from “Federal Emergency Manage-
8 *ment Agency, National Pre-disaster Mitigation Fund*”.

9 (RESCISSIONS)

10 *SEC. 569. The following unobligated balances made*
11 *available to the Department of Homeland Security pursu-*
12 *ant to section 505 of the Department of Homeland Security*
13 *Appropriations Act, 2015 (Public Law 114–4) are re-*
14 *scinded:*

15 (1) \$361,242 from “Office of the Secretary and
16 *Executive Management*”;

17 (2) \$146,547 from “Office of the Under Secretary
18 *for Management*”;

19 (3) \$25,859 from “Office of the Chief Financial
20 *Officer*”;

21 (4) \$507,893 from “Office of the Chief Informa-
22 *tion Officer*”;

23 (5) \$301,637 from “Analysis and Operations”;

24 (6) \$20,856 from “Office of Inspector General”;

1 (7) \$598,201 from “U.S. Customs and Border
2 Protection, Salaries and Expenses”;

3 (8) \$254,322 from “U.S. Customs and Border
4 Protection, Automation Modernization”;

5 (9) \$450,806 from “U.S. Customs and Border
6 Protection, Air and Marine Operations”;

7 (10) \$2,461,665 from “U.S. Immigration and
8 Customs Enforcement, Salaries and Expenses”;

9 (11) \$8,653,853 from “Coast Guard, Operating
10 Expenses”;

11 (12) \$515,040 from “Coast Guard, Reserve
12 Training”;

13 (13) \$970,844 from “Coast Guard, Acquisition,
14 Construction, and Improvements”;

15 (14) \$4,212,971 from “United States Secret
16 Service, Salaries and Expenses”;

17 (15) \$27,360 from “National Protection and
18 Programs Directorate, Management and Administra-
19 tion”;

20 (16) \$188,146 from “National Protection and
21 Programs Directorate, Infrastructure Protection and
22 Information Security”;

23 (17) \$986 from “National Protection and Pro-
24 grams Directorate, Office of Biometric Identity Man-
25 agement”;

1 1985, as amended: *Provided further, That no amounts may*
2 *be rescinded from the amounts that were designated by the*
3 *Congress as being for disaster relief pursuant to section*
4 *251(b)(2)(D) of the Balanced Budget and Emergency Def-*
5 *icit Control Act of 1985.*

6 *SEC. 572. Section 401(b) of the Illegal Immigration*
7 *Reform and Immigrant Responsibility Act of 1996 (8*
8 *U.S.C. 1324a note) shall be applied by substituting “Sep-*
9 *tember 30, 2016” for the date specified in section 106(3)*
10 *of the Continuing Appropriations Act, 2016 (Public Law*
11 *114–53).*

12 *SEC. 573. Subclauses 101(a)(27)(C)(i)(II) and (III)*
13 *of the Immigration and Nationality Act (8 U.S.C.*
14 *1101(a)(27)(C)(i)(II) and (III)) shall be applied by sub-*
15 *stituting “September 30, 2016” for the date specified in sec-*
16 *tion 106(3) of the Continuing Appropriations Act, 2016*
17 *(Public Law 114–53).*

18 *SEC. 574. Section 220(c) of the Immigration and Na-*
19 *tionality Technical Corrections Act of 1994 (8 U.S.C. 1182*
20 *note) shall be applied by substituting “September 30, 2016”*
21 *for the date specified in section 106(3) of the Continuing*
22 *Appropriations Act, 2016 (Public Law 114–53).*

23 *SEC. 575. Section 610(b) of the Departments of Com-*
24 *merce, Justice, and State, the Judiciary, and Related Agen-*
25 *cies Appropriations Act, 1993 (8 U.S.C. 1153 note) shall*

1 *be applied by substituting “September 30, 2016” for the*
2 *date specified in section 106(3) of the Continuing Appro-*
3 *priations Act, 2016 (Public Law 114–53).*

4 *This division may be cited as the “Department of*
5 *Homeland Security Appropriations Act, 2016”.*

6 ***DIVISION G—DEPARTMENT OF THE INTE-***
7 ***RIOR, ENVIRONMENT, AND RELATED***
8 ***AGENCIES APPROPRIATIONS ACT, 2016***

9 ***TITLE I***

10 ***DEPARTMENT OF THE INTERIOR***

11 ***BUREAU OF LAND MANAGEMENT***

12 ***MANAGEMENT OF LANDS AND RESOURCES***

13 *For necessary expenses for protection, use, improve-*
14 *ment, development, disposal, cadastral surveying, classifica-*
15 *tion, acquisition of easements and other interests in lands,*
16 *and performance of other functions, including maintenance*
17 *of facilities, as authorized by law, in the management of*
18 *lands and their resources under the jurisdiction of the Bu-*
19 *reau of Land Management, including the general adminis-*
20 *tration of the Bureau, and assessment of mineral potential*
21 *of public lands pursuant to section 1010(a) of Public Law*
22 *96–487 (16 U.S.C. 3150(a)), \$1,072,675,000, to remain*
23 *available until expended, including all such amounts as are*
24 *collected from permit processing fees, as authorized but*
25 *made subject to future appropriation by section*

1 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191),
2 except that amounts from permit processing fees may be
3 used for any bureau-related expenses associated with the
4 processing of oil and gas applications for permits to drill
5 and related use of authorizations; of which \$3,000,000 shall
6 be available in fiscal year 2016 subject to a match by at
7 least an equal amount by the National Fish and Wildlife
8 Foundation for cost-shared projects supporting conservation
9 of Bureau lands; and such funds shall be advanced to the
10 Foundation as a lump-sum grant without regard to when
11 expenses are incurred.

12 In addition, \$39,696,000 is for Mining Law Adminis-
13 tration program operations, including the cost of admin-
14 istering the mining claim fee program, to remain available
15 until expended, to be reduced by amounts collected by the
16 Bureau and credited to this appropriation from mining
17 claim maintenance fees and location fees that are hereby
18 authorized for fiscal year 2016, so as to result in a final
19 appropriation estimated at not more than \$1,072,675,000,
20 and \$2,000,000, to remain available until expended, from
21 communication site rental fees established by the Bureau
22 for the cost of administering communication site activities.

23 LAND ACQUISITION

24 For expenses necessary to carry out sections 205, 206,
25 and 318(d) of Public Law 94-579, including administra-

1 *tive expenses and acquisition of lands or waters, or interests*
2 *therein, \$38,630,000, to be derived from the Land and*
3 *Water Conservation Fund and to remain available until*
4 *expended.*

5 *OREGON AND CALIFORNIA GRANT LANDS*

6 *For expenses necessary for management, protection,*
7 *and development of resources and for construction, oper-*
8 *ation, and maintenance of access roads, reforestation, and*
9 *other improvements on the revested Oregon and California*
10 *Railroad grant lands, on other Federal lands in the Oregon*
11 *and California land-grant counties of Oregon, and on adja-*
12 *cent rights-of-way; and acquisition of lands or interests*
13 *therein, including existing connecting roads on or adjacent*
14 *to such grant lands; \$107,734,000, to remain available until*
15 *expended: Provided, That 25 percent of the aggregate of all*
16 *receipts during the current fiscal year from the revested Or-*
17 *egon and California Railroad grant lands is hereby made*
18 *a charge against the Oregon and California land-grant*
19 *fund and shall be transferred to the General Fund in the*
20 *Treasury in accordance with the second paragraph of sub-*
21 *section (b) of title II of the Act of August 28, 1937 (43*
22 *U.S.C. 1181f).*

23 *RANGE IMPROVEMENTS*

24 *For rehabilitation, protection, and acquisition of lands*
25 *and interests therein, and improvement of Federal range-*

1 *lands pursuant to section 401 of the Federal Land Policy*
2 *and Management Act of 1976 (43 U.S.C. 1751), notwith-*
3 *standing any other Act, sums equal to 50 percent of all*
4 *moneys received during the prior fiscal year under sections*
5 *3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m)*
6 *and the amount designated for range improvements from*
7 *grazing fees and mineral leasing receipts from Bankhead-*
8 *Jones lands transferred to the Department of the Interior*
9 *pursuant to law, but not less than \$10,000,000, to remain*
10 *available until expended: Provided, That not to exceed*
11 *\$600,000 shall be available for administrative expenses.*

12 *SERVICE CHARGES, DEPOSITS, AND FORFEITURES*

13 *For administrative expenses and other costs related to*
14 *processing application documents and other authorizations*
15 *for use and disposal of public lands and resources, for costs*
16 *of providing copies of official public land documents, for*
17 *monitoring construction, operation, and termination of fa-*
18 *cilities in conjunction with use authorizations, and for re-*
19 *habilitation of damaged property, such amounts as may be*
20 *collected under Public Law 94-579 (43 U.S.C. 1701 et seq.),*
21 *and under section 28 of the Mineral Leasing Act (30 U.S.C.*
22 *185), to remain available until expended: Provided, That,*
23 *notwithstanding any provision to the contrary of section*
24 *305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any*
25 *moneys that have been or will be received pursuant to that*

1 *section, whether as a result of forfeiture, compromise, or set-*
2 *tlement, if not appropriate for refund pursuant to section*
3 *305(c) of that Act (43 U.S.C. 1735(c)), shall be available*
4 *and may be expended under the authority of this Act by*
5 *the Secretary to improve, protect, or rehabilitate any public*
6 *lands administered through the Bureau of Land Manage-*
7 *ment which have been damaged by the action of a resource*
8 *developer, purchaser, permittee, or any unauthorized per-*
9 *son, without regard to whether all moneys collected from*
10 *each such action are used on the exact lands damaged which*
11 *led to the action: Provided further, That any such moneys*
12 *that are in excess of amounts needed to repair damage to*
13 *the exact land for which funds were collected may be used*
14 *to repair other damaged public lands.*

15 *MISCELLANEOUS TRUST FUNDS*

16 *In addition to amounts authorized to be expended*
17 *under existing laws, there is hereby appropriated such*
18 *amounts as may be contributed under section 307 of Public*
19 *Law 94–579 (43 U.S.C. 1737), and such amounts as may*
20 *be advanced for administrative costs, surveys, appraisals,*
21 *and costs of making conveyances of omitted lands under sec-*
22 *tion 211(b) of that Act (43 U.S.C. 1721(b)), to remain*
23 *available until expended.*

ADMINISTRATIVE PROVISIONS

1
2 *The Bureau of Land Management may carry out the*
3 *operations funded under this Act by direct expenditure, con-*
4 *tracts, grants, cooperative agreements and reimbursable*
5 *agreements with public and private entities, including with*
6 *States. Appropriations for the Bureau shall be available for*
7 *purchase, erection, and dismantlement of temporary struc-*
8 *tures, and alteration and maintenance of necessary build-*
9 *ings and appurtenant facilities to which the United States*
10 *has title; up to \$100,000 for payments, at the discretion*
11 *of the Secretary, for information or evidence concerning vio-*
12 *lations of laws administered by the Bureau; miscellaneous*
13 *and emergency expenses of enforcement activities authorized*
14 *or approved by the Secretary and to be accounted for solely*
15 *on the Secretary's certificate, not to exceed \$10,000: Pro-*
16 *vided, That notwithstanding Public Law 90-620 (44 U.S.C.*
17 *501), the Bureau may, under cooperative cost-sharing and*
18 *partnership arrangements authorized by law, procure*
19 *printing services from cooperators in connection with joint-*
20 *ly produced publications for which the cooperators share the*
21 *cost of printing either in cash or in services, and the Bureau*
22 *determines the cooperator is capable of meeting accepted*
23 *quality standards: Provided further, That projects to be*
24 *funded pursuant to a written commitment by a State gov-*
25 *ernment to provide an identified amount of money in sup-*

1 *port of the project may be carried out by the Bureau on*
2 *a reimbursable basis. Appropriations herein made shall not*
3 *be available for the destruction of healthy, unadopted, wild*
4 *horses and burros in the care of the Bureau or its contrac-*
5 *tors or for the sale of wild horses and burros that results*
6 *in their destruction for processing into commercial prod-*
7 *ucts.*

8 *UNITED STATES FISH AND WILDLIFE SERVICE*

9 *RESOURCE MANAGEMENT*

10 *For necessary expenses of the United States Fish and*
11 *Wildlife Service, as authorized by law, and for scientific*
12 *and economic studies, general administration, and for the*
13 *performance of other authorized functions related to such*
14 *resources, \$1,238,771,000, to remain available until Sep-*
15 *tember 30, 2017: Provided, That not to exceed \$20,515,000*
16 *shall be used for implementing subsections (a), (b), (c), and*
17 *(e) of section 4 of the Endangered Species Act of 1973 (16*
18 *U.S.C. 1533) (except for processing petitions, developing*
19 *and issuing proposed and final regulations, and taking any*
20 *other steps to implement actions described in subsection*
21 *(c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to ex-*
22 *ceed \$4,605,000 shall be used for any activity regarding the*
23 *designation of critical habitat, pursuant to subsection*
24 *(a)(3), excluding litigation support, for species listed pursu-*
25 *ant to subsection (a)(1) prior to October 1, 2014; of which*

1 *not to exceed \$1,501,000 shall be used for any activity re-*
2 *garding petitions to list species that are indigenous to the*
3 *United States pursuant to subsections (b)(3)(A) and*
4 *(b)(3)(B); and, of which not to exceed \$1,504,000 shall be*
5 *used for implementing subsections (a), (b), (c), and (e) of*
6 *section 4 of the Endangered Species Act of 1973 (16 U.S.C.*
7 *1533) for species that are not indigenous to the United*
8 *States.*

9
10 *CONSTRUCTION*

11 *For construction, improvement, acquisition, or re-*
12 *moval of buildings and other facilities required in the con-*
13 *servation, management, investigation, protection, and utili-*
14 *zation of fish and wildlife resources, and the acquisition*
15 *of lands and interests therein; \$23,687,000, to remain avail-*
16 *able until expended.*

17
18 *LAND ACQUISITION*

19 *For expenses necessary to carry out chapter 2003 of*
20 *title 54, United States Code, including administrative ex-*
21 *penses, and for acquisition of land or waters, or interest*
22 *therein, in accordance with statutory authority applicable*
23 *to the United States Fish and Wildlife Service, \$68,500,000,*
24 *to be derived from the Land and Water Conservation Fund*
25 *and to remain available until expended, of which, notwith-*
standing section 200306 of title 54, United States Code, not
more than \$10,000,000 shall be for land conservation part-

1 *nerships authorized by the Highlands Conservation Act of*
2 *2004, including not to exceed \$320,000 for administrative*
3 *expenses: Provided, That none of the funds appropriated for*
4 *specific land acquisition projects may be used to pay for*
5 *any administrative overhead, planning or other manage-*
6 *ment costs.*

7 *COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND*

8 *For expenses necessary to carry out section 6 of the*
9 *Endangered Species Act of 1973 (16 U.S.C. 1535),*
10 *\$53,495,000, to remain available until expended, of which*
11 *\$22,695,000 is to be derived from the Cooperative Endan-*
12 *gered Species Conservation Fund; and of which \$30,800,000*
13 *is to be derived from the Land and Water Conservation*
14 *Fund.*

15 *NATIONAL WILDLIFE REFUGE FUND*

16 *For expenses necessary to implement the Act of October*
17 *17, 1978 (16 U.S.C. 715s), \$13,228,000.*

18 *NORTH AMERICAN WETLANDS CONSERVATION FUND*

19 *For expenses necessary to carry out the provisions of*
20 *the North American Wetlands Conservation Act (16 U.S.C.*
21 *4401 et seq.), \$35,145,000, to remain available until ex-*
22 *pended.*

1 *NEOTROPICAL MIGRATORY BIRD CONSERVATION*

2 *For expenses necessary to carry out the Neotropical*
3 *Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.),*
4 *\$3,910,000, to remain available until expended.*

5 *MULTINATIONAL SPECIES CONSERVATION FUND*

6 *For expenses necessary to carry out the African Ele-*
7 *phant Conservation Act (16 U.S.C. 4201 et seq.), the Asian*
8 *Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.),*
9 *the Rhinoceros and Tiger Conservation Act of 1994 (16*
10 *U.S.C. 5301 et seq.), the Great Ape Conservation Act of*
11 *2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Con-*
12 *servaion Act of 2004 (16 U.S.C. 6601 et seq.), \$11,061,000,*
13 *to remain available until expended.*

14 *STATE AND TRIBAL WILDLIFE GRANTS*

15 *For wildlife conservation grants to States and to the*
16 *District of Columbia, Puerto Rico, Guam, the United States*
17 *Virgin Islands, the Northern Mariana Islands, American*
18 *Samoa, and Indian tribes under the provisions of the Fish*
19 *and Wildlife Act of 1956 and the Fish and Wildlife Coordi-*
20 *nation Act, for the development and implementation of pro-*
21 *grams for the benefit of wildlife and their habitat, including*
22 *species that are not hunted or fished, \$60,571,000, to re-*
23 *main available until expended: Provided, That of the*
24 *amount provided herein, \$4,084,000 is for a competitive*
25 *grant program for Indian tribes not subject to the remain-*

1 *ing provisions of this appropriation: Provided further, That*
2 *\$5,487,000 is for a competitive grant program to implement*
3 *approved plans for States, territories, and other jurisdic-*
4 *tions and at the discretion of affected States, the regional*
5 *Associations of fish and wildlife agencies, not subject to the*
6 *remaining provisions of this appropriation: Provided fur-*
7 *ther, That the Secretary shall, after deducting \$9,571,000*
8 *and administrative expenses, apportion the amount pro-*
9 *vided herein in the following manner: (1) to the District*
10 *of Columbia and to the Commonwealth of Puerto Rico, each*
11 *a sum equal to not more than one-half of 1 percent thereof;*
12 *and (2) to Guam, American Samoa, the United States Vir-*
13 *gin Islands, and the Commonwealth of the Northern Mar-*
14 *iana Islands, each a sum equal to not more than one-fourth*
15 *of 1 percent thereof: Provided further, That the Secretary*
16 *shall apportion the remaining amount in the following*
17 *manner: (1) one-third of which is based on the ratio to*
18 *which the land area of such State bears to the total land*
19 *area of all such States; and (2) two-thirds of which is based*
20 *on the ratio to which the population of such State bears*
21 *to the total population of all such States: Provided further,*
22 *That the amounts apportioned under this paragraph shall*
23 *be adjusted equitably so that no State shall be apportioned*
24 *a sum which is less than 1 percent of the amount available*
25 *for apportionment under this paragraph for any fiscal year*

1 *or more than 5 percent of such amount: Provided further,*
2 *That the Federal share of planning grants shall not exceed*
3 *75 percent of the total costs of such projects and the Federal*
4 *share of implementation grants shall not exceed 65 percent*
5 *of the total costs of such projects: Provided further, That*
6 *the non-Federal share of such projects may not be derived*
7 *from Federal grant programs: Provided further, That any*
8 *amount apportioned in 2016 to any State, territory, or*
9 *other jurisdiction that remains unobligated as of September*
10 *30, 2017, shall be reapportioned, together with funds appro-*
11 *riated in 2018, in the manner provided herein.*

12 *ADMINISTRATIVE PROVISIONS*

13 *The United States Fish and Wildlife Service may*
14 *carry out the operations of Service programs by direct ex-*
15 *penditure, contracts, grants, cooperative agreements and re-*
16 *imbursable agreements with public and private entities. Ap-*
17 *propriations and funds available to the United States Fish*
18 *and Wildlife Service shall be available for repair of damage*
19 *to public roads within and adjacent to reservation areas*
20 *caused by operations of the Service; options for the purchase*
21 *of land at not to exceed \$1 for each option; facilities inci-*
22 *dent to such public recreational uses on conservation areas*
23 *as are consistent with their primary purpose; and the*
24 *maintenance and improvement of aquaria, buildings, and*
25 *other facilities under the jurisdiction of the Service and to*

1 *which the United States has title, and which are used pur-*
2 *suant to law in connection with management, and inves-*
3 *tigation of fish and wildlife resources: Provided, That not-*
4 *withstanding 44 U.S.C. 501, the Service may, under cooper-*
5 *ative cost sharing and partnership arrangements author-*
6 *ized by law, procure printing services from cooperators in*
7 *connection with jointly produced publications for which the*
8 *cooperators share at least one-half the cost of printing either*
9 *in cash or services and the Service determines the coop-*
10 *erator is capable of meeting accepted quality standards:*
11 *Provided further, That the Service may accept donated air-*
12 *craft as replacements for existing aircraft: Provided further,*
13 *That notwithstanding 31 U.S.C. 3302, all fees collected for*
14 *non-toxic shot review and approval shall be deposited under*
15 *the heading "United States Fish and Wildlife Service—Re-*
16 *source Management" and shall be available to the Sec-*
17 *retary, without further appropriation, to be used for ex-*
18 *penses of processing of such non-toxic shot type or coating*
19 *applications and revising regulations as necessary, and*
20 *shall remain available until expended.*

21 *NATIONAL PARK SERVICE*

22 *OPERATION OF THE NATIONAL PARK SYSTEM*

23 *For expenses necessary for the management, operation,*
24 *and maintenance of areas and facilities administered by*
25 *the National Park Service and for the general administra-*

1 *tion of the National Park Service, \$2,369,596,000, of which*
2 *\$10,001,000 for planning and interagency coordination in*
3 *support of Everglades restoration and \$99,461,000 for*
4 *maintenance, repair, or rehabilitation projects for con-*
5 *structed assets shall remain available until September 30,*
6 *2017: Provided, That funds appropriated under this head-*
7 *ing in this Act are available for the purposes of section 5*
8 *of Public Law 95–348 and section 204 of Public Law 93–*
9 *486, as amended by section 1(3) of Public Law 100–355.*

10 *NATIONAL RECREATION AND PRESERVATION*

11 *For expenses necessary to carry out recreation pro-*
12 *grams, natural programs, cultural programs, heritage part-*
13 *nership programs, environmental compliance and review,*
14 *international park affairs, and grant administration, not*
15 *otherwise provided for, \$62,632,000.*

16 *HISTORIC PRESERVATION FUND*

17 *For expenses necessary in carrying out the National*
18 *Historic Preservation Act (division A of subtitle III of title*
19 *54, United States Code), \$65,410,000, to be derived from*
20 *the Historic Preservation Fund and to remain available*
21 *until September 30, 2017, of which \$500,000 is for competi-*
22 *tive grants for the survey and nomination of properties to*
23 *the National Register of Historic Places and as National*
24 *Historic Landmarks associated with communities currently*
25 *underrepresented, as determined by the Secretary, and of*

1 *which \$8,000,000 is for competitive grants to preserve the*
2 *sites and stories of the Civil Rights movement: Provided,*
3 *That such competitive grants shall be made without impos-*
4 *ing the matching requirements in section 302902(b)(3) of*
5 *title 54, United States Code to States and Indian tribes*
6 *as defined in chapter 3003 of such title, Native Hawaiian*
7 *organizations, local governments, including Certified Local*
8 *Governments, and nonprofit organizations.*

9 *CONSTRUCTION*

10 *For construction, improvements, repair, or replace-*
11 *ment of physical facilities, including modifications author-*
12 *ized by section 104 of the Everglades National Park Protec-*
13 *tion and Expansion Act of 1989 (16 U.S.C. 410r-8),*
14 *\$192,937,000, to remain available until expended: Pro-*
15 *vided, That, notwithstanding any other provision of law,*
16 *for any project initially funded in fiscal year 2016 with*
17 *a future phase indicated in the National Park Service 5-*
18 *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 2016*
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, \$173,670,000, to be de-*
18 *rived from the Land and Water Conservation Fund and*
19 *to remain available until expended, of which \$110,000,000*
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, \$15,000,000, 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 In fiscal year 2016 and each fiscal year thereafter, any
16 amounts deposited into the National Park Service trust
17 fund accounts (31 U.S.C. 1321(a)(17)–(18)) shall be in-
18 vested by the Secretary of the Treasury in interest bearing
19 obligations of the United States to the extent such amounts
20 are not, in his judgment, required to meet current with-
21 drawals: Provided, That interest earned by such invest-
22 ments shall be available for obligation without further ap-
23 propriation, to the benefit of the project.

1 *UNITED STATES GEOLOGICAL SURVEY*
2 *SURVEYS, INVESTIGATIONS, AND RESEARCH*
3 *For expenses necessary for the United States Geological*
4 *Survey to perform surveys, investigations, and research cov-*
5 *ering topography, geology, hydrology, biology, and the min-*
6 *eral and water resources of the United States, its territories*
7 *and possessions, and other areas as authorized by 43 U.S.C.*
8 *31, 1332, and 1340; classify lands as to their mineral and*
9 *water resources; give engineering supervision to power per-*
10 *mittees and Federal Energy Regulatory Commission licens-*
11 *ees; administer the minerals exploration program (30*
12 *U.S.C. 641); conduct inquiries into the economic conditions*
13 *affecting mining and materials processing industries (30*
14 *U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related*
15 *purposes as authorized by law; and to publish and dissemi-*
16 *nate data relative to the foregoing activities;*
17 *\$1,062,000,000, to remain available until September 30,*
18 *2017; of which \$57,637,189 shall remain available until ex-*
19 *pended for satellite operations; and of which \$7,280,000*
20 *shall be available until expended for deferred maintenance*
21 *and capital improvement projects that exceed \$100,000 in*
22 *cost: Provided, That none of the funds provided for the eco-*
23 *system research activity shall be used to conduct new sur-*
24 *veys on private property, unless specifically authorized in*
25 *writing by the property owner: Provided further, That no*

1 *part of this appropriation shall be used to pay more than*
2 *one-half the cost of topographic mapping or water resources*
3 *data collection and investigations carried on in cooperation*
4 *with States and municipalities.*

5 *ADMINISTRATIVE PROVISIONS*

6 *From within the amount appropriated for activities*
7 *of the United States Geological Survey such sums as are*
8 *necessary shall be available for contracting for the fur-*
9 *nishing of topographic maps and for the making of geo-*
10 *physical or other specialized surveys when it is administra-*
11 *tively determined that such procedures are in the public in-*
12 *terest; construction and maintenance of necessary buildings*
13 *and appurtenant facilities; acquisition of lands for gauging*
14 *stations and observation wells; expenses of the United States*
15 *National Committee for Geological Sciences; and payment*
16 *of compensation and expenses of persons employed by the*
17 *Survey duly appointed to represent the United States in*
18 *the negotiation and administration of interstate compacts:*
19 *Provided, That activities funded by appropriations herein*
20 *made may be accomplished through the use of contracts,*
21 *grants, or cooperative agreements as defined in section 6302*
22 *of title 31, United States Code: Provided further, That the*
23 *United States Geological Survey may enter into contracts*
24 *or cooperative agreements directly with individuals or indi-*
25 *rectly with institutions or nonprofit organizations, without*

1 regard to 41 U.S.C. 6101, for the temporary or intermittent
2 services of students or recent graduates, who shall be consid-
3 ered employees for the purpose of chapters 57 and 81 of
4 title 5, United States Code, relating to compensation for
5 travel and work injuries, and chapter 171 of title 28,
6 United States Code, relating to tort claims, but shall not
7 be considered to be Federal employees for any other pur-
8 poses.

9 *BUREAU OF OCEAN ENERGY MANAGEMENT*

10 *OCEAN ENERGY MANAGEMENT*

11 *For expenses necessary for granting leases, easements,*
12 *rights-of-way and agreements for use for oil and gas, other*
13 *minerals, energy, and marine-related purposes on the Outer*
14 *Continental Shelf and approving operations related thereto,*
15 *as authorized by law; for environmental studies, as author-*
16 *ized by law; for implementing other laws and to the extent*
17 *provided by Presidential or Secretarial delegation; and for*
18 *matching grants or cooperative agreements, \$170,857,000,*
19 *of which \$74,235,000, is to remain available until Sep-*
20 *tember 30, 2017 and of which \$96,622,000 is to remain*
21 *available until expended: Provided, That this total appro-*
22 *priation shall be reduced by amounts collected by the Sec-*
23 *retary and credited to this appropriation from additions*
24 *to receipts resulting from increases to lease rental rates in*
25 *effect on August 5, 1993, and from cost recovery fees from*

1 *activities conducted by the Bureau of Ocean Energy Man-*
2 *agement pursuant to the Outer Continental Shelf Lands*
3 *Act, including studies, assessments, analysis, and miscella-*
4 *neous administrative activities: Provided further, That the*
5 *sum herein appropriated shall be reduced as such collections*
6 *are received during the fiscal year, so as to result in a final*
7 *fiscal year 2016 appropriation estimated at not more than*
8 *\$74,235,000: Provided further, That not to exceed \$3,000*
9 *shall be available for reasonable expenses related to pro-*
10 *moting volunteer beach and marine cleanup activities.*

11 *BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT*

12 *OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT*

13 *For expenses necessary for the regulation of operations*
14 *related to leases, easements, rights-of-way and agreements*
15 *for use for oil and gas, other minerals, energy, and marine-*
16 *related purposes on the Outer Continental Shelf, as author-*
17 *ized by law; for enforcing and implementing laws and regu-*
18 *lations as authorized by law and to the extent provided by*
19 *Presidential or Secretarial delegation; and for matching*
20 *grants or cooperative agreements, \$124,772,000, of which*
21 *\$67,565,000 is to remain available until September 30,*
22 *2017 and of which \$57,207,000 is to remain available until*
23 *expended: Provided, That this total appropriation shall be*
24 *reduced by amounts collected by the Secretary and credited*
25 *to this appropriation from additions to receipts resulting*

1 *from increases to lease rental rates in effect on August 5,*
2 *1993, and from cost recovery fees from activities conducted*
3 *by the Bureau of Safety and Environmental Enforcement*
4 *pursuant to the Outer Continental Shelf Lands Act, includ-*
5 *ing studies, assessments, analysis, and miscellaneous ad-*
6 *ministrative activities: Provided further, That the sum*
7 *herein appropriated shall be reduced as such collections are*
8 *received during the fiscal year, so as to result in a final*
9 *fiscal year 2016 appropriation estimated at not more than*
10 *\$67,565,000.*

11 *For an additional amount, \$65,000,000, to remain*
12 *available until expended, to be reduced by amounts collected*
13 *by the Secretary and credited to this appropriation, which*
14 *shall be derived from non-refundable inspection fees col-*
15 *lected in fiscal year 2016, as provided in this Act: Provided,*
16 *That to the extent that amounts realized from such inspec-*
17 *tion fees exceed \$65,000,000, the amounts realized in excess*
18 *of \$65,000,000 shall be credited to this appropriation and*
19 *remain available until expended: Provided further, That for*
20 *fiscal year 2016, not less than 50 percent of the inspection*
21 *fees expended by the Bureau of Safety and Environmental*
22 *Enforcement will be used to fund personnel and mission-*
23 *related costs to expand capacity and expedite the orderly*
24 *development, subject to environmental safeguards, of the*
25 *Outer Continental Shelf pursuant to the Outer Continental*

1 *Shelf Lands Act (43 U.S.C. 1331 et seq.), including the re-*
2 *view of applications for permits to drill.*

3 *OIL SPILL RESEARCH*

4 *For necessary expenses to carry out title I, section*
5 *1016, title IV, sections 4202 and 4303, title VII, and title*
6 *VIII, section 8201 of the Oil Pollution Act of 1990,*
7 *\$14,899,000, which shall be derived from the Oil Spill Li-*
8 *ability Trust Fund, to remain available until expended.*

9 *OFFICE OF SURFACE MINING RECLAMATION AND*

10 *ENFORCEMENT*

11 *REGULATION AND TECHNOLOGY*

12 *For necessary expenses to carry out the provisions of*
13 *the Surface Mining Control and Reclamation Act of 1977,*
14 *Public Law 95–87, \$123,253,000, to remain available until*
15 *September 30, 2017: Provided, That appropriations for the*
16 *Office of Surface Mining Reclamation and Enforcement*
17 *may provide for the travel and per diem expenses of State*
18 *and tribal personnel attending Office of Surface Mining*
19 *Reclamation and Enforcement sponsored training.*

20 *In addition, for costs to review, administer, and en-*
21 *force permits issued by the Office pursuant to section 507*
22 *of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to remain*
23 *available until expended: Provided, That fees assessed and*
24 *collected by the Office pursuant to such section 507 shall*
25 *be credited to this account as discretionary offsetting collec-*

1 tions, to remain available until expended: Provided further,
2 That the sum herein appropriated from the general fund
3 shall be reduced as collections are received during the fiscal
4 year, so as to result in a fiscal year 2016 appropriation
5 estimated at not more than \$123,253,000.

6 ABANDONED MINE RECLAMATION FUND

7 For necessary expenses to carry out title IV of the Sur-
8 face Mining Control and Reclamation Act of 1977, Public
9 Law 95–87, \$27,303,000, to be derived from receipts of the
10 Abandoned Mine Reclamation Fund and to remain avail-
11 able until expended: Provided, That pursuant to Public
12 Law 97–365, the Department of the Interior is authorized
13 to use up to 20 percent from the recovery of the delinquent
14 debt owed to the United States Government to pay for con-
15 tracts to collect these debts: Provided further, That funds
16 made available under title IV of Public Law 95–87 may
17 be used for any required non-Federal share of the cost of
18 projects funded by the Federal Government for the purpose
19 of environmental restoration related to treatment or abate-
20 ment of acid mine drainage from abandoned mines: Pro-
21 vided further, That such projects must be consistent with
22 the purposes and priorities of the Surface Mining Control
23 and Reclamation Act: Provided further, That amounts pro-
24 vided under this heading may be used for the travel and
25 per diem expenses of State and tribal personnel attending

1 *Office of Surface Mining Reclamation and Enforcement*
2 *sponsored training.*

3 *In addition, \$90,000,000, to remain available until ex-*
4 *pendent, for grants to States for reclamation of abandoned*
5 *mine lands and other related activities in accordance with*
6 *the terms and conditions in the explanatory statement de-*
7 *scribed in section 4 (in the matter preceding division A of*
8 *this consolidated Act): Provided, That such additional*
9 *amount shall be used for economic and community develop-*
10 *ment in conjunction with the priorities in section 403(a)*
11 *of the Surface Mining Control and Reclamation Act of 1977*
12 *(30 U.S.C. 1233(a)): Provided further, That such additional*
13 *amount shall be distributed in equal amounts to the 3 Ap-*
14 *palachian States with the greatest amount of unfunded*
15 *needs to meet the priorities described in paragraphs (1) and*
16 *(2) of such section: Provided further, That such additional*
17 *amount shall be allocated to States within 60 days after*
18 *the date of enactment of this Act.*

19 *BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN*
20 *EDUCATION*

21 *OPERATION OF INDIAN PROGRAMS*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *For expenses necessary for the operation of Indian pro-*
24 *grams, as authorized by law, including the Snyder Act of*
25 *November 2, 1921 (25 U.S.C. 13), the Indian Self-Deter-*

1 *mination and Education Assistance Act of 1975 (25 U.S.C.*
2 *450 et seq.), the Education Amendments of 1978 (25 U.S.C.*
3 *2001–2019), and the Tribally Controlled Schools Act of*
4 *1988 (25 U.S.C. 2501 et seq.), \$2,267,924,000, to remain*
5 *available until September 30, 2017, except as otherwise pro-*
6 *vided herein; of which not to exceed \$8,500 may be for offi-*
7 *cial reception and representation expenses; of which not to*
8 *exceed \$74,791,000 shall be for welfare assistance payments:*
9 *Provided, That, in cases of designated Federal disasters, the*
10 *Secretary may exceed such cap, from the amounts provided*
11 *herein, to provide for disaster relief to Indian communities*
12 *affected by the disaster: Provided further, That federally rec-*
13 *ognized Indian tribes and tribal organizations of federally*
14 *recognized Indian tribes may use their tribal priority allo-*
15 *cations for unmet welfare assistance costs: Provided further,*
16 *That not to exceed \$628,351,000 for school operations costs*
17 *of Bureau-funded schools and other education programs*
18 *shall become available on July 1, 2016, and shall remain*
19 *available until September 30, 2017: Provided further, That*
20 *not to exceed \$43,813,000 shall remain available until ex-*
21 *pended for housing improvement, road maintenance, attor-*
22 *ney fees, litigation support, land records improvement, and*
23 *the Navajo-Hopi Settlement Program: Provided further,*
24 *That, notwithstanding any other provision of law, includ-*
25 *ing but not limited to the Indian Self-Determination Act*

1 of 1975 (25 U.S.C. 450f et seq.) and section 1128 of the
2 Education Amendments of 1978 (25 U.S.C. 2008), not to
3 exceed \$73,276,000 within and only from such amounts
4 made available for school operations shall be available for
5 administrative cost grants associated with grants approved
6 prior to July 1, 2016: Provided further, That any forestry
7 funds allocated to a federally recognized tribe which remain
8 unobligated as of September 30, 2017, may be transferred
9 during fiscal year 2018 to an Indian forest land assistance
10 account established for the benefit of the holder of the funds
11 within the holder's trust fund account: Provided further,
12 That any such unobligated balances not so transferred shall
13 expire on September 30, 2018: Provided further, That, in
14 order to enhance the safety of Bureau field employees, the
15 Bureau may use funds to purchase uniforms or other identi-
16 fying articles of clothing for personnel.

17 *CONTRACT SUPPORT COSTS*

18 *For payments to tribes and tribal organizations for*
19 *contract support costs associated with Indian Self-Deter-*
20 *mination and Education Assistance Act agreements with*
21 *the Bureau of Indian Affairs for fiscal year 2016, such sums*
22 *as may be necessary, which shall be available for obligation*
23 *through September 30, 2017: Provided, That amounts obli-*
24 *gated but not expended by a tribe or tribal organization*
25 *for contract support costs for such agreements for the cur-*

1 *rent fiscal year shall be applied to contract support costs*
2 *otherwise due for such agreements for subsequent fiscal*
3 *years: Provided further, That, notwithstanding any other*
4 *provision of law, no amounts made available under this*
5 *heading shall be available for transfer to another budget ac-*
6 *count.*

7 *CONSTRUCTION*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For construction, repair, improvement, and mainte-*
10 *nance of irrigation and power systems, buildings, utilities,*
11 *and other facilities, including architectural and engineering*
12 *services by contract; acquisition of lands, and interests in*
13 *lands; and preparation of lands for farming, and for con-*
14 *struction of the Navajo Indian Irrigation Project pursuant*
15 *to Public Law 87-483, \$193,973,000, to remain available*
16 *until expended: Provided, That such amounts as may be*
17 *available for the construction of the Navajo Indian Irriga-*
18 *tion Project may be transferred to the Bureau of Reclama-*
19 *tion: Provided further, That not to exceed 6 percent of con-*
20 *tract authority available to the Bureau of Indian Affairs*
21 *from the Federal Highway Trust Fund may be used to cover*
22 *the road program management costs of the Bureau: Pro-*
23 *vided further, That any funds provided for the Safety of*
24 *Dams program pursuant to 25 U.S.C. 13 shall be made*
25 *available on a nonreimbursable basis: Provided further,*

1 *That for fiscal year 2016, in implementing new construc-*
2 *tion, replacement facilities construction, or facilities im-*
3 *provement and repair project grants in excess of \$100,000*
4 *that are provided to grant schools under Public Law 100-*
5 *297, the Secretary of the Interior shall use the Administra-*
6 *tive and Audit Requirements and Cost Principles for Assist-*
7 *ance Programs contained in 43 CFR part 12 as the regu-*
8 *latory requirements: Provided further, That such grants*
9 *shall not be subject to section 12.61 of 43 CFR; the Sec-*
10 *retary and the grantee shall negotiate and determine a*
11 *schedule of payments for the work to be performed: Provided*
12 *further, That in considering grant applications, the Sec-*
13 *retary shall consider whether such grantee would be defi-*
14 *cient in assuring that the construction projects conform to*
15 *applicable building standards and codes and Federal, trib-*
16 *al, or State health and safety standards as required by 25*
17 *U.S.C. 2005(b), with respect to organizational and finan-*
18 *cial management capabilities: Provided further, That if the*
19 *Secretary declines a grant application, the Secretary shall*
20 *follow the requirements contained in 25 U.S.C. 2504(f):*
21 *Provided further, That any disputes between the Secretary*
22 *and any grantee concerning a grant shall be subject to the*
23 *disputes provision in 25 U.S.C. 2507(e): Provided further,*
24 *That in order to ensure timely completion of construction*
25 *projects, the Secretary may assume control of a project and*

1 *all funds related to the project, if, within 18 months of the*
2 *date of enactment of this Act, any grantee receiving funds*
3 *appropriated in this Act or in any prior Act, has not com-*
4 *pleted the planning and design phase of the project and*
5 *commenced construction: Provided further, That this appro-*
6 *priation may be reimbursed from the Office of the Special*
7 *Trustee for American Indians appropriation for the appro-*
8 *priate share of construction costs for space expansion need-*
9 *ed in agency offices to meet trust reform implementation.*

10 *INDIAN LAND AND WATER CLAIM SETTLEMENTS AND*

11 *MISCELLANEOUS PAYMENTS TO INDIANS*

12 *For payments and necessary administrative expenses*
13 *for implementation of Indian land and water claim settle-*
14 *ments pursuant to Public Laws 99–264, 100–580, 101–618,*
15 *111–11, and 111–291, and for implementation of other land*
16 *and water rights settlements, \$49,475,000, to remain avail-*
17 *able until expended.*

18 *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

19 *For the cost of guaranteed loans and insured loans,*
20 *\$7,748,000, of which \$1,062,000 is for administrative ex-*
21 *penses, as authorized by the Indian Financing Act of 1974:*
22 *Provided, That such costs, including the cost of modifying*
23 *such loans, shall be as defined in section 502 of the Congres-*
24 *sional Budget Act of 1974: Provided further, That these*
25 *funds are available to subsidize total loan principal, any*

1 *part of which is to be guaranteed or insured, not to exceed*
2 *\$113,804,510.*

3 *ADMINISTRATIVE PROVISIONS*

4 *The Bureau of Indian Affairs may carry out the oper-*
5 *ation of Indian programs by direct expenditure, contracts,*
6 *cooperative agreements, compacts, and grants, either di-*
7 *rectly or in cooperation with States and other organiza-*
8 *tions.*

9 *Notwithstanding 25 U.S.C. 15, the Bureau of Indian*
10 *Affairs may contract for services in support of the manage-*
11 *ment, operation, and maintenance of the Power Division*
12 *of the San Carlos Irrigation Project.*

13 *Notwithstanding any other provision of law, no funds*
14 *available to the Bureau of Indian Affairs for central office*
15 *oversight and Executive Direction and Administrative*
16 *Services (except executive direction and administrative*
17 *services funding for Tribal Priority Allocations, regional of-*
18 *fices, and facilities operations and maintenance) shall be*
19 *available for contracts, grants, compacts, or cooperative*
20 *agreements with the Bureau of Indian Affairs under the*
21 *provisions of the Indian Self-Determination Act or the*
22 *Tribal Self-Governance Act of 1994 (Public Law 103-413).*

23 *In the event any tribe returns appropriations made*
24 *available by this Act to the Bureau of Indian Affairs, this*
25 *action shall not diminish the Federal Government's trust*

1 *responsibility to that tribe, or the government-to-govern-*
2 *ment relationship between the United States and that tribe,*
3 *or that tribe's ability to access future appropriations.*

4 *Notwithstanding any other provision of law, no funds*
5 *available to the Bureau of Indian Education, other than*
6 *the amounts provided herein for assistance to public schools*
7 *under 25 U.S.C. 452 et seq., shall be available to support*
8 *the operation of any elementary or secondary school in the*
9 *State of Alaska.*

10 *No funds available to the Bureau of Indian Education*
11 *shall be used to support expanded grades for any school or*
12 *dormitory beyond the grade structure in place or approved*
13 *by the Secretary of the Interior at each school in the Bureau*
14 *of Indian Education school system as of October 1, 1995,*
15 *except that the Secretary of the Interior may waive this*
16 *prohibition to support expansion of up to one additional*
17 *grade when the Secretary determines such waiver is needed*
18 *to support accomplishment of the mission of the Bureau of*
19 *Indian Education. Appropriations made available in this*
20 *or any prior Act for schools funded by the Bureau shall*
21 *be available, in accordance with the Bureau's funding for-*
22 *mula, only to the schools in the Bureau school system as*
23 *of September 1, 1996, and to any school or school program*
24 *that was reinstated in fiscal year 2012. Funds made avail-*
25 *able under this Act may not be used to establish a charter*

1 *school at a Bureau-funded school (as that term is defined*
2 *in section 1141 of the Education Amendments of 1978 (25*
3 *U.S.C. 2021)), except that a charter school that is in exist-*
4 *ence on the date of the enactment of this Act and that has*
5 *operated at a Bureau-funded school before September 1,*
6 *1999, may continue to operate during that period, but only*
7 *if the charter school pays to the Bureau a pro rata share*
8 *of funds to reimburse the Bureau for the use of the real*
9 *and personal property (including buses and vans), the*
10 *funds of the charter school are kept separate and apart from*
11 *Bureau funds, and the Bureau does not assume any obliga-*
12 *tion for charter school programs of the State in which the*
13 *school is located if the charter school loses such funding.*
14 *Employees of Bureau-funded schools sharing a campus with*
15 *a charter school and performing functions related to the*
16 *charter school's operation and employees of a charter school*
17 *shall not be treated as Federal employees for purposes of*
18 *chapter 171 of title 28, United States Code.*

19 *Notwithstanding any other provision of law, including*
20 *section 113 of title I of appendix C of Public Law 106–*
21 *113, if in fiscal year 2003 or 2004 a grantee received indi-*
22 *rect and administrative costs pursuant to a distribution*
23 *formula based on section 5(f) of Public Law 101–301, the*
24 *Secretary shall continue to distribute indirect and adminis-*

1 *trative cost funds to such grantee using the section 5(f) dis-*
2 *tribution formula.*

3 *Funds available under this Act may not be used to*
4 *establish satellite locations of schools in the Bureau school*
5 *system as of September 1, 1996, except that the Secretary*
6 *may waive this prohibition in order for an Indian tribe*
7 *to provide language and cultural immersion educational*
8 *programs for non-public schools located within the jurisdic-*
9 *tional area of the tribal government which exclusively serve*
10 *tribal members, do not include grades beyond those cur-*
11 *rently served at the existing Bureau-funded school, provide*
12 *an educational environment with educator presence and*
13 *academic facilities comparable to the Bureau-funded school,*
14 *comply with all applicable Tribal, Federal, or State health*
15 *and safety standards, and the Americans with Disabilities*
16 *Act, and demonstrate the benefits of establishing operations*
17 *at a satellite location in lieu of incurring extraordinary*
18 *costs, such as for transportation or other impacts to stu-*
19 *dents such as those caused by busing students extended dis-*
20 *tances: Provided, That no funds available under this Act*
21 *may be used to fund operations, maintenance, rehabilita-*
22 *tion, construction or other facilities-related costs for such*
23 *assets that are not owned by the Bureau: Provided further,*
24 *That the term “satellite school” means a school location*
25 *physically separated from the existing Bureau school by*

1 *more than 50 miles but that forms part of the existing*
2 *school in all other respects.*

3 *DEPARTMENTAL OFFICES*

4 *OFFICE OF THE SECRETARY*

5 *DEPARTMENTAL OPERATIONS*

6 *For necessary expenses for management of the Depart-*
7 *ment of the Interior, including the collection and disburse-*
8 *ment of royalties, fees, and other mineral revenue proceeds,*
9 *and for grants and cooperative agreements, as authorized*
10 *by law, \$721,769,000, to remain available until September*
11 *30, 2017; of which not to exceed \$15,000 may be for official*
12 *reception and representation expenses; and of which up to*
13 *\$1,000,000 shall be available for workers compensation pay-*
14 *ments and unemployment compensation payments associ-*
15 *ated with the orderly closure of the United States Bureau*
16 *of Mines; and of which \$12,618,000 for the Office of Valu-*
17 *ation Services is to be derived from the Land and Water*
18 *Conservation Fund and shall remain available until ex-*
19 *pended; and of which \$38,300,000 shall remain available*
20 *until expended for the purpose of mineral revenue manage-*
21 *ment activities: Provided, That notwithstanding any other*
22 *provision of law, \$15,000 under this heading shall be avail-*
23 *able for refunds of overpayments in connection with certain*
24 *Indian leases in which the Secretary concurred with the*
25 *claimed refund due, to pay amounts owed to Indian*

1 *allottees or tribes, or to correct prior unrecoverable erro-*
2 *neous payments.*

3 *ADMINISTRATIVE PROVISIONS*

4 *For fiscal year 2016, up to \$400,000 of the payments*
5 *authorized by the Act of October 20, 1976 (31 U.S.C. 6901–*
6 *6907) may be retained for administrative expenses of the*
7 *Payments in Lieu of Taxes Program: Provided, That no*
8 *payment shall be made pursuant to that Act to otherwise*
9 *eligible units of local government if the computed amount*
10 *of the payment is less than \$100: Provided further, That*
11 *the Secretary may reduce the payment authorized by 31*
12 *U.S.C. 6901–6907 for an individual county by the amount*
13 *necessary to correct prior year overpayments to that county:*
14 *Provided further, That the amount needed to correct a prior*
15 *year underpayment to an individual county shall be paid*
16 *from any reductions for overpayments to other counties and*
17 *the amount necessary to cover any remaining under-*
18 *payment is hereby appropriated and shall be paid to indi-*
19 *vidual counties: Provided further, That of the total amount*
20 *made available by this title for “Office of the Secretary—*
21 *Departmental Operations”, \$452,000,000 shall be available*
22 *to the Secretary of the Interior for an additional amount*
23 *for fiscal year 2016 for payments in lieu of taxes under*
24 *chapter 69 of title 31, United States Code.*

1 ability Office, at its discretion, in accordance with chapter
2 35 of title 31, United States Code: Provided further, That
3 Northern Mariana Islands Covenant grant funding shall be
4 provided according to those terms of the Agreement of the
5 Special Representatives on Future United States Financial
6 Assistance for the Northern Mariana Islands approved by
7 Public Law 104–134: Provided further, That the funds for
8 the program of operations and maintenance improvement
9 are appropriated to institutionalize routine operations and
10 maintenance improvement of capital infrastructure with
11 territorial participation and cost sharing to be determined
12 by the Secretary based on the grantee’s commitment to time-
13 ly maintenance of its capital assets: Provided further, That
14 any appropriation for disaster assistance under this head-
15 ing in this Act or previous appropriations Acts may be used
16 as non-Federal matching funds for the purpose of hazard
17 mitigation grants provided pursuant to section 404 of the
18 Robert T. Stafford Disaster Relief and Emergency Assist-
19 ance Act (42 U.S.C. 5170c).

20 *COMPACT OF FREE ASSOCIATION*

21 *For grants and necessary expenses, \$3,318,000, to re-*
22 *main available until expended, as provided for in sections*
23 *221(a)(2) and 233 of the Compact of Free Association for*
24 *the Republic of Palau; and section 221(a)(2) of the Com-*
25 *pacts of Free Association for the Government of the Repub-*

1 *lic of the Marshall Islands and the Federated States of Mi-*
2 *cronesia, as authorized by Public Law 99–658 and Public*
3 *Law 108–188.*

4 *ADMINISTRATIVE PROVISIONS*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *At the request of the Governor of Guam, the Secretary*
7 *may transfer discretionary funds or mandatory funds pro-*
8 *vided under section 104(e) of Public Law 108–188 and Pub-*
9 *lic Law 104–134, that are allocated for Guam, to the Sec-*
10 *retary of Agriculture for the subsidy cost of direct or guar-*
11 *anteed loans, plus not to exceed three percent of the amount*
12 *of the subsidy transferred for the cost of loan administra-*
13 *tion, for the purposes authorized by the Rural Electrifica-*
14 *tion Act of 1936 and section 306(a)(1) of the Consolidated*
15 *Farm and Rural Development Act for construction and re-*
16 *pair projects in Guam, and such funds shall remain avail-*
17 *able until expended: Provided, That such costs, including*
18 *the cost of modifying such loans, shall be as defined in sec-*
19 *tion 502 of the Congressional Budget Act of 1974: Provided*
20 *further, That such loans or loan guarantees may be made*
21 *without regard to the population of the area, credit else-*
22 *where requirements, and restrictions on the types of eligible*
23 *entities under the Rural Electrification Act of 1936 and*
24 *section 306(a)(1) of the Consolidated Farm and Rural De-*
25 *velopment Act: Provided further, That any funds trans-*

1 *ferred to the Secretary of Agriculture shall be in addition*
2 *to funds otherwise made available to make or guarantee*
3 *loans under such authorities.*

4 *OFFICE OF THE SOLICITOR*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the Office of the Solicitor,*
7 *\$65,800,000.*

8 *OFFICE OF INSPECTOR GENERAL*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Office of Inspector Gen-*
11 *eral, \$50,047,000.*

12 *OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN*

13 *INDIANS*

14 *FEDERAL TRUST PROGRAMS*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For the operation of trust programs for Indians by di-*
17 *rect expenditure, contracts, cooperative agreements, com-*
18 *pacts, and grants, \$139,029,000, to remain available until*
19 *expended, of which not to exceed \$22,120,000 from this or*
20 *any other Act, may be available for historical accounting:*
21 *Provided, That funds for trust management improvements*
22 *and litigation support may, as needed, be transferred to or*
23 *merged with the Bureau of Indian Affairs and Bureau of*
24 *Indian Education, "Operation of Indian Programs" ac-*
25 *count; the Office of the Solicitor, "Salaries and Expenses"*

1 *account; and the Office of the Secretary, “Departmental Op-*
2 *erations” account: Provided further, That funds made*
3 *available through contracts or grants obligated during fiscal*
4 *year 2016, as authorized by the Indian Self-Determination*
5 *Act of 1975 (25 U.S.C. 450 et seq.), shall remain available*
6 *until expended by the contractor or grantee: Provided fur-*
7 *ther, That, notwithstanding any other provision of law, the*
8 *Secretary shall not be required to provide a quarterly state-*
9 *ment of performance for any Indian trust account that has*
10 *not had activity for at least 15 months and has a balance*
11 *of \$15 or less: Provided further, That the Secretary shall*
12 *issue an annual account statement and maintain a record*
13 *of any such accounts and shall permit the balance in each*
14 *such account to be withdrawn upon the express written re-*
15 *quest of the account holder: Provided further, That not to*
16 *exceed \$50,000 is available for the Secretary to make pay-*
17 *ments to correct administrative errors of either disburse-*
18 *ments from or deposits to Individual Indian Money or*
19 *Tribal accounts after September 30, 2002: Provided further,*
20 *That erroneous payments that are recovered shall be cred-*
21 *ited to and remain available in this account for this pur-*
22 *pose: Provided further, That the Secretary shall not be re-*
23 *quired to reconcile Special Deposit Accounts with a balance*
24 *of less than \$500 unless the Office of the Special Trustee*

1 *receives proof of ownership from a Special Deposit Accounts*
2 *claimant.*

3 *DEPARTMENT-WIDE PROGRAMS*

4 *WILDLAND FIRE MANAGEMENT*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For necessary expenses for fire preparedness, fire sup-*
7 *pression operations, fire science and research, emergency re-*
8 *habilitation, hazardous fuels management activities, and*
9 *rural fire assistance by the Department of the Interior,*
10 *\$816,745,000, to remain available until expended, of which*
11 *not to exceed \$6,427,000 shall be for the renovation or con-*
12 *struction of fire facilities: Provided, That such funds are*
13 *also available for repayment of advances to other appro-*
14 *priation accounts from which funds were previously trans-*
15 *ferred for such purposes: Provided further, That of the funds*
16 *provided \$170,000,000 is for hazardous fuels management*
17 *activities: Provided further, That of the funds provided*
18 *\$18,970,000 is for burned area rehabilitation: Provided fur-*
19 *ther, That persons hired pursuant to 43 U.S.C. 1469 may*
20 *be furnished subsistence and lodging without cost from*
21 *funds available from this appropriation: Provided further,*
22 *That notwithstanding 42 U.S.C. 1856d, sums received by*
23 *a bureau or office of the Department of the Interior for fire*
24 *protection rendered pursuant to 42 U.S.C. 1856 et seq., pro-*
25 *tection of United States property, may be credited to the*

1 *appropriation from which funds were expended to provide*
2 *that protection, and are available without fiscal year limi-*
3 *tation: Provided further, That using the amounts des-*
4 *ignated under this title of this Act, the Secretary of the Inte-*
5 *rior may enter into procurement contracts, grants, or coop-*
6 *erative agreements, for hazardous fuels management and re-*
7 *silient landscapes activities, and for training and moni-*
8 *toring associated with such hazardous fuels management*
9 *and resilient landscapes activities on Federal land, or on*
10 *adjacent non-Federal land for activities that benefit re-*
11 *sources on Federal land: Provided further, That the costs*
12 *of implementing any cooperative agreement between the*
13 *Federal Government and any non-Federal entity may be*
14 *shared, as mutually agreed on by the affected parties: Pro-*
15 *vided further, That notwithstanding requirements of the*
16 *Competition in Contracting Act, the Secretary, for purposes*
17 *of hazardous fuels management and resilient landscapes ac-*
18 *tivities, may obtain maximum practicable competition*
19 *among: (1) local private, nonprofit, or cooperative entities;*
20 *(2) Youth Conservation Corps crews, Public Lands Corps*
21 *(Public Law 109–154), or related partnerships with State,*
22 *local, or nonprofit youth groups; (3) small or micro-busi-*
23 *nesses; or (4) other entities that will hire or train locally*
24 *a significant percentage, defined as 50 percent or more, of*
25 *the project workforce to complete such contracts: Provided*

1 *further, That in implementing this section, the Secretary*
2 *shall develop written guidance to field units to ensure ac-*
3 *countability and consistent application of the authorities*
4 *provided herein: Provided further, That funds appropriated*
5 *under this heading may be used to reimburse the United*
6 *States Fish and Wildlife Service and the National Marine*
7 *Fisheries Service for the costs of carrying out their respon-*
8 *sibilities under the Endangered Species Act of 1973 (16*
9 *U.S.C. 1531 et seq.) to consult and conference, as required*
10 *by section 7 of such Act, in connection with wildland fire*
11 *management activities: Provided further, That the Sec-*
12 *retary of the Interior may use wildland fire appropriations*
13 *to enter into leases of real property with local governments,*
14 *at or below fair market value, to construct capitalized im-*
15 *provements for fire facilities on such leased properties, in-*
16 *cluding but not limited to fire guard stations, retardant sta-*
17 *tions, and other initial attack and fire support facilities,*
18 *and to make advance payments for any such lease or for*
19 *construction activity associated with the lease: Provided*
20 *further, That the Secretary of the Interior and the Secretary*
21 *of Agriculture may authorize the transfer of funds appro-*
22 *priated for wildland fire management, in an aggregate*
23 *amount not to exceed \$50,000,000, between the Departments*
24 *when such transfers would facilitate and expedite wildland*
25 *fire management programs and projects: Provided further,*

1 *That funds provided for wildfire suppression shall be avail-*
2 *able for support of Federal emergency response actions: Pro-*
3 *vided further, That funds appropriated under this heading*
4 *shall be available for assistance to or through the Depart-*
5 *ment of State in connection with forest and rangeland re-*
6 *search, technical information, and assistance in foreign*
7 *countries, and, with the concurrence of the Secretary of*
8 *State, shall be available to support forestry, wildland fire*
9 *management, and related natural resource activities outside*
10 *the United States and its territories and possessions, in-*
11 *cluding technical assistance, education and training, and*
12 *cooperation with United States and international organiza-*
13 *tions.*

14 *FLAME WILDFIRE SUPPRESSION RESERVE FUND*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For necessary expenses for large fire suppression oper-*
17 *ations of the Department of the Interior and as a reserve*
18 *fund for suppression and Federal emergency response ac-*
19 *tivities, \$177,000,000, to remain available until expended:*
20 *Provided, That such amounts are only available for transfer*
21 *to the “Wildland Fire Management” account following a*
22 *declaration by the Secretary in accordance with section 502*
23 *of the FLAME Act of 2009 (43 U.S.C. 1748a).*

1 able until expended: Provided, That none of the funds ap-
2 propriated in this Act or any other Act may be used to
3 establish reserves in the Working Capital Fund account
4 other than for accrued annual leave and depreciation of
5 equipment without prior approval of the Committees on Ap-
6 propriations of the House of Representatives and the Sen-
7 ate: Provided further, That the Secretary may assess reason-
8 able charges to State, local and tribal government employees
9 for training services provided by the National Indian Pro-
10 gram Training Center, other than training related to Pub-
11 lic Law 93-638: Provided further, That the Secretary may
12 lease or otherwise provide space and related facilities,
13 equipment or professional services of the National Indian
14 Program Training Center to State, local and tribal govern-
15 ment employees or persons or organizations engaged in cul-
16 tural, educational, or recreational activities (as defined in
17 section 3306(a) of title 40, United States Code) at the pre-
18 vailing rate for similar space, facilities, equipment, or serv-
19 ices in the vicinity of the National Indian Program Train-
20 ing Center: Provided further, That all funds received pursu-
21 ant to the two preceding provisos shall be credited to this
22 account, shall be available until expended, and shall be used
23 by the Secretary for necessary expenses of the National In-
24 dian Program Training Center: Provided further, That the
25 Secretary may enter into grants and cooperative agree-

1 *ments to support the Office of Natural Resource Revenue's*
2 *collection and disbursement of royalties, fees, and other*
3 *mineral revenue proceeds, as authorized by law.*

4 *ADMINISTRATIVE PROVISION*

5 *There is hereby authorized for acquisition from avail-*
6 *able resources within the Working Capital Fund, aircraft*
7 *which may be obtained by donation, purchase or through*
8 *available excess surplus property: Provided, That existing*
9 *aircraft being replaced may be sold, with proceeds derived*
10 *or trade-in value used to offset the purchase price for the*
11 *replacement aircraft.*

12 *GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR*

13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU*

15 *SEC. 101. Appropriations made in this title shall be*
16 *available for expenditure or transfer (within each bureau*
17 *or office), with the approval of the Secretary, for the emer-*
18 *gency reconstruction, replacement, or repair of aircraft,*
19 *buildings, utilities, or other facilities or equipment dam-*
20 *aged or destroyed by fire, flood, storm, or other unavoidable*
21 *causes: Provided, That no funds shall be made available*
22 *under this authority until funds specifically made available*
23 *to the Department of the Interior for emergencies shall have*
24 *been exhausted: Provided further, That all funds used pur-*
25 *suant to this section must be replenished by a supplemental*

1 *appropriation, which must be requested as promptly as pos-*
2 *sible.*

3 *EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE*

4 *SEC. 102. The Secretary may authorize the expendi-*
5 *ture or transfer of any no year appropriation in this title,*
6 *in addition to the amounts included in the budget programs*
7 *of the several agencies, for the suppression or emergency*
8 *prevention of wildland fires on or threatening lands under*
9 *the jurisdiction of the Department of the Interior; for the*
10 *emergency rehabilitation of burned-over lands under its ju-*
11 *risdiction; for emergency actions related to potential or ac-*
12 *tual earthquakes, floods, volcanoes, storms, or other un-*
13 *avoidable causes; for contingency planning subsequent to*
14 *actual oil spills; for response and natural resource damage*
15 *assessment activities related to actual oil spills or releases*
16 *of hazardous substances into the environment; for the pre-*
17 *vention, suppression, and control of actual or potential*
18 *grasshopper and Mormon cricket outbreaks on lands under*
19 *the jurisdiction of the Secretary, pursuant to the authority*
20 *in section 417(b) of Public Law 106–224 (7 U.S.C.*
21 *7717(b)); for emergency reclamation projects under section*
22 *410 of Public Law 95–87; and shall transfer, from any no*
23 *year funds available to the Office of Surface Mining Rec-*
24 *lamation and Enforcement, such funds as may be necessary*
25 *to permit assumption of regulatory authority in the event*

1 a primacy State is not carrying out the regulatory provi-
2 sions of the Surface Mining Act: Provided, That appropria-
3 tions made in this title for wildland fire operations shall
4 be available for the payment of obligations incurred during
5 the preceding fiscal year, and for reimbursement to other
6 Federal agencies for destruction of vehicles, aircraft, or
7 other equipment in connection with their use for wildland
8 fire operations, such reimbursement to be credited to appro-
9 priations currently available at the time of receipt thereof:
10 Provided further, That for wildland fire operations, no
11 funds shall be made available under this authority until
12 the Secretary determines that funds appropriated for
13 “wildland fire operations” and “FLAME Wildfire Suppres-
14 sion Reserve Fund” shall be exhausted within 30 days: Pro-
15 vided further, That all funds used pursuant to this section
16 must be replenished by a supplemental appropriation,
17 which must be requested as promptly as possible: Provided
18 further, That such replenishment funds shall be used to re-
19 imburse, on a pro rata basis, accounts from which emer-
20 gency funds were transferred.

21 *AUTHORIZED USE OF FUNDS*

22 *SEC. 103. Appropriations made to the Department of*
23 *the Interior in this title shall be available for services as*
24 *authorized by section 3109 of title 5, United States Code,*
25 *when authorized by the Secretary, in total amount not to*

1 exceed \$500,000; purchase and replacement of motor vehi-
2 cles, including specially equipped law enforcement vehicles;
3 hire, maintenance, and operation of aircraft; hire of pas-
4 senger motor vehicles; purchase of reprints; payment for
5 telephone service in private residences in the field, when au-
6 thorized under regulations approved by the Secretary; and
7 the payment of dues, when authorized by the Secretary, for
8 library membership in societies or associations which issue
9 publications to members only or at a price to members
10 lower than to subscribers who are not members.

11 *AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT*

12 *SEC. 104. Appropriations made in this Act under the*
13 *headings Bureau of Indian Affairs and Bureau of Indian*
14 *Education, and Office of the Special Trustee for American*
15 *Indians and any unobligated balances from prior appro-*
16 *priations Acts made under the same headings shall be avail-*
17 *able for expenditure or transfer for Indian trust manage-*
18 *ment and reform activities. Total funding for historical ac-*
19 *counting activities shall not exceed amounts specifically*
20 *designated in this Act for such purpose.*

21 *REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS*

22 *SEC. 105. Notwithstanding any other provision of law,*
23 *the Secretary of the Interior is authorized to redistribute*
24 *any Tribal Priority Allocation funds, including tribal base*
25 *funds, to alleviate tribal funding inequities by transferring*

1 *funds to address identified, unmet needs, dual enrollment,*
2 *overlapping service areas or inaccurate distribution meth-*
3 *odologies. No tribe shall receive a reduction in Tribal Pri-*
4 *ority Allocation funds of more than 10 percent in fiscal*
5 *year 2016. Under circumstances of dual enrollment, over-*
6 *lapping service areas or inaccurate distribution methodolo-*
7 *gies, the 10 percent limitation does not apply.*

8 *ELLIS, GOVERNORS, AND LIBERTY ISLANDS*

9 *SEC. 106. Notwithstanding any other provision of law,*
10 *the Secretary of the Interior is authorized to acquire lands,*
11 *waters, or interests therein including the use of all or part*
12 *of any pier, dock, or landing within the State of New York*
13 *and the State of New Jersey, for the purpose of operating*
14 *and maintaining facilities in the support of transportation*
15 *and accommodation of visitors to Ellis, Governors, and Lib-*
16 *erty Islands, and of other program and administrative ac-*
17 *tivities, by donation or with appropriated funds, including*
18 *franchise fees (and other monetary consideration), or by ex-*
19 *change; and the Secretary is authorized to negotiate and*
20 *enter into leases, subleases, concession contracts or other*
21 *agreements for the use of such facilities on such terms and*
22 *conditions as the Secretary may determine reasonable.*

23 *OUTER CONTINENTAL SHELF INSPECTION FEES*

24 *SEC. 107. (a) In fiscal year 2016, the Secretary shall*
25 *collect a nonrefundable inspection fee, which shall be depos-*

1 *ited in the “Offshore Safety and Environmental Enforce-*
2 *ment” account, from the designated operator for facilities*
3 *subject to inspection under 43 U.S.C. 1348(c).*

4 *(b) Annual fees shall be collected for facilities that are*
5 *above the waterline, excluding drilling rigs, and are in*
6 *place at the start of the fiscal year. Fees for fiscal year 2016*
7 *shall be:*

8 *(1) \$10,500 for facilities with no wells, but with*
9 *processing equipment or gathering lines;*

10 *(2) \$17,000 for facilities with 1 to 10 wells, with*
11 *any combination of active or inactive wells; and*

12 *(3) \$31,500 for facilities with more than 10*
13 *wells, with any combination of active or inactive*
14 *wells.*

15 *(c) Fees for drilling rigs shall be assessed for all inspec-*
16 *tions completed in fiscal year 2016. Fees for fiscal year*
17 *2016 shall be:*

18 *(1) \$30,500 per inspection for rigs operating in*
19 *water depths of 500 feet or more; and*

20 *(2) \$16,700 per inspection for rigs operating in*
21 *water depths of less than 500 feet.*

22 *(d) The Secretary shall bill designated operators under*
23 *subsection (b) within 60 days, with payment required with-*
24 *in 30 days of billing. The Secretary shall bill designated*
25 *operators under subsection (c) within 30 days of the end*

1 *of the month in which the inspection occurred, with pay-*
2 *ment required within 30 days of billing.*

3 *BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION*
4 *AND ENFORCEMENT REORGANIZATION*

5 *SEC. 108. The Secretary of the Interior, in order to*
6 *implement a reorganization of the Bureau of Ocean Energy*
7 *Management, Regulation and Enforcement, may transfer*
8 *funds among and between the successor offices and bureaus*
9 *affected by the reorganization only in conformance with the*
10 *reprogramming guidelines described in the explanatory*
11 *statement described in section 4 (in the matter preceding*
12 *division A of this consolidated Act).*

13 *CONTRACTS AND AGREEMENTS FOR WILD HORSE AND*
14 *BURRO HOLDING FACILITIES*

15 *SEC. 109. Notwithstanding any other provision of this*
16 *Act, the Secretary of the Interior may enter into multiyear*
17 *cooperative agreements with nonprofit organizations and*
18 *other appropriate entities, and may enter into multiyear*
19 *contracts in accordance with the provisions of section 3903*
20 *of title 41, United States Code (except that the 5-year term*
21 *restriction in subsection (a) shall not apply), for the long-*
22 *term care and maintenance of excess wild free roaming*
23 *horses and burros by such organizations or entities on pri-*
24 *vate land. Such cooperative agreements and contracts may*

1 *not exceed 10 years, subject to renewal at the discretion of*
2 *the Secretary.*

3 *MASS MARKING OF SALMONIDS*

4 *SEC. 110. The United States Fish and Wildlife Service*
5 *shall, in carrying out its responsibilities to protect threat-*
6 *ened and endangered species of salmon, implement a system*
7 *of mass marking of salmonid stocks, intended for harvest,*
8 *that are released from federally operated or federally fi-*
9 *nanced hatcheries including but not limited to fish releases*
10 *of coho, chinook, and steelhead species. Marked fish must*
11 *have a visible mark that can be readily identified by com-*
12 *mercial and recreational fishers.*

13 *EXHAUSTION OF ADMINISTRATIVE REVIEW*

14 *SEC. 111. Paragraph (1) of section 122(a) of division*
15 *E of Public Law 112-74 (125 Stat. 1013) is amended by*
16 *striking “through 2016,” in the first sentence and inserting*
17 *“through 2018,”.*

18 *WILD LANDS FUNDING PROHIBITION*

19 *SEC. 112. None of the funds made available in this*
20 *Act or any other Act may be used to implement, administer,*
21 *or enforce Secretarial Order No. 3310 issued by the Sec-*
22 *retary of the Interior on December 22, 2010: Provided, That*
23 *nothing in this section shall restrict the Secretary’s authori-*
24 *ties under sections 201 and 202 of the Federal Land Policy*
25 *and Management Act of 1976 (43 U.S.C. 1711 and 1712).*

1 25 percent above the minimum rates of basic pay normally
2 scheduled, and such higher rates shall be consistent with
3 subsections (e) through (h) of section 5305 of title 5, United
4 States Code.

5 *REPUBLIC OF PALAU*

6 *SEC. 119. (a) IN GENERAL.—Subject to subsection (c),*
7 *the United States Government, through the Secretary of the*
8 *Interior shall provide to the Government of Palau for fiscal*
9 *year 2016 grants in amounts equal to the annual amounts*
10 *specified in subsections (a), (c), and (d) of section 211 of*
11 *the Compact of Free Association between the Government*
12 *of the United States of America and the Government of*
13 *Palau (48 U.S.C. 1931 note) (referred to in this section as*
14 *the “Compact”).*

15 *(b) PROGRAMMATIC ASSISTANCE.—Subject to sub-*
16 *section (c), the United States shall provide programmatic*
17 *assistance to the Republic of Palau for fiscal year 2016 in*
18 *amounts equal to the amounts provided in subsections (a)*
19 *and (b)(1) of section 221 of the Compact.*

20 *(c) LIMITATIONS ON ASSISTANCE.—*

21 *(1) IN GENERAL.—The grants and programmatic*
22 *assistance provided under subsections (a) and (b)*
23 *shall be provided to the same extent and in the same*
24 *manner as the grants and assistance were provided in*
25 *fiscal year 2009.*

1 *TITLE II*
2 *ENVIRONMENTAL PROTECTION AGENCY*
3 *SCIENCE AND TECHNOLOGY*

4 *For science and technology, including research and de-*
5 *velopment activities, which shall include research and devel-*
6 *opment activities under the Comprehensive Environmental*
7 *Response, Compensation, and Liability Act of 1980; nec-*
8 *essary expenses for personnel and related costs and travel*
9 *expenses; procurement of laboratory equipment and sup-*
10 *plies; and other operating expenses in support of research*
11 *and development, \$734,648,000, to remain available until*
12 *September 30, 2017: Provided, That of the funds included*
13 *under this heading, \$14,100,000 shall be for Research: Na-*
14 *tional Priorities as specified in the explanatory statement*
15 *described in section 4 (in the matter preceding division A*
16 *of this consolidated Act).*

17 *ENVIRONMENTAL PROGRAMS AND MANAGEMENT*

18 *For environmental programs and management, in-*
19 *cluding necessary expenses, not otherwise provided for, for*
20 *personnel and related costs and travel expenses; hire of pas-*
21 *senger motor vehicles; hire, maintenance, and operation of*
22 *aircraft; purchase of reprints; library memberships in soci-*
23 *eties or associations which issue publications to members*
24 *only or at a price to members lower than to subscribers*
25 *who are not members; administrative costs of the*

1 *brownfields program under the Small Business Liability*
2 *Relief and Brownfields Revitalization Act of 2002; and not*
3 *to exceed \$9,000 for official reception and representation*
4 *expenses, \$2,613,679,000, to remain available until Sep-*
5 *tember 30, 2017: Provided, That of the funds included under*
6 *this heading, \$12,700,000 shall be for Environmental Pro-*
7 *tection: National Priorities as specified in the explanatory*
8 *statement described in section 4 (in the matter preceding*
9 *division A of this consolidated Act): Provided further, That*
10 *of the funds included under this heading, \$427,737,000 shall*
11 *be for Geographic Programs specified in the explanatory*
12 *statement described in section 4 (in the matter preceding*
13 *division A of this consolidated Act).*

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, \$3,674,000, to remain available until Sep-*
21 *tember 30, 2018.*

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, 2017.*

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 *\$42,317,000, 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, 2015,*
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, \$9,939,000 shall be paid to the “Office*
25 *of Inspector General” appropriation to remain available*

1 *until September 30, 2017, and \$18,850,000 shall be paid*
2 *to the “Science and Technology” appropriation to remain*
3 *available until September 30, 2017.*

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, \$3,518,161,000,*
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 *2016, 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 2016,*
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 *cipal in loans made by such fund in fiscal year 2016*
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 2016, notwithstanding the limita-*
16 *tion on amounts in section 518(c) of the Federal*
17 *Water Pollution Control Act, up to a total of 2 per-*
18 *cent of the funds appropriated, or \$30,000,000,*
19 *whichever is greater, and notwithstanding the limita-*
20 *tion on amounts in section 1452(i) of the Safe Drink-*
21 *ing Water Act, up to a total of 2 percent of the funds*
22 *appropriated, or \$20,000,000, whichever is greater,*
23 *for State Revolving Funds under such Acts may be re-*
24 *served by the Administrator for grants under section*
25 *518(c) and section 1452(i) of such Acts: Provided fur-*

1 *ther, That for fiscal year 2016, notwithstanding the*
2 *amounts specified in section 205(c) of the Federal*
3 *Water Pollution Control Act, up to 1.5 percent of the*
4 *aggregate funds appropriated for the Clean Water*
5 *State Revolving Fund program under the Act less any*
6 *sums reserved under section 518(c) of the Act, may be*
7 *reserved by the Administrator for grants made under*
8 *title II of the Federal Water Pollution Control Act for*
9 *American Samoa, Guam, the Commonwealth of the*
10 *Northern Marianas, and United States Virgin Is-*
11 *lands: Provided further, That for fiscal year 2016,*
12 *notwithstanding the limitations on amounts specified*
13 *in section 1452(j) of the Safe Drinking Water Act, up*
14 *to 1.5 percent of the funds appropriated for the*
15 *Drinking Water State Revolving Fund programs*
16 *under the Safe Drinking Water Act may be reserved*
17 *by the Administrator for grants made under section*
18 *1452(j) of the Safe Drinking Water Act: Provided fur-*
19 *ther, That 10 percent of the funds made available*
20 *under this title to each State for Clean Water State*
21 *Revolving Fund capitalization grants and 20 percent*
22 *of the funds made available under this title to each*
23 *State for Drinking Water State Revolving Fund cap-*
24 *italization grants shall be used by the State to pro-*
25 *vide additional subsidy to eligible recipients in the*

1 *form of forgiveness of principal, negative interest*
2 *loans, or grants (or any combination of these), and*
3 *shall be so used by the State only where such funds*
4 *are provided as initial financing for an eligible re-*
5 *ipient or to buy, refinance, or restructure the debt*
6 *obligations of eligible recipients only where such debt*
7 *was incurred on or after the date of enactment of this*
8 *Act;*

9 (2) *\$10,000,000 shall be for architectural, engi-*
10 *neering, planning, design, construction and related*
11 *activities in connection with the construction of high*
12 *priority water and wastewater facilities in the area*
13 *of the United States-Mexico Border, after consultation*
14 *with the appropriate border commission; Provided,*
15 *That no funds provided by this appropriations Act to*
16 *address the water, wastewater and other critical in-*
17 *frastructure needs of the colonias in the United States*
18 *along the United States-Mexico border shall be made*
19 *available to a county or municipal government unless*
20 *that government has established an enforceable local*
21 *ordinance, or other zoning rule, which prevents in*
22 *that jurisdiction the development or construction of*
23 *any additional colonia areas, or the development*
24 *within an existing colonia the construction of any*

1 *new home, business, or other structure which lacks*
2 *water, wastewater, or other necessary infrastructure;*

3 *(3) \$20,000,000 shall be for grants to the State*
4 *of Alaska to address drinking water and wastewater*
5 *infrastructure needs of rural and Alaska Native Vil-*
6 *lages: Provided, That of these funds: (A) the State of*
7 *Alaska shall provide a match of 25 percent; (B) no*
8 *more than 5 percent of the funds may be used for ad-*
9 *ministrative and overhead expenses; and (C) the State*
10 *of Alaska shall make awards consistent with the*
11 *Statewide priority list established in conjunction with*
12 *the Agency and the U.S. Department of Agriculture*
13 *for all water, sewer, waste disposal, and similar*
14 *projects carried out by the State of Alaska that are*
15 *funded under section 221 of the Federal Water Pollu-*
16 *tion Control Act (33 U.S.C. 1301) or the Consolidated*
17 *Farm and Rural Development Act (7 U.S.C. 1921 et*
18 *seq.) which shall allocate not less than 25 percent of*
19 *the funds provided for projects in regional hub com-*
20 *munities;*

21 *(4) \$80,000,000 shall be to carry out section*
22 *104(k) of the Comprehensive Environmental Re-*
23 *sponse, Compensation, and Liability Act of 1980*
24 *(CERCLA), including grants, interagency agree-*
25 *ments, and associated program support costs: Pro-*

1 *vided, That not more than 25 percent of the amount*
2 *appropriated to carry out section 104(k) of CERCLA*
3 *shall be used for site characterization, assessment, and*
4 *remediation of facilities described in section*
5 *101(39)(D)(i)(II) of CERCLA;*

6 *(5) \$50,000,000 shall be for grants under title*
7 *VII, subtitle G of the Energy Policy Act of 2005;*

8 *(6) \$20,000,000 shall be for targeted airshed*
9 *grants in accordance with the terms and conditions*
10 *of the explanatory statement described in section 4 (in*
11 *the matter preceding division A of this consolidated*
12 *Act);*

13 *(7) \$1,060,041,000 shall be for grants, including*
14 *associated program support costs, to States, federally*
15 *recognized tribes, interstate agencies, tribal consortia,*
16 *and air pollution control agencies for multi-media or*
17 *single media pollution prevention, control and abate-*
18 *ment and related activities, including activities pur-*
19 *suant to the provisions set forth under this heading*
20 *in Public Law 104–134, and for making grants under*
21 *section 103 of the Clean Air Act for particulate mat-*
22 *ter monitoring and data collection activities subject to*
23 *terms and conditions specified by the Administrator,*
24 *of which: \$47,745,000 shall be for carrying out section*
25 *128 of CERCLA; \$9,646,000 shall be for Environ-*

1 *mental Information Exchange Network grants, in-*
2 *cluding associated program support costs; \$1,498,000*
3 *shall be for grants to States under section 2007(f)(2)*
4 *of the Solid Waste Disposal Act, which shall be in ad-*
5 *dition to funds appropriated under the heading*
6 *“Leaking Underground Storage Tank Trust Fund*
7 *Program” to carry out the provisions of the Solid*
8 *Waste Disposal Act specified in section 9508(c) of the*
9 *Internal Revenue Code other than section 9003(h) of*
10 *the Solid Waste Disposal Act; \$17,848,000 of the*
11 *funds available for grants under section 106 of the*
12 *Federal Water Pollution Control Act shall be for State*
13 *participation in national- and State-level statistical*
14 *surveys of water resources and enhancements to State*
15 *monitoring programs: Provided, That for the period*
16 *of fiscal years 2016 through 2020, notwithstanding*
17 *other applicable provisions of law, the funds appro-*
18 *priated for the Indian Environmental General Assist-*
19 *ance Program shall be available to federally recog-*
20 *nized tribes for solid waste and recovered materials*
21 *collection, transportation, backhaul, and disposal*
22 *services; and*

23 *(8) \$21,000,000 shall be for grants to States and*
24 *federally recognized Indian tribes for implementation*
25 *of environmental programs and projects that com-*

1 *amended by Public Law 112–177, the Pesticide Registra-*
2 *tion Improvement Extension Act of 2012.*

3 *Notwithstanding section 33(d)(2) of the Federal Insec-*
4 *ticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C.*
5 *136w–8(d)(2)), the Administrator of the Environmental*
6 *Protection Agency may assess fees under section 33 of*
7 *FIFRA (7 U.S.C. 136w–8) for fiscal year 2016.*

8 *The Administrator is authorized to transfer up to*
9 *\$300,000,000 of the funds appropriated for the Great Lakes*
10 *Restoration Initiative under the heading “Environmental*
11 *Programs and Management” to the head of any Federal de-*
12 *partment or agency, with the concurrence of such head, to*
13 *carry out activities that would support the Great Lakes*
14 *Restoration Initiative and Great Lakes Water Quality*
15 *Agreement programs, projects, or activities; to enter into*
16 *an interagency agreement with the head of such Federal de-*
17 *partment or agency to carry out these activities; and to*
18 *make grants to governmental entities, nonprofit organiza-*
19 *tions, institutions, and individuals for planning, research,*
20 *monitoring, outreach, and implementation in furtherance*
21 *of the Great Lakes Restoration Initiative and the Great*
22 *Lakes Water Quality Agreement.*

23 *The Science and Technology, Environmental Programs*
24 *and Management, Office of Inspector General, Hazardous*
25 *Substance Superfund, and Leaking Underground Storage*

1 *Tank Trust Fund Program Accounts, are available for the*
2 *construction, alteration, repair, rehabilitation, and renova-*
3 *tion of facilities provided that the cost does not exceed*
4 *\$150,000 per project.*

5 *For fiscal year 2016, and notwithstanding section*
6 *518(f) of the Federal Water Pollution Control Act (33*
7 *U.S.C. 1377(f)), the Administrator is authorized to use the*
8 *amounts appropriated for any fiscal year under section 319*
9 *of the Act to make grants to federally recognized Indian*
10 *tribes pursuant to sections 319(h) and 518(e) of that Act.*

11 *The Administrator is authorized to use the amounts*
12 *appropriated under the heading “Environmental Programs*
13 *and Management” for fiscal year 2016 to provide grants*
14 *to implement the Southeastern New England Watershed*
15 *Restoration Program.*

16 *In addition to the amounts otherwise made available*
17 *in this Act for the Environmental Protection Agency,*
18 *\$27,000,000, to be available until September 30, 2017, to*
19 *be used solely to meet Federal requirements for cybersecu-*
20 *rity implementation, including enhancing response capa-*
21 *bilities and upgrading incident management tools: Pro-*
22 *vided, That such funds shall supplement, not supplant, any*
23 *other amounts made available to the Environmental Protec-*
24 *tion Agency for such purpose: Provided further, That solely*
25 *for the purposes provided herein, such funds may be trans-*

1 *ferred to and merged with any other appropriation in this*
2 *Title.*

3 *Of the unobligated balances available for “State and*
4 *Tribal Assistance Grants” account, \$40,000,000 are perma-*
5 *nently rescinded: Provided, That no amounts may be re-*
6 *scinded from amounts that were designated by the Congress*
7 *as an emergency requirement pursuant to the Concurrent*
8 *Resolution on the Budget or the Balanced Budget and*
9 *Emergency Deficit Control Act of 1985.*

10

TITLE III

11

RELATED AGENCIES

12

DEPARTMENT OF AGRICULTURE

13

FOREST SERVICE

14

FOREST AND RANGELAND RESEARCH

15 *For necessary expenses of forest and rangeland re-*
16 *search as authorized by law, \$291,000,000, to remain avail-*
17 *able until expended: Provided, That of the funds provided,*
18 *\$75,000,000 is for the forest inventory and analysis pro-*
19 *gram.*

20

STATE AND PRIVATE FORESTRY

21 *For necessary expenses of cooperating with and pro-*
22 *viding technical and financial assistance to States, terri-*
23 *ories, possessions, and others, and for forest health manage-*
24 *ment, including treatments of pests, pathogens, and*
25 *invasive or noxious plants and for restoring and rehabili-*

1 *tating forests damaged by pests or invasive plants, coopera-*
2 *tive forestry, and education and land conservation activi-*
3 *ties and conducting an international program as author-*
4 *ized, \$237,023,000, to remain available until expended, as*
5 *authorized by law; of which \$62,347,000 is to be derived*
6 *from the Land and Water Conservation Fund.*

7 *NATIONAL FOREST SYSTEM*

8 *(INCLUDING TRANSFERS OF FUNDS)*

9 *For necessary expenses of the Forest Service, not other-*
10 *wise provided for, for management, protection, improve-*
11 *ment, and utilization of the National Forest System,*
12 *\$1,509,364,000, to remain available until expended: Pro-*
13 *vided, That of the funds provided, \$40,000,000 shall be de-*
14 *posited in the Collaborative Forest Landscape Restoration*
15 *Fund for ecological restoration treatments as authorized by*
16 *16 U.S.C. 7303(f): Provided further, That of the funds pro-*
17 *vided, \$359,805,000 shall be for forest products: Provided*
18 *further, That of the funds provided, up to \$81,941,000 is*
19 *for the Integrated Resource Restoration pilot program for*
20 *Region 1, Region 3 and Region 4: Provided further, That*
21 *of the funds provided for forest products, up to \$65,560,000*
22 *may be transferred to support the Integrated Resource Res-*
23 *toration pilot program in the preceding proviso: Provided*
24 *further, That the Secretary of Agriculture may transfer to*
25 *the Secretary of the Interior any unobligated funds appro-*

1 *priated in a previous fiscal year for operation of the Valles*
2 *Caldera National Preserve.*

3 *CAPITAL IMPROVEMENT AND MAINTENANCE*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For necessary expenses of the Forest Service, not other-*
6 *wise provided for, \$364,164,000, to remain available until*
7 *expended, for construction, capital improvement, mainte-*
8 *nance and acquisition of buildings and other facilities and*
9 *infrastructure; and for construction, reconstruction, decom-*
10 *missioning of roads that are no longer needed, including*
11 *unauthorized roads that are not part of the transportation*
12 *system, and maintenance of forest roads and trails by the*
13 *Forest Service as authorized by 16 U.S.C. 532–538 and 23*
14 *U.S.C. 101 and 205: Provided, That \$40,000,000 shall be*
15 *designated for urgently needed road decommissioning, road*
16 *and trail repair and maintenance and associated activities,*
17 *and removal of fish passage barriers, especially in areas*
18 *where Forest Service roads may be contributing to water*
19 *quality problems in streams and water bodies which sup-*
20 *port threatened, endangered, or sensitive species or commu-*
21 *nity water sources: Provided further, That funds becoming*
22 *available in fiscal year 2016 under the Act of March 4, 1913*
23 *(16 U.S.C. 501) shall be transferred to the General Fund*
24 *of the Treasury and shall not be available for transfer or*
25 *obligation for any other purpose unless the funds are appro-*

1 *priated: Provided further, That of the funds provided for*
2 *decommissioning of roads, up to \$14,743,000 may be trans-*
3 *ferred to the “National Forest System” to support the Inte-*
4 *grated Resource Restoration pilot program.*

5 *LAND ACQUISITION*

6 *For expenses necessary to carry out the provisions of*
7 *chapter 2003 of title 54, United States Code, including ad-*
8 *ministrative expenses, and for acquisition of land or waters,*
9 *or interest therein, in accordance with statutory authority*
10 *applicable to the Forest Service, \$63,435,000, to be derived*
11 *from the Land and Water Conservation Fund and to re-*
12 *main available until expended.*

13 *ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL*

14 *ACTS*

15 *For acquisition of lands within the exterior boundaries*
16 *of the Cache, Uinta, and Wasatch National Forests, Utah;*
17 *the Toiyabe National Forest, Nevada; and the Angeles, San*
18 *Bernardino, Sequoia, and Cleveland National Forests, Cali-*
19 *ornia, as authorized by law, \$950,000, to be derived from*
20 *forest receipts.*

21 *ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES*

22 *For acquisition of lands, such sums, to be derived from*
23 *funds deposited by State, county, or municipal govern-*
24 *ments, public school districts, or other public school authori-*
25 *ties, and for authorized expenditures from funds deposited*

1 *by non-Federal parties pursuant to Land Sale and Ex-*
2 *change Acts, pursuant to the Act of December 4, 1967 (16*
3 *U.S.C. 484a), to remain available until expended (16*
4 *U.S.C. 516–617a, 555a; Public Law 96–586; Public Law*
5 *76–589, 76–591; and Public Law 78–310).*

6 *RANGE BETTERMENT FUND*

7 *For necessary expenses of range rehabilitation, protec-*
8 *tion, and improvement, 50 percent of all moneys received*
9 *during the prior fiscal year, as fees for grazing domestic*
10 *livestock on lands in National Forests in the 16 Western*
11 *States, pursuant to section 401(b)(1) of Public Law 94–*
12 *579, to remain available until expended, of which not to*
13 *exceed 6 percent shall be available for administrative ex-*
14 *penses associated with on-the-ground range rehabilitation,*
15 *protection, and improvements.*

16 *GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND*

17 *RANGELAND RESEARCH*

18 *For expenses authorized by 16 U.S.C. 1643(b),*
19 *\$45,000, to remain available until expended, to be derived*
20 *from the fund established pursuant to the above Act.*

21 *MANAGEMENT OF NATIONAL FOREST LANDS FOR*

22 *SUBSISTENCE USES*

23 *For necessary expenses of the Forest Service to manage*
24 *Federal lands in Alaska for subsistence uses under title VIII*
25 *of the Alaska National Interest Lands Conservation Act*

1 *(Public Law 96-487), \$2,500,000, to remain available until*
2 *expended.*

3 *WILDLAND FIRE MANAGEMENT*

4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For necessary expenses for forest fire presuppression*
6 *activities on National Forest System lands, for emergency*
7 *fire suppression on or adjacent to such lands or other lands*
8 *under fire protection agreement, hazardous fuels manage-*
9 *ment on or adjacent to such lands, emergency rehabilitation*
10 *of burned-over National Forest System lands and water,*
11 *and for State and volunteer fire assistance, \$2,386,329,000,*
12 *to remain available until expended: Provided, That such*
13 *funds including unobligated balances under this heading,*
14 *are available for repayment of advances from other appro-*
15 *priations accounts previously transferred for such purposes:*
16 *Provided further, That such funds shall be available to re-*
17 *imburse State and other cooperating entities for services*
18 *provided in response to wildfire and other emergencies or*
19 *disasters to the extent such reimbursements by the Forest*
20 *Service for non-fire emergencies are fully repaid by the re-*
21 *sponsible emergency management agency: Provided further,*
22 *That, notwithstanding any other provision of law,*
23 *\$6,914,000 of funds appropriated under this appropriation*
24 *shall be available for the Forest Service in support of fire*
25 *science research authorized by the Joint Fire Science Pro-*

1 gram, including all Forest Service authorities for the use
2 of funds, such as contracts, grants, research joint venture
3 agreements, and cooperative agreements: Provided further,
4 That all authorities for the use of funds, including the use
5 of contracts, grants, and cooperative agreements, available
6 to execute the Forest and Rangeland Research appropri-
7 ation, are also available in the utilization of these funds for
8 Fire Science Research: Provided further, That funds pro-
9 vided shall be available for emergency rehabilitation and
10 restoration, hazardous fuels management activities, support
11 to Federal emergency response, and wildfire suppression ac-
12 tivities of the Forest Service: Provided further, That of the
13 funds provided, \$375,000,000 is for hazardous fuels man-
14 agement activities, \$19,795,000 is for research activities
15 and to make competitive research grants pursuant to the
16 Forest and Rangeland Renewable Resources Research Act,
17 (16 U.S.C. 1641 et seq.), \$78,000,000 is for State fire assist-
18 ance, and \$13,000,000 is for volunteer fire assistance under
19 section 10 of the Cooperative Forestry Assistance Act of
20 1978 (16 U.S.C. 2106): Provided further, That amounts in
21 this paragraph may be transferred to the “National Forest
22 System”, and “Forest and Rangeland Research” accounts
23 to fund forest and rangeland research, the Joint Fire
24 Science Program, vegetation and watershed management,
25 heritage site rehabilitation, and wildlife and fish habitat

1 *management and restoration: Provided further, That the*
2 *costs of implementing any cooperative agreement between*
3 *the Federal Government and any non-Federal entity may*
4 *be shared, as mutually agreed on by the affected parties:*
5 *Provided further, That up to \$15,000,000 of the funds pro-*
6 *vided herein may be used by the Secretary of Agriculture*
7 *to enter into procurement contracts or cooperative agree-*
8 *ments or to issue grants for hazardous fuels management*
9 *activities and for training or monitoring associated with*
10 *such hazardous fuels management activities on Federal land*
11 *or on non-Federal land if the Secretary determines such ac-*
12 *tivities benefit resources on Federal land: Provided further,*
13 *That funds made available to implement the Community*
14 *Forest Restoration Act, Public Law 106–393, title VI, shall*
15 *be available for use on non-Federal lands in accordance*
16 *with authorities made available to the Forest Service under*
17 *the “State and Private Forestry” appropriation: Provided*
18 *further, That the Secretary of the Interior and the Secretary*
19 *of Agriculture may authorize the transfer of funds appro-*
20 *priated for wildland fire management, in an aggregate*
21 *amount not to exceed \$50,000,000, between the Departments*
22 *when such transfers would facilitate and expedite wildland*
23 *fire management programs and projects: Provided further,*
24 *That of the funds provided for hazardous fuels management,*
25 *not to exceed \$15,000,000 may be used to make grants,*

1 *using any authorities available to the Forest Service under*
2 *the “State and Private Forestry” appropriation, for the*
3 *purpose of creating incentives for increased use of biomass*
4 *from National Forest System lands: Provided further, That*
5 *funds designated for wildfire suppression, including funds*
6 *transferred from the “FLAME Wildfire Suppression Re-*
7 *serve Fund”, shall be assessed for cost pools on the same*
8 *basis as such assessments are calculated against other agen-*
9 *cy programs: Provided further, That of the funds for haz-*
10 *ardous fuels management, up to \$24,000,000 may be trans-*
11 *ferred to the “National Forest System” to support the Inte-*
12 *grated Resource Restoration pilot program.*

13 *FLAME WILDFIRE SUPPRESSION RESERVE FUND*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For necessary expenses for large fire suppression oper-*
16 *ations of the Department of Agriculture and as a reserve*
17 *fund for suppression and Federal emergency response ac-*
18 *tivities, \$823,000,000, to remain available until expended:*
19 *Provided, That such amounts are only available for transfer*
20 *to the “Wildland Fire Management” account following a*
21 *declaration by the Secretary in accordance with section 502*
22 *of the FLAME Act of 2009 (43 U.S.C. 1748a).*

1 *ADMINISTRATIVE PROVISIONS, FOREST SERVICE*2 *(INCLUDING TRANSFERS 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 *Funds appropriated to the Forest Service shall be*
12 *available for assistance to or through the Agency for Inter-*
13 *national Development in connection with forest and range-*
14 *land research, technical information, and assistance in for-*
15 *ign countries, and shall be available to support forestry*
16 *and related natural resource activities outside the United*
17 *States and its territories and possessions, including tech-*
18 *nical assistance, education and training, and cooperation*
19 *with U.S., private, and international organizations. The*
20 *Forest Service, acting for the International Program, may*
21 *sign direct funding agreements with foreign governments*
22 *and institutions as well as other domestic agencies (includ-*
23 *ing the U.S. Agency for International Development, the De-*
24 *partment of State, and the Millennium Challenge Corpora-*
25 *tion), U.S. private sector firms, institutions and organiza-*

1 *tions to provide technical assistance and training programs*
2 *overseas on forestry and rangeland management.*

3 *Funds appropriated to the Forest Service shall be*
4 *available for expenditure or transfer to the Department of*
5 *the Interior, Bureau of Land Management, for removal,*
6 *preparation, and adoption of excess wild horses and burros*
7 *from National Forest System lands, and for the perform-*
8 *ance of cadastral surveys to designate the boundaries of such*
9 *lands.*

10 *None of the funds made available to the Forest Service*
11 *in this Act or any other Act with respect to any fiscal year*
12 *shall be subject to transfer under the provisions of section*
13 *702(b) of the Department of Agriculture Organic Act of*
14 *1944 (7 U.S.C. 2257), section 442 of Public Law 106–224*
15 *(7 U.S.C. 7772), or section 10417(b) of Public Law 107–*
16 *107 (7 U.S.C. 8316(b)).*

17 *None of the funds available to the Forest Service may*
18 *be reprogrammed without the advance approval of the*
19 *House and Senate Committees on Appropriations in ac-*
20 *cordance with the reprogramming procedures contained in*
21 *the explanatory statement described in section 4 (in the*
22 *matter preceding division A of this consolidated Act).*

23 *Not more than \$82,000,000 of funds available to the*
24 *Forest Service shall be transferred to the Working Capital*
25 *Fund of the Department of Agriculture and not more than*

1 \$14,500,000 of funds available to the Forest Service shall
2 be transferred to the Department of Agriculture for Depart-
3 ment Reimbursable Programs, commonly referred to as
4 Greenbook charges. Nothing in this paragraph shall pro-
5 hibit or limit the use of reimbursable agreements requested
6 by the Forest Service in order to obtain services from the
7 Department of Agriculture's National Information Tech-
8 nology Center and the Department of Agriculture's Inter-
9 national Technology Service.

10 Of the funds available to the Forest Service, up to
11 \$5,000,000 shall be available for priority projects within
12 the scope of the approved budget, which shall be carried out
13 by the Youth Conservation Corps and shall be carried out
14 under the authority of the Public Lands Corps Act of 1993,
15 Public Law 103–82, as amended by Public Lands Corps
16 Healthy Forests Restoration Act of 2005, Public Law 109–
17 154.

18 Of the funds available to the Forest Service, \$4,000 is
19 available to the Chief of the Forest Service for official recep-
20 tion and representation expenses.

21 Pursuant to sections 405(b) and 410(b) of Public Law
22 101–593, of the funds available to the Forest Service, up
23 to \$3,000,000 may be advanced in a lump sum to the Na-
24 tional Forest Foundation to aid conservation partnership
25 projects in support of the Forest Service mission, without

1 regard to when the Foundation incurs expenses, for projects
2 on or benefitting National Forest System lands or related
3 to Forest Service programs: Provided, That of the Federal
4 funds made available to the Foundation, no more than
5 \$300,000 shall be available for administrative expenses:
6 Provided further, That the Foundation shall obtain, by the
7 end of the period of Federal financial assistance, private
8 contributions to match on at least one-for-one basis funds
9 made available by the Forest Service: Provided further,
10 That the Foundation may transfer Federal funds to a Fed-
11 eral or a non-Federal recipient for a project at the same
12 rate that the recipient has obtained the non-Federal match-
13 ing funds.

14 Pursuant to section 2(b)(2) of Public Law 98-244, up
15 to \$3,000,000 of the funds available to the Forest Service
16 may be advanced to the National Fish and Wildlife Foun-
17 dation in a lump sum to aid cost-share conservation
18 projects, without regard to when expenses are incurred, on
19 or benefitting National Forest System lands or related to
20 Forest Service programs: Provided, That such funds shall
21 be matched on at least a one-for-one basis by the Founda-
22 tion or its sub-recipients: Provided further, That the Foun-
23 dation may transfer Federal funds to a Federal or non-
24 Federal recipient for a project at the same rate that the
25 recipient has obtained the non-Federal matching funds.

1 *Funds appropriated to the Forest Service shall be*
2 *available for interactions with and providing technical as-*
3 *sistance to rural communities and natural resource-based*
4 *businesses for sustainable rural development purposes.*

5 *Funds appropriated to the Forest Service shall be*
6 *available for payments to counties within the Columbia*
7 *River Gorge National Scenic Area, pursuant to section*
8 *14(c)(1) and (2), and section 16(a)(2) of Public Law 99-*
9 *663.*

10 *Any funds appropriated to the Forest Service may be*
11 *used to meet the non-Federal share requirement in section*
12 *502(c) of the Older Americans Act of 1965 (42 U.S.C.*
13 *3056(c)(2)).*

14 *Funds available to the Forest Service, not to exceed*
15 *\$65,000,000, shall be assessed for the purpose of performing*
16 *fire, administrative and other facilities maintenance and*
17 *decommissioning. Such assessments shall occur using a*
18 *square foot rate charged on the same basis the agency uses*
19 *to assess programs for payment of rent, utilities, and other*
20 *support services.*

21 *Notwithstanding any other provision of law, any ap-*
22 *propriations or funds available to the Forest Service not*
23 *to exceed \$500,000 may be used to reimburse the Office of*
24 *the General Counsel (OGC), Department of Agriculture, for*
25 *travel and related expenses incurred as a result of OGC as-*

1 *sistance or participation requested by the Forest Service at*
2 *meetings, training sessions, management reviews, land pur-*
3 *chase negotiations and similar nonlitigation-related mat-*
4 *ters. Future budget justifications for both the Forest Service*
5 *and the Department of Agriculture should clearly display*
6 *the sums previously transferred and the requested funding*
7 *transfers.*

8 *An eligible individual who is employed in any project*
9 *funded under title V of the Older Americans Act of 1965*
10 *(42 U.S.C. 3056 et seq.) and administered by the Forest*
11 *Service shall be considered to be a Federal employee for pur-*
12 *poses of chapter 171 of title 28, United States Code.*

13 *DEPARTMENT OF HEALTH AND HUMAN*

14 *SERVICES*

15 *INDIAN HEALTH SERVICE*

16 *INDIAN HEALTH SERVICES*

17 *For expenses necessary to carry out the Act of August*
18 *5, 1954 (68 Stat. 674), the Indian Self-Determination and*
19 *Education Assistance Act, the Indian Health Care Improve-*
20 *ment Act, and titles II and III of the Public Health Service*
21 *Act with respect to the Indian Health Service,*
22 *\$3,566,387,000, together with payments received during the*
23 *fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for serv-*
24 *ices furnished by the Indian Health Service: Provided, That*
25 *funds made available to tribes and tribal organizations*

1 *through contracts, grant agreements, or any other agree-*
2 *ments or compacts authorized by the Indian Self-Deter-*
3 *mination and Education Assistance Act of 1975 (25 U.S.C.*
4 *450), shall be deemed to be obligated at the time of the grant*
5 *or contract award and thereafter shall remain available to*
6 *the tribe or tribal organization without fiscal year limita-*
7 *tion: Provided further, That, \$914,139,000 for Purchased/*
8 *Referred Care, including \$51,500,000 for the Indian Cata-*
9 *strophic Health Emergency Fund, shall remain available*
10 *until expended: Provided further, That, of the funds pro-*
11 *vided, up to \$36,000,000 shall remain available until ex-*
12 *pended for implementation of the loan repayment program*
13 *under section 108 of the Indian Health Care Improvement*
14 *Act: Provided further, That, of the funds provided,*
15 *\$2,000,000 shall be used to supplement funds available for*
16 *operational costs at tribal clinics operated under an Indian*
17 *Self-Determination and Education Assistance Act compact*
18 *or contract where health care is delivered in space acquired*
19 *through a full service lease, which is not eligible for mainte-*
20 *nance and improvement and equipment funds from the In-*
21 *dian Health Service, and \$2,000,000 shall be for accredita-*
22 *tion emergencies: Provided further, That the amounts col-*
23 *lected by the Federal Government as authorized by sections*
24 *104 and 108 of the Indian Health Care Improvement Act*
25 *(25 U.S.C. 1613a and 1616a) during the preceding fiscal*

1 year for breach of contracts shall be deposited to the Fund
2 authorized by section 108A of the Act (25 U.S.C. 1616a–
3 1) and shall remain available until expended and, notwith-
4 standing section 108A(c) of the Act (25 U.S.C. 1616a–1(c)),
5 funds shall be available to make new awards under the loan
6 repayment and scholarship programs under sections 104
7 and 108 of the Act (25 U.S.C. 1613a and 1616a): Provided
8 further, That, notwithstanding any other provision of law,
9 the amounts made available within this account for the
10 methamphetamine and suicide prevention and treatment
11 initiative, for the domestic violence prevention initiative,
12 to improve collections from public and private insurance
13 at Indian Health Service and tribally operated facilities,
14 and for accreditation emergencies shall be allocated at the
15 discretion of the Director of the Indian Health Service and
16 shall remain available until expended: Provided further,
17 That funds provided in this Act may be used for annual
18 contracts and grants that fall within 2 fiscal years, pro-
19 vided the total obligation is recorded in the year the funds
20 are appropriated: Provided further, That the amounts col-
21 lected by the Secretary of Health and Human Services
22 under the authority of title IV of the Indian Health Care
23 Improvement Act shall remain available until expended for
24 the purpose of achieving compliance with the applicable
25 conditions and requirements of titles XVIII and XIX of the

1 *Social Security Act, except for those related to the planning,*
2 *design, or construction of new facilities: Provided further,*
3 *That funding contained herein for scholarship programs*
4 *under the Indian Health Care Improvement Act (25 U.S.C.*
5 *1613) shall remain available until expended: Provided fur-*
6 *ther, That amounts received by tribes and tribal organiza-*
7 *tions under title IV of the Indian Health Care Improvement*
8 *Act shall be reported and accounted for and available to*
9 *the receiving tribes and tribal organizations until expended:*
10 *Provided further, That the Bureau of Indian Affairs may*
11 *collect from the Indian Health Service, tribes and tribal or-*
12 *ganizations operating health facilities pursuant to Public*
13 *Law 93–638, such individually identifiable health informa-*
14 *tion relating to disabled children as may be necessary for*
15 *the purpose of carrying out its functions under the Individ-*
16 *uals with Disabilities Education Act (20 U.S.C. 1400, et*
17 *seq.): Provided further, That the Indian Health Care Im-*
18 *provement Fund may be used, as needed, to carry out ac-*
19 *tivities typically funded under the Indian Health Facilities*
20 *account.*

21 *CONTRACT SUPPORT COSTS*

22 *For payments to tribes and tribal organizations for*
23 *contract support costs associated with Indian Self-Deter-*
24 *mination and Education Assistance Act agreements with*
25 *the Indian Health Service for fiscal year 2016, such sums*

1 *as may be necessary: Provided, That amounts obligated but*
2 *not expended by a tribe or tribal organization for contract*
3 *support costs for such agreements for the current fiscal year*
4 *shall be applied to contract support costs otherwise due for*
5 *such agreements for subsequent fiscal years: Provided fur-*
6 *ther, That, notwithstanding any other provision of law, no*
7 *amounts made available under this heading shall be avail-*
8 *able for transfer to another budget account.*

9 *INDIAN HEALTH FACILITIES*

10 *For construction, repair, maintenance, improvement,*
11 *and equipment of health and related auxiliary facilities, in-*
12 *cluding quarters for personnel; preparation of plans, speci-*
13 *fications, and drawings; acquisition of sites, purchase and*
14 *erection of modular buildings, and purchases of trailers;*
15 *and for provision of domestic and community sanitation*
16 *facilities for Indians, as authorized by section 7 of the Act*
17 *of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Deter-*
18 *mination Act, and the Indian Health Care Improvement*
19 *Act, and for expenses necessary to carry out such Acts and*
20 *titles II and III of the Public Health Service Act with re-*
21 *spect to environmental health and facilities support activi-*
22 *ties of the Indian Health Service, \$523,232,000, to remain*
23 *available until expended: Provided, That, notwithstanding*
24 *any other provision of law, funds appropriated for the plan-*
25 *ning, design, construction, renovation or expansion of*

1 *health facilities for the benefit of an Indian tribe or tribes*
2 *may be used to purchase land on which such facilities will*
3 *be located: Provided further, That not to exceed \$500,000*
4 *may be used by the Indian Health Service to purchase*
5 *TRANSAM equipment from the Department of Defense for*
6 *distribution to the Indian Health Service and tribal facili-*
7 *ties: Provided further, That none of the funds appropriated*
8 *to the Indian Health Service may be used for sanitation*
9 *facilities construction for new homes funded with grants by*
10 *the housing programs of the United States Department of*
11 *Housing and Urban Development: Provided further, That*
12 *not to exceed \$2,700,000 from this account and the “Indian*
13 *Health Services” account may be used by the Indian Health*
14 *Service to obtain ambulances for the Indian Health Service*
15 *and tribal facilities in conjunction with an existing inter-*
16 *agency agreement between the Indian Health Service and*
17 *the General Services Administration: Provided further,*
18 *That not to exceed \$500,000 may be placed in a Demolition*
19 *Fund, to remain available until expended, and be used by*
20 *the Indian Health Service for the demolition of Federal*
21 *buildings.*

22 *ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE*

23 *Appropriations provided in this Act to the Indian*
24 *Health Service shall be available for services as authorized*
25 *by 5 U.S.C. 3109 at rates not to exceed the per diem rate*

1 *equivalent to the maximum rate payable for senior-level po-*
2 *sitions under 5 U.S.C. 5376; hire of passenger motor vehi-*
3 *cles and aircraft; purchase of medical equipment; purchase*
4 *of reprints; purchase, renovation and erection of modular*
5 *buildings and renovation of existing facilities; payments for*
6 *telephone service in private residences in the field, when au-*
7 *thorized under regulations approved by the Secretary; uni-*
8 *forms or allowances therefor as authorized by 5 U.S.C.*
9 *5901–5902; and for expenses of attendance at meetings that*
10 *relate to the functions or activities of the Indian Health*
11 *Service: Provided, That in accordance with the provisions*
12 *of the Indian Health Care Improvement Act, non-Indian*
13 *patients may be extended health care at all tribally admin-*
14 *istered or Indian Health Service facilities, subject to*
15 *charges, and the proceeds along with funds recovered under*
16 *the Federal Medical Care Recovery Act (42 U.S.C. 2651–*
17 *2653) shall be credited to the account of the facility pro-*
18 *viding the service and shall be available without fiscal year*
19 *limitation: Provided further, That notwithstanding any*
20 *other law or regulation, funds transferred from the Depart-*
21 *ment of Housing and Urban Development to the Indian*
22 *Health Service shall be administered under Public Law 86–*
23 *121, the Indian Sanitation Facilities Act and Public Law*
24 *93–638: Provided further, That funds appropriated to the*
25 *Indian Health Service in this Act, except those used for ad-*

1 *ministrative and program direction purposes, shall not be*
2 *subject to limitations directed at curtailing Federal travel*
3 *and transportation: Provided further, That none of the*
4 *funds made available to the Indian Health Service in this*
5 *Act shall be used for any assessments or charges by the De-*
6 *partment of Health and Human Services unless identified*
7 *in the budget justification and provided in this Act, or ap-*
8 *proved by the House and Senate Committees on Appropria-*
9 *tions through the reprogramming process: Provided further,*
10 *That notwithstanding any other provision of law, funds*
11 *previously or herein made available to a tribe or tribal or-*
12 *ganization through a contract, grant, or agreement author-*
13 *ized by title I or title V of the Indian Self-Determination*
14 *and Education Assistance Act of 1975 (25 U.S.C. 450), may*
15 *be deobligated and reobligated to a self-determination con-*
16 *tract under title I, or a self-governance agreement under*
17 *title V of such Act and thereafter shall remain available*
18 *to the tribe or tribal organization without fiscal year limi-*
19 *tation: Provided further, That none of the funds made avail-*
20 *able to the Indian Health Service in this Act shall be used*
21 *to implement the final rule published in the Federal Reg-*
22 *ister on September 16, 1987, by the Department of Health*
23 *and Human Services, relating to the eligibility for the*
24 *health care services of the Indian Health Service until the*
25 *Indian Health Service has submitted a budget request re-*

1 *flecting the increased costs associated with the proposed*
2 *final rule, and such request has been included in an appro-*
3 *priations Act and enacted into law: Provided further, That*
4 *with respect to functions transferred by the Indian Health*
5 *Service to tribes or tribal organizations, the Indian Health*
6 *Service is authorized to provide goods and services to those*
7 *entities on a reimbursable basis, including payments in ad-*
8 *vance with subsequent adjustment, and the reimbursements*
9 *received therefrom, along with the funds received from those*
10 *entities pursuant to the Indian Self-Determination Act,*
11 *may be credited to the same or subsequent appropriation*
12 *account from which the funds were originally derived, with*
13 *such amounts to remain available until expended: Provided*
14 *further, That reimbursements for training, technical assist-*
15 *ance, or services provided by the Indian Health Service will*
16 *contain total costs, including direct, administrative, and*
17 *overhead associated with the provision of goods, services, or*
18 *technical assistance: Provided further, That the appropria-*
19 *tion structure for the Indian Health Service may not be*
20 *altered without advance notification to the House and Sen-*
21 *ate Committees on Appropriations: Provided further, That*
22 *the Indian Health Service shall develop a strategic plan for*
23 *the Urban Indian Health program in consultation with*
24 *urban Indians and the National Academy of Public Admin-*

1 *istration, and shall publish such plan not later than one*
2 *year after the date of enactment of this Act.*

3 *NATIONAL INSTITUTES OF HEALTH*

4 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*

5 *SCIENCES*

6 *For necessary expenses for the National Institute of*
7 *Environmental Health Sciences in carrying out activities*
8 *set forth in section 311(a) of the Comprehensive Environ-*
9 *mental Response, Compensation, and Liability Act of 1980*
10 *(42 U.S.C. 9660(a)) and section 126(g) of the Superfund*
11 *Amendments and Reauthorization Act of 1986,*
12 *\$77,349,000.*

13 *AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY*

14 *TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH*

15 *For necessary expenses for the Agency for Toxic Sub-*
16 *stances and Disease Registry (ATSDR) in carrying out ac-*
17 *tivities set forth in sections 104(i) and 111(c)(4) of the*
18 *Comprehensive Environmental Response, Compensation,*
19 *and Liability Act of 1980 (CERCLA) and section 3019 of*
20 *the Solid Waste Disposal Act, \$74,691,000, of which up to*
21 *\$1,000 per eligible employee of the Agency for Toxic Sub-*
22 *stances and Disease Registry shall remain available until*
23 *expended for Individual Learning Accounts: Provided, That*
24 *notwithstanding any other provision of law, in lieu of per-*
25 *forming a health assessment under section 104(i)(6) of*

1 *CERCLA, the Administrator of ATSDR may conduct other*
2 *appropriate health studies, evaluations, or activities, in-*
3 *cluding, without limitation, biomedical testing, clinical*
4 *evaluations, medical monitoring, and referral to accredited*
5 *healthcare providers: Provided further, That in performing*
6 *any such health assessment or health study, evaluation, or*
7 *activity, the Administrator of ATSDR shall not be bound*
8 *by the deadlines in section 104(i)(6)(A) of CERCLA: Pro-*
9 *vided further, That none of the funds appropriated under*
10 *this heading shall be available for ATSDR to issue in excess*
11 *of 40 toxicological profiles pursuant to section 104(i) of*
12 *CERCLA during fiscal year 2016, and existing profiles*
13 *may be updated as necessary.*

14 *OTHER RELATED AGENCIES*

15 *EXECUTIVE OFFICE OF THE PRESIDENT*

16 *COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF*
17 *ENVIRONMENTAL QUALITY*

18 *For necessary expenses to continue functions assigned*
19 *to the Council on Environmental Quality and Office of En-*
20 *vironmental Quality pursuant to the National Environ-*
21 *mental Policy Act of 1969, the Environmental Quality Im-*
22 *provement Act of 1970, and Reorganization Plan No. 1 of*
23 *1977, and not to exceed \$750 for official reception and rep-*
24 *resentation expenses, \$3,000,000: Provided, That notwith-*
25 *standing section 202 of the National Environmental Policy*

1 *Act of 1970, the Council shall consist of one member, ap-*
2 *pointed by the President, by and with the advice and con-*
3 *sent of the Senate, serving as chairman and exercising all*
4 *powers, functions, and duties of the Council.*

5 *CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD*
6 *SALARIES AND EXPENSES*

7 *For necessary expenses in carrying out activities pur-*
8 *suant to section 112(r)(6) of the Clean Air Act, including*
9 *hire of passenger vehicles, uniforms or allowances therefor,*
10 *as authorized by 5 U.S.C. 5901–5902, and for services au-*
11 *thorized by 5 U.S.C. 3109 but at rates for individuals not*
12 *to exceed the per diem equivalent to the maximum rate pay-*
13 *able for senior level positions under 5 U.S.C. 5376,*
14 *\$11,000,000: Provided, That the Chemical Safety and Haz-*
15 *ard Investigation Board (Board) shall have not more than*
16 *three career Senior Executive Service positions: Provided*
17 *further, That notwithstanding any other provision of law,*
18 *the individual appointed to the position of Inspector Gen-*
19 *eral of the Environmental Protection Agency (EPA) shall,*
20 *by virtue of such appointment, also hold the position of In-*
21 *spector General of the Board: Provided further, That not-*
22 *withstanding any other provision of law, the Inspector Gen-*
23 *eral of the Board shall utilize personnel of the Office of In-*
24 *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, \$15,000,000, 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 25 U.S.C. 640d–*
2 *10: Provided further, That \$200,000 shall be transferred to*
3 *the Office of Inspector General of the Department of the In-*
4 *terior, to remain available until expended, for audits and*
5 *investigations of the Office of Navajo and Hopi Indian Re-*
6 *location, consistent with the Inspector General Act of 1978*
7 *(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 *\$11,619,000, to remain available until September 30, 2017.*

15 *SMITHSONIAN INSTITUTION*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses of the Smithsonian Institution,*
18 *as authorized by law, including research in the fields of art,*
19 *science, and history; development, preservation, and docu-*
20 *mentation of the National Collections; presentation of pub-*
21 *lic exhibits and performances; collection, preparation, dis-*
22 *semination, and exchange of information and publications;*
23 *conduct of education, training, and museum assistance pro-*
24 *grams; maintenance, alteration, operation, lease agreements*
25 *of no more than 30 years, and protection of buildings, fa-*

1 *cilities, and approaches; not to exceed \$100,000 for services*
2 *as authorized by 5 U.S.C. 3109; and purchase, rental, re-*
3 *pair, and cleaning of uniforms for employees, \$696,045,000,*
4 *to remain available until September 30, 2017, except as oth-*
5 *erwise provided herein; of which not to exceed \$48,233,000*
6 *for the instrumentation program, collections acquisition,*
7 *exhibition reinstallation, the National Museum of African*
8 *American History and Culture, and the repatriation of*
9 *skeletal remains program shall remain available until ex-*
10 *pended; and including such funds as may be necessary to*
11 *support American overseas research centers: Provided, That*
12 *funds appropriated herein are available for advance pay-*
13 *ments to independent contractors performing research serv-*
14 *ices or participating in official Smithsonian presentations.*

15 *FACILITIES CAPITAL*

16 *For necessary expenses of repair, revitalization, and*
17 *alteration of facilities owned or occupied by the Smithso-*
18 *nian Institution, by contract or otherwise, as authorized by*
19 *section 2 of the Act of August 22, 1949 (63 Stat. 623), and*
20 *for construction, including necessary personnel,*
21 *\$144,198,000, to remain available until expended, of which*
22 *not to exceed \$10,000 shall be for services as authorized by*
23 *5 U.S.C. 3109.*

1 NATIONAL GALLERY OF ART

2 SALARIES AND EXPENSES

3 *For the upkeep and operations of the National Gallery*
4 *of Art, the protection and care of the works of art therein,*
5 *and administrative expenses incident thereto, as authorized*
6 *by the Act of March 24, 1937 (50 Stat. 51), as amended*
7 *by the public resolution of April 13, 1939 (Public Resolu-*
8 *tion 9, Seventy-sixth Congress), including services as au-*
9 *thorized by 5 U.S.C. 3109; payment in advance when au-*
10 *thorized by the treasurer of the Gallery for membership in*
11 *library, museum, and art associations or societies whose*
12 *publications or services are available to members only, or*
13 *to members at a price lower than to the general public; pur-*
14 *chase, repair, and cleaning of uniforms for guards, and uni-*
15 *forms, or allowances therefor, for other employees as author-*
16 *ized by law (5 U.S.C. 5901–5902); purchase or rental of*
17 *devices and services for protecting buildings and contents*
18 *thereof, and maintenance, alteration, improvement, and re-*
19 *pair of buildings, approaches, and grounds; and purchase*
20 *of services for restoration and repair of works of art for*
21 *the National Gallery of Art by contracts made, without ad-*
22 *vertising, with individuals, firms, or organizations at such*
23 *rates or prices and under such terms and conditions as the*
24 *Gallery may deem proper, \$124,988,000, to remain avail-*
25 *able until September 30, 2017, of which not to exceed*

1 \$3,578,000 for the special exhibition program shall remain
2 available until expended.

3 *REPAIR, RESTORATION AND RENOVATION OF BUILDINGS*

4 *For necessary expenses of repair, restoration and ren-*
5 *ovation of buildings, grounds and facilities owned or occu-*
6 *ped by the National Gallery of Art, by contract or other-*
7 *wise, for operating lease agreements of no more than 10*
8 *years, with no extensions or renewals beyond the 10 years,*
9 *that address space needs created by the ongoing renovations*
10 *in the Master Facilities Plan, as authorized, \$22,564,000,*
11 *to remain available until expended: Provided, That con-*
12 *tracts awarded for environmental systems, protection sys-*
13 *tems, and exterior repair or renovation of buildings of the*
14 *National Gallery of Art may be negotiated with selected*
15 *contractors and awarded on the basis of contractor quali-*
16 *fications as well as price.*

17 *JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS*

18 *OPERATIONS AND MAINTENANCE*

19 *For necessary expenses for the operation, maintenance*
20 *and security of the John F. Kennedy Center for the Per-*
21 *forming Arts, \$21,660,000.*

22 *CAPITAL REPAIR AND RESTORATION*

23 *For necessary expenses for capital repair and restora-*
24 *tion of the existing features of the building and site of the*

1 *NATIONAL ENDOWMENT FOR THE HUMANITIES*2 *GRANTS AND ADMINISTRATION*

3 *For necessary expenses to carry out the National Foun-*
4 *ation on the Arts and the Humanities Act of 1965,*
5 *\$147,942,000 to remain available until expended, of which*
6 *\$137,042,000 shall be available for support of activities in*
7 *the humanities, pursuant to section 7(c) of the Act and for*
8 *administering the functions of the Act; and \$10,900,000*
9 *shall be available to carry out the matching grants program*
10 *pursuant to section 10(a)(2) of the Act, including*
11 *\$8,500,000 for the purposes of section 7(h): Provided, That*
12 *appropriations for carrying out section 10(a)(2) shall be*
13 *available for obligation only in such amounts as may be*
14 *equal to the total amounts of gifts, bequests, devises of*
15 *money, and other property accepted by the chairman or by*
16 *grantees of the National Endowment for the Humanities*
17 *under the provisions of sections 11(a)(2)(B) and*
18 *11(a)(3)(B) during the current and preceding fiscal years*
19 *for which equal amounts have not previously been appro-*
20 *priated.*

21 *ADMINISTRATIVE PROVISIONS*

22 *None of the funds appropriated to the National Foun-*
23 *ation on the Arts and the Humanities may be used to*
24 *process any grant or contract documents which do not in-*
25 *clude the text of 18 U.S.C. 1913: Provided, That none of*

1 *the funds appropriated to the National Foundation on the*
2 *Arts and the Humanities may be used for official reception*
3 *and representation expenses: Provided further, That funds*
4 *from nonappropriated sources may be used as necessary for*
5 *official reception and representation expenses: Provided fur-*
6 *ther, That the Chairperson of the National Endowment for*
7 *the Arts may approve grants of up to \$10,000, if in the*
8 *aggregate the amount of such grants does not exceed 5 per-*
9 *cent of the sums appropriated for grantmaking purposes per*
10 *year: Provided further, That such small grant actions are*
11 *taken pursuant to the terms of an expressed and direct dele-*
12 *gation of authority from the National Council on the Arts*
13 *to the Chairperson.*

14 *COMMISSION OF FINE ARTS*

15 *SALARIES AND EXPENSES*

16 *For expenses of the Commission of Fine Arts under*
17 *chapter 91 of title 40, United States Code, \$2,653,000: Pro-*
18 *vided, That the Commission is authorized to charge fees to*
19 *cover the full costs of its publications, and such fees shall*
20 *be credited to this account as an offsetting collection, to re-*
21 *main available until expended without further appropri-*
22 *ation: Provided further, That the Commission is authorized*
23 *to accept gifts, including objects, papers, artwork, drawings*
24 *and artifacts, that pertain to the history and design of the*
25 *Nation's Capital or the history and activities of the Com-*

1 *mission of Fine Arts, for the purpose of artistic display,*
2 *study or education.*

3 *NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS*

4 *For necessary expenses as authorized by Public Law*
5 *99–190 (20 U.S.C. 956a), \$2,000,000.*

6 *ADVISORY COUNCIL ON HISTORIC PRESERVATION*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the Advisory Council on His-*
9 *toric Preservation (Public Law 89–665), \$6,080,000.*

10 *NATIONAL CAPITAL PLANNING COMMISSION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the National Capital Plan-*
13 *ning Commission under chapter 87 of title 40, United*
14 *States Code, including services as authorized by 5 U.S.C.*
15 *3109, \$8,348,000: Provided, That one-quarter of 1 percent*
16 *of the funds provided under this heading may be used for*
17 *official reception and representational expenses associated*
18 *with hosting international visitors engaged in the planning*
19 *and physical development of world capitals.*

20 *UNITED STATES HOLOCAUST MEMORIAL MUSEUM*

21 *HOLOCAUST MEMORIAL MUSEUM*

22 *For expenses of the Holocaust Memorial Museum, as*
23 *authorized by Public Law 106–292 (36 U.S.C. 2301–2310),*
24 *\$54,000,000, of which \$1,215,000 shall remain available*
25 *until September 30, 2018, for the Museum’s equipment re-*

1 *placement program; and of which \$2,500,000 for the Muse-*
2 *um's repair and rehabilitation program and \$1,264,000 for*
3 *the Museum's outreach initiatives program shall remain*
4 *available until expended.*

5 *DWIGHT D. EISENHOWER MEMORIAL COMMISSION*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses, including the costs of construc-*
8 *tion design, of the Dwight D. Eisenhower Memorial Com-*
9 *mission, \$1,000,000, to remain available until expended.*

10 *TITLE IV*

11 *GENERAL PROVISIONS*

12 *(INCLUDING TRANSFERS OF FUNDS)*

13 *RESTRICTION ON USE OF FUNDS*

14 *SEC. 401. No part of any appropriation contained in*
15 *this Act shall be available for any activity or the publica-*
16 *tion or distribution of literature that in any way tends to*
17 *promote public support or opposition to any legislative pro-*
18 *posal on which Congressional action is not complete other*
19 *than to communicate to Members of Congress as described*
20 *in 18 U.S.C. 1913.*

21 *OBLIGATION OF APPROPRIATIONS*

22 *SEC. 402. No part of any appropriation contained in*
23 *this Act shall remain available for obligation beyond the*
24 *current fiscal year unless expressly so provided herein.*

1 *DISCLOSURE OF ADMINISTRATIVE EXPENSES*

2 *SEC. 403. The amount and basis of estimated overhead*
3 *charges, deductions, reserves or holdbacks, including work-*
4 *ing capital fund and cost pool charges, from programs,*
5 *projects, activities and subactivities to support government-*
6 *wide, departmental, agency, or bureau administrative func-*
7 *tions or headquarters, regional, or central operations shall*
8 *be presented in annual budget justifications and subject to*
9 *approval by the Committees on Appropriations of the House*
10 *of Representatives and the Senate. Changes to such esti-*
11 *mates shall be presented to the Committees on Appropria-*
12 *tions for approval.*

13 *MINING APPLICATIONS*

14 *SEC. 404. (a) LIMITATION OF FUNDS.—None of the*
15 *funds appropriated or otherwise made available pursuant*
16 *to this Act shall be obligated or expended to accept or proc-*
17 *ess applications for a patent for any mining or mill site*
18 *claim located under the general mining laws.*

19 *(b) EXCEPTIONS.—Subsection (a) shall not apply if*
20 *the Secretary of the Interior determines that, for the claim*
21 *concerned (1) a patent application was filed with the Sec-*
22 *retary on or before September 30, 1994; and (2) all require-*
23 *ments established under sections 2325 and 2326 of the Re-*
24 *vised Statutes (30 U.S.C. 29 and 30) for vein or lode*
25 *claims, sections 2329, 2330, 2331, and 2333 of the Revised*

1 *Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and*
2 *section 2337 of the Revised Statutes (30 U.S.C. 42) for mill*
3 *site claims, as the case may be, were fully complied with*
4 *by the applicant by that date.*

5 *(c) REPORT.—On September 30, 2017, the Secretary*
6 *of the Interior shall file with the House and Senate Com-*
7 *mittees on Appropriations and the Committee on Natural*
8 *Resources of the House and the Committee on Energy and*
9 *Natural Resources of the Senate a report on actions taken*
10 *by the Department under the plan submitted pursuant to*
11 *section 314(c) of the Department of the Interior and Related*
12 *Agencies Appropriations Act, 1997 (Public Law 104–208).*

13 *(d) MINERAL EXAMINATIONS.—In order to process*
14 *patent applications in a timely and responsible manner,*
15 *upon the request of a patent applicant, the Secretary of the*
16 *Interior shall allow the applicant to fund a qualified third-*
17 *party contractor to be selected by the Director of the Bureau*
18 *of Land Management to conduct a mineral examination of*
19 *the mining claims or mill sites contained in a patent appli-*
20 *cation as set forth in subsection (b). The Bureau of Land*
21 *Management shall have the sole responsibility to choose and*
22 *pay the third-party contractor in accordance with the*
23 *standard procedures employed by the Bureau of Land Man-*
24 *agement in the retention of third-party contractors.*

1 *than 15 years have passed without revision of the plan for*
2 *a unit of the National Forest System. Nothing in this sec-*
3 *tion exempts the Secretary from any other requirement of*
4 *the Forest and Rangeland Renewable Resources Planning*
5 *Act (16 U.S.C. 1600 et seq.) or any other law: Provided,*
6 *That if the Secretary is not acting expeditiously and in*
7 *good faith, within the funding available, to revise a plan*
8 *for a unit of the National Forest System, this section shall*
9 *be void with respect to such plan and a court of proper*
10 *jurisdiction may order completion of the plan on an acceler-*
11 *ated basis.*

12 *PROHIBITION WITHIN NATIONAL MONUMENTS*

13 *SEC. 408. No funds provided in this Act may be ex-*
14 *pende to conduct preleasing, leasing and related activities*
15 *under either the Mineral Leasing Act (30 U.S.C. 181 et seq.)*
16 *or the Outer Continental Shelf Lands Act (43 U.S.C. 1331*
17 *et seq.) within the boundaries of a National Monument es-*
18 *tablished pursuant to the Act of June 8, 1906 (16 U.S.C.*
19 *431 et seq.) as such boundary existed on January 20, 2001,*
20 *except where such activities are allowed under the Presi-*
21 *dential proclamation establishing such monument.*

22 *LIMITATION ON TAKINGS*

23 *SEC. 409. Unless otherwise provided herein, no funds*
24 *appropriated in this Act for the acquisition of lands or in-*
25 *terests in lands may be expended for the filing of declara-*

1 tions of taking or complaints in condemnation without the
2 approval of the House and Senate Committees on Appro-
3 priations: Provided, That this provision shall not apply to
4 funds appropriated to implement the Everglades National
5 Park Protection and Expansion Act of 1989, or to funds
6 appropriated for Federal assistance to the State of Florida
7 to acquire lands for Everglades restoration purposes.

8 *TIMBER SALE REQUIREMENTS*

9 *SEC. 410. No timber sale in Alaska's Region 10 shall*
10 *be advertised if the indicated rate is deficit (defined as the*
11 *value of the timber is not sufficient to cover all logging and*
12 *stumpage costs and provide a normal profit and risk allow-*
13 *ance under the Forest Service's appraisal process) when ap-*
14 *praised using a residual value appraisal. The western red*
15 *cedar timber from those sales which is surplus to the needs*
16 *of the domestic processors in Alaska, shall be made available*
17 *to domestic processors in the contiguous 48 United States*
18 *at prevailing domestic prices. All additional western red*
19 *cedar volume not sold to Alaska or contiguous 48 United*
20 *States domestic processors may be exported to foreign mar-*
21 *kets at the election of the timber sale holder. All Alaska yel-*
22 *low cedar may be sold at prevailing export prices at the*
23 *election of the timber sale holder.*

1 *PROHIBITION ON NO-BID CONTRACTS*

2 *SEC. 411. None of the funds appropriated or otherwise*
3 *made available by this Act to executive branch agencies may*
4 *be used to enter into any Federal contract unless such con-*
5 *tract is entered into in accordance with the requirements*
6 *of Chapter 33 of title 41, United States Code, or Chapter*
7 *137 of title 10, United States Code, and the Federal Acqui-*
8 *sition Regulation, unless—*

9 (1) *Federal law specifically authorizes a contract*
10 *to be entered into without regard for these require-*
11 *ments, including formula grants for States, or feder-*
12 *ally recognized Indian tribes; or*

13 (2) *such contract is authorized by the Indian*
14 *Self-Determination and Education Assistance Act*
15 *(Public Law 93–638, 25 U.S.C. 450 et seq.) or by any*
16 *other Federal laws that specifically authorize a con-*
17 *tract within an Indian tribe as defined in section*
18 *4(e) of that Act (25 U.S.C. 450b(e)); or*

19 (3) *such contract was awarded prior to the date*
20 *of enactment of this Act.*

21 *POSTING OF REPORTS*

22 *SEC. 412. (a) Any agency receiving funds made avail-*
23 *able in this Act, shall, subject to subsections (b) and (c),*
24 *post on the public website of that agency any report re-*
25 *quired to be submitted by the Congress in this or any other*

1 *Act, upon the determination by the head of the agency that*
2 *it shall serve the national interest.*

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

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

6 *(2) the report contains proprietary information.*

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

11 *NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES*

12 *SEC. 413. Of the funds provided to the National En-*
13 *dowment for the Arts—*

14 *(1) The Chairperson shall only award a grant to*
15 *an individual if such grant is awarded to such indi-*
16 *vidual for a literature fellowship, National Heritage*
17 *Fellowship, or American Jazz Masters Fellowship.*

18 *(2) The Chairperson shall establish procedures to*
19 *ensure that no funding provided through a grant, ex-*
20 *cept a grant made to a State or local arts agency, or*
21 *regional group, may be used to make a grant to any*
22 *other organization or individual to conduct activity*
23 *independent of the direct grant recipient. Nothing in*
24 *this subsection shall prohibit payments made in ex-*
25 *change for goods and services.*

1 *Act (42 U.S.C. 9902(2))) applicable to a family of the*
2 *size involved.*

3 *(c) In providing services and awarding financial as-*
4 *sistance under the National Foundation on the Arts and*
5 *Humanities Act of 1965 with funds appropriated by this*
6 *Act, the Chairperson of the National Endowment for the*
7 *Arts shall ensure that priority is given to providing services*
8 *or awarding financial assistance for projects, productions,*
9 *workshops, or programs that will encourage public knowl-*
10 *edge, education, understanding, and appreciation of the*
11 *arts.*

12 *(d) With funds appropriated by this Act to carry out*
13 *section 5 of the National Foundation on the Arts and Hu-*
14 *manities Act of 1965—*

15 *(1) the Chairperson shall establish a grant cat-*
16 *egory for projects, productions, workshops, or pro-*
17 *grams that are of national impact or availability or*
18 *are able to tour several States;*

19 *(2) the Chairperson shall not make grants ex-*
20 *ceeding 15 percent, in the aggregate, of such funds to*
21 *any single State, excluding grants made under the*
22 *authority of paragraph (1);*

23 *(3) the Chairperson shall report to the Congress*
24 *annually and by State, on grants awarded by the*

1 *Chairperson in each grant category under section 5 of*
2 *such Act; and*

3 *(4) the Chairperson shall encourage the use of*
4 *grants to improve and support community-based*
5 *music performance and education.*

6 *STATUS OF BALANCES OF APPROPRIATIONS*

7 *SEC. 415. The Department of the Interior, the Envi-*
8 *ronmental Protection Agency, the Forest Service, and the*
9 *Indian Health Service shall provide the Committees on Ap-*
10 *propriations of the House of Representatives and Senate*
11 *quarterly reports on the status of balances of appropriations*
12 *including all uncommitted, committed, and unobligated*
13 *funds in each program and activity.*

14 *REPORT ON USE OF CLIMATE CHANGE FUNDS*

15 *SEC. 416. Not later than 120 days after the date on*
16 *which the President's fiscal year 2017 budget request is sub-*
17 *mitted to the Congress, the President shall submit a com-*
18 *prehensive report to the Committees on Appropriations of*
19 *the House of Representatives and the Senate describing in*
20 *detail all Federal agency funding, domestic and inter-*
21 *national, for climate change programs, projects, and activi-*
22 *ties in fiscal years 2015 and 2016, including an accounting*
23 *of funding by agency with each agency identifying climate*
24 *change programs, projects, and activities and associated*
25 *costs by line item as presented in the President's Budget*

1 *Appendix, and including citations and linkages where prac-*
2 *ticable to each strategic plan that is driving funding within*
3 *each climate change program, project, and activity listed*
4 *in the report.*

5 *PROHIBITION ON USE OF FUNDS*

6 *SEC. 417. Notwithstanding any other provision of law,*
7 *none of the funds made available in this Act or any other*
8 *Act may be used to promulgate or implement any regula-*
9 *tion requiring the issuance of permits under title V of the*
10 *Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide,*
11 *nitrous oxide, water vapor, or methane emissions resulting*
12 *from biological processes associated with livestock produc-*
13 *tion.*

14 *GREENHOUSE GAS REPORTING RESTRICTIONS*

15 *SEC. 418. Notwithstanding any other provision of law,*
16 *none of the funds made available in this or any other Act*
17 *may be used to implement any provision in a rule, if that*
18 *provision requires mandatory reporting of greenhouse gas*
19 *emissions from manure management systems.*

20 *MODIFICATION OF AUTHORITIES*

21 *SEC. 419. (a) Section 8162(m)(3) of the Department*
22 *of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note;*
23 *Public Law 106–79) is amended by striking “September 30,*
24 *2015” and inserting “September 30, 2016”.*

1 *USE OF AMERICAN IRON AND STEEL*

2 *SEC. 424. (a)(1) None of the funds made available by*
3 *a State water pollution control revolving fund as authorized*
4 *by section 1452 of the Safe Drinking Water Act (42 U.S.C.*
5 *300j-12) shall be used for a project for the construction,*
6 *alteration, maintenance, or repair of a public water system*
7 *or treatment works unless all of the iron and steel products*
8 *used in the project are produced in the United States.*

9 *(2) In this section, the term “iron and steel” products*
10 *means the following products made primarily of iron or*
11 *steel: lined or unlined pipes and fittings, manhole covers*
12 *and other municipal castings, hydrants, tanks, flanges, pipe*
13 *clamps and restraints, valves, structural steel, reinforced*
14 *precast concrete, and construction materials.*

15 *(b) Subsection (a) shall not apply in any case or cat-*
16 *egory of cases in which the Administrator of the Environ-*
17 *mental Protection Agency (in this section referred to as the*
18 *“Administrator”) finds that—*

19 *(1) applying subsection (a) would be inconsistent*
20 *with the public interest;*

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

1 (1) *ADMINISTRATOR.*—*The term “Adminis-*
2 *trator” means the Administrator of the Environ-*
3 *mental Protection Agency.*

4 (2) *AFFECTED STATE.*—*The term “affected*
5 *State” means any of the Great Lakes States (as de-*
6 *finied in section 118(a)(3) of the Federal Water Pollu-*
7 *tion Control Act (33 U.S.C. 1268(a)(3)).*

8 (3) *DISCHARGE.*—*The term “discharge” means a*
9 *discharge as defined in section 502 of the Federal*
10 *Water Pollution Control Act (33 U.S.C. 1362).*

11 (4) *GREAT LAKES.*—*The term “Great Lakes”*
12 *means any of the waters as defined in section*
13 *118(a)(3) of the Federal Water Pollution Control Act*
14 *(33 U.S.C. 1268(a)(3)).*

15 (5) *TREATMENT WORKS.*—*The term “treatment*
16 *works” has the meaning given the term in section 212*
17 *of the Federal Water Pollution Control Act (33 U.S.C.*
18 *1292).*

19 (b) *REQUIREMENTS.*—

20 (1) *IN GENERAL.*—*The Administrator shall work*
21 *with affected States having publicly owned treatment*
22 *works that discharge to the Great Lakes to create pub-*
23 *lic notice requirements for a combined sewer overflow*
24 *discharge to the Great Lakes.*

1 (2) *NOTICE REQUIREMENTS.*—*The notice re-*
2 *quirements referred to in paragraph (1) shall provide*
3 *for—*

4 (i) *the method of the notice;*

5 (ii) *the contents of the notice, in accordance*
6 *with paragraph (3); and*

7 (iii) *requirements for public availability of*
8 *the notice.*

9 (3) *MINIMUM REQUIREMENTS.*—

10 (A) *IN GENERAL.*—*The contents of the no-*
11 *tice under paragraph (1) shall include—*

12 (i) *the dates and times of the applica-*
13 *ble discharge;*

14 (ii) *the volume of the discharge; and*

15 (iii) *a description of any public access*
16 *areas impacted by the discharge.*

17 (B) *CONSISTENCY.*—*The minimum require-*
18 *ments under this paragraph shall be consistent*
19 *for all affected States.*

20 (4) *ADDITIONAL REQUIREMENTS.*—*The Adminis-*
21 *trator shall work with the affected States to include—*

22 (A) *follow-up notice requirements that pro-*
23 *vide a description of—*

24 (i) *each applicable discharge;*

25 (ii) *the cause of the discharge; and*

1 (iii) plans to prevent a reoccurrence of
2 a combined sewer overflow discharge to the
3 Great Lakes consistent with section 402 of
4 the Federal Water Pollution Control Act (33
5 U.S.C. 1342) or an administrative order or
6 consent decree under such Act; and

7 (B) annual publication requirements that
8 list each treatment works from which the Admin-
9 istrator or the affected State receive a follow-up
10 notice.

11 (5) *TIMING.*—

12 (A) The notice and publication require-
13 ments described in this subsection shall be imple-
14 mented by not later than 2 years after the date
15 of enactment of this Act.

16 (B) The Administrator of the EPA may ex-
17 tend the implementation deadline for individual
18 communities if the Administrator determines the
19 community needs additional time to comply in
20 order to avoid undue economic hardship.

21 (6) *STATE ACTION.*—Nothing in this subsection
22 prohibits an affected State from establishing a State
23 notice requirement in the event of a discharge that is
24 more stringent than the requirements described in this
25 subsection.

1 *GREAT LAKES RESTORATION INITIATIVE*

2 *SEC. 426. Section 118(c) of the Federal Water Pollu-*
3 *tion Control Act (33 U.S.C. 1268(c)) is amended by striking*
4 *paragraph (7) and inserting the following:*

5 *“(7) GREAT LAKES RESTORATION INITIATIVE.—*

6 *“(A) ESTABLISHMENT.—There is estab-*
7 *lished in the Agency a Great Lakes Restoration*
8 *Initiative (referred to in this paragraph as the*
9 *‘Initiative’) to carry out programs and projects*
10 *for Great Lakes protection and restoration.*

11 *“(B) FOCUS AREAS.—The Initiative shall*
12 *prioritize programs and projects carried out in*
13 *coordination with non-Federal partners and pro-*
14 *grams and projects that address priority areas*
15 *each fiscal year, including—*

16 *“(i) the remediation of toxic substances*
17 *and areas of concern;*

18 *“(ii) the prevention and control of*
19 *invasive species and the impacts of invasive*
20 *species;*

21 *“(iii) the protection and restoration of*
22 *nearshore health and the prevention and*
23 *mitigation of nonpoint source pollution;*

1 “(iv) *habitat and wildlife protection*
2 *and restoration, including wetlands restora-*
3 *tion and preservation; and*

4 “(v) *accountability, monitoring, eval-*
5 *uation, communication, and partnership*
6 *activities.*

7 “(C) *PROJECTS.—Under the Initiative, the*
8 *Agency shall collaborate with Federal partners,*
9 *including the Great Lakes Interagency Task*
10 *Force, to select the best combination of programs*
11 *and projects for Great Lakes protection and res-*
12 *toration using appropriate principles and cri-*
13 *teria, including whether a program or project*
14 *provides—*

15 “(i) *the ability to achieve strategic and*
16 *measurable environmental outcomes that*
17 *implement the Great Lakes Action Plan and*
18 *the Great Lakes Water Quality Agreement;*

19 “(ii) *the feasibility of—*

20 “(I) *prompt implementation;*

21 “(II) *timely achievement of re-*
22 *sults; and*

23 “(III) *resource leveraging; and*

24 “(iii) *the opportunity to improve*
25 *interagency and inter-organizational co-*

1 *ordination and collaboration to reduce du-*
2 *plication and streamline efforts.*

3 “(D) *IMPLEMENTATION OF PROJECTS.*—

4 “(i) *IN GENERAL.*—*Subject to subpara-*
5 *graph (G)(ii), funds made available to*
6 *carry out the Initiative shall be used to*
7 *strategically implement—*

8 “(I) *Federal projects; and*

9 “(II) *projects carried out in co-*
10 *ordination with States, Indian tribes,*
11 *municipalities, institutions of higher*
12 *education, and other organizations.*

13 “(ii) *TRANSFER OF FUNDS.*—*With*
14 *amounts made available for the Initiative*
15 *each fiscal year, the Administrator may—*

16 “(I) *transfer not more than the*
17 *total amount appropriated under sub-*
18 *paragraph (G)(i) for the fiscal year to*
19 *the head of any Federal department or*
20 *agency, with the concurrence of the de-*
21 *partment or agency head, to carry out*
22 *activities to support the Initiative and*
23 *the Great Lakes Water Quality Agree-*
24 *ment; and*

1 “(II) enter into an interagency
2 agreement with the head of any Fed-
3 eral department or agency to carry out
4 activities described in subclause (I).

5 “(E) SCOPE.—

6 “(i) IN GENERAL.—Projects shall be
7 carried out under the Initiative on multiple
8 levels, including—

9 “(I) Great Lakes-wide; and

10 “(II) Great Lakes basin-wide.

11 “(ii) LIMITATION.—No funds made
12 available to carry out the Initiative may be
13 used for any water infrastructure activity
14 (other than a green infrastructure project
15 that improves habitat and other ecosystem
16 functions in the Great Lakes) for which
17 amounts are made available from—

18 “(I) a State water pollution con-
19 trol revolving fund established under
20 title VI; or

21 “(II) a State drinking water re-
22 volving loan fund established under
23 section 1452 of the Safe Drinking
24 Water Act (42 U.S.C. 300j–12).

1 “(F) *ACTIVITIES BY OTHER FEDERAL AGEN-*
2 *CIES.—Each relevant Federal department or*
3 *agency shall, to the maximum extent prac-*
4 *ticable—*

5 “(i) *maintain the base level of funding*
6 *for the Great Lakes activities of that depart-*
7 *ment or agency without regard to funding*
8 *under the Initiative; and*

9 “(ii) *identify new activities and*
10 *projects to support the environmental goals*
11 *of the Initiative.*

12 “(G) *FUNDING.—There are authorized to be*
13 *appropriated to carry out this paragraph for fis-*
14 *cal year 2016, \$300,000,000.”.*

15 *JOHN F. KENNEDY CENTER REAUTHORIZATION*

16 *SEC. 427. Section 13 of the John F. Kennedy Center*
17 *Act (20 U.S.C. 76r) is amended by striking subsections (a)*
18 *and (b) and inserting the following:*

19 “(a) *MAINTENANCE, REPAIR, AND SECURITY.—There*
20 *is authorized to be appropriated to the Board to carry out*
21 *section 4(a)(1)(H), \$22,000,000 for fiscal year 2016.*

22 “(b) *CAPITAL PROJECTS.—There is authorized to be*
23 *appropriated to the Board to carry out subparagraphs (F)*
24 *and (G) of section 4(a)(1), \$15,000,000 for fiscal year*
25 *2016.”.*

1 *June 30, 2017, and of which \$712,000,000 shall*
2 *be available for the period October 1, 2016*
3 *through June 30, 2017;*

4 *(B) \$873,416,000 for youth activities, which*
5 *shall be available for the period April 1, 2016*
6 *through June 30, 2017; and*

7 *(C) \$1,020,860,000 for dislocated worker*
8 *employment and training activities, of which*
9 *\$160,860,000 shall be available for the period*
10 *July 1, 2016 through June 30, 2017, and of*
11 *which \$860,000,000 shall be available for the pe-*
12 *riod October 1, 2016 through June 30, 2017:*

13 *Provided, That pursuant to section 128(a)(1) of the*
14 *WIOA, the amount available to the Governor for*
15 *statewide workforce investment activities shall not ex-*
16 *ceed 15 percent of the amount allotted to the State*
17 *from each of the appropriations under the preceding*
18 *subparagraphs: Provided further, That the funds*
19 *available for allotment to outlying areas to carry out*
20 *subtitle B of title I of the WIOA shall not be subject*
21 *to the requirements of section 127(b)(1)(B)(ii) of such*
22 *Act; and*

23 *(2) for national programs, \$625,593,000 as fol-*
24 *lows:*

1 (A) \$220,859,000 for the dislocated workers
2 assistance national reserve, of which \$20,859,000
3 shall be available for the period July 1, 2016
4 through September 30, 2017, and of which
5 \$200,000,000 shall be available for the period
6 October 1, 2016 through September 30, 2017:
7 *Provided, That funds provided to carry out sec-*
8 *tion 132(a)(2)(A) of the WIOA may be used to*
9 *provide assistance to a State for statewide or*
10 *local use in order to address cases where there*
11 *have been worker dislocations across multiple*
12 *sectors or across multiple local areas and such*
13 *workers remain dislocated; coordinate the State*
14 *workforce development plan with emerging eco-*
15 *nomical development needs; and train such eligible*
16 *dislocated workers: Provided further, That funds*
17 *provided to carry out sections 168(b) and 169(c)*
18 *of the WIOA may be used for technical assistance*
19 *and demonstration projects, respectively, that*
20 *provide assistance to new entrants in the work-*
21 *force and incumbent workers: Provided further,*
22 *That notwithstanding section 168(b) of the*
23 *WIOA, of the funds provided under this subpara-*
24 *graph, the Secretary of Labor (referred to in this*
25 *title as “Secretary”) may reserve not more than*

1 10 percent of such funds to provide technical as-
2 sistance and carry out additional activities re-
3 lated to the transition to the WIOA: Provided
4 further, That, of the funds provided under this
5 subparagraph, \$19,000,000 shall be made avail-
6 able for applications submitted in accordance
7 with section 170 of the WIOA for training and
8 employment assistance for workers dislocated
9 from coal mines and coal-fired power plants;

10 (B) \$50,000,000 for Native American pro-
11 grams under section 166 of the WIOA, which
12 shall be available for the period July 1, 2016
13 through June 30, 2017;

14 (C) \$81,896,000 for migrant and seasonal
15 farmworker programs under section 167 of the
16 WIOA, including \$75,885,000 for formula grants
17 (of which not less than 70 percent shall be for
18 employment and training services), \$5,517,000
19 for migrant and seasonal housing (of which not
20 less than 70 percent shall be for permanent hous-
21 ing), and \$494,000 for other discretionary pur-
22 poses, which shall be available for the period
23 July 1, 2016 through June 30, 2017: Provided,
24 That notwithstanding any other provision of law
25 or related regulation, the Department of Labor

1 *shall take no action limiting the number or pro-*
2 *portion of eligible participants receiving related*
3 *assistance services or discouraging grantees from*
4 *providing such services;*

5 *(D) \$994,000 for carrying out the WANTO*
6 *Act, which shall be available for the period July*
7 *1, 2016 through June 30, 2017;*

8 *(E) \$84,534,000 for YouthBuild activities*
9 *as described in section 171 of the WIOA, which*
10 *shall be available for the period April 1, 2016*
11 *through June 30, 2017;*

12 *(F) \$3,232,000 for technical assistance ac-*
13 *tivities under section 168 of the WIOA, which*
14 *shall be available for the period July 1, 2016*
15 *through June 30, 2017;*

16 *(G) \$88,078,000 for ex-offender activities,*
17 *under the authority of section 169 of the WIOA*
18 *and section 212 of the Second Chance Act of*
19 *2007, which shall be available for the period*
20 *April 1, 2016 through June 30, 2017: Provided,*
21 *That of this amount, \$20,000,000 shall be for*
22 *competitive grants to national and regional*
23 *intermediaries for activities that prepare young*
24 *ex-offenders and school dropouts for employment,*

1 (2) \$75,000,000 for construction, rehabilitation
2 and acquisition of Job Corps Centers, which shall be
3 available for the period July 1, 2016 through June
4 30, 2019, and which may include the acquisition,
5 maintenance, and repair of major items of equip-
6 ment: Provided, That the Secretary may transfer up
7 to 15 percent of such funds to meet the operational
8 needs of such centers or to achieve administrative effi-
9 ciencies: Provided further, That any funds transferred
10 pursuant to the preceding proviso shall not be avail-
11 able for obligation after June 30, 2017: Provided fur-
12 ther, That the Committees on Appropriations of the
13 House of Representatives and the Senate are notified
14 at least 15 days in advance of any transfer; and

15 (3) \$32,330,000 for necessary expenses of Job
16 Corps, which shall be available for obligation for the
17 period October 1, 2015 through September 30, 2016:
18 Provided, That no funds from any other appropriation
19 shall be used to provide meal services at or for Job Corps
20 centers.

21 COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

22 To carry out title V of the Older Americans Act of 1965
23 (referred to in this Act as “OAA”), \$434,371,000, which
24 shall be available for the period July 1, 2016 through June

1 30, 2017, and may be recaptured and reobligated in accord-
2 ance with section 517(c) of the OAA.

3 *FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES*

4 *For payments during fiscal year 2016 of trade adjust-*
5 *ment benefit payments and allowances under part I of sub-*
6 *chapter B of chapter 2 of title II of the Trade Act of 1974,*
7 *and section 246 of that Act; and for training, employment*
8 *and case management services, allowances for job search*
9 *and relocation, and related State administrative expenses*
10 *under part II of subchapter B of chapter 2 of title II of*
11 *the Trade Act of 1974, and including benefit payments, al-*
12 *lowances, training, employment and case management serv-*
13 *ices, and related State administration provided pursuant*
14 *to section 231(a) of the Trade Adjustment Assistance Exten-*
15 *sion Act of 2011 and section 405(a) of the Trade Preferences*
16 *Extension Act of 2015, \$861,000,000 together with such*
17 *amounts as may be necessary to be charged to the subse-*
18 *quent appropriation for payments for any period subse-*
19 *quent to September 15, 2016: Provided, That notwith-*
20 *standing section 502 of this division, any part of the appro-*
21 *priation provided under this heading may remain available*
22 *for obligation beyond the current fiscal year pursuant to*
23 *the authorities of section 245(c) of the Trade Act of 1974*
24 *(19 U.S.C. 2317(c)).*

1 *STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT*2 *SERVICE OPERATIONS*

3 *For authorized administrative expenses, \$89,066,000,*
4 *together with not to exceed \$3,480,812,000 which may be*
5 *expended from the Employment Security Administration*
6 *Account in the Unemployment Trust Fund (“the Trust*
7 *Fund”), of which:*

8 (1) *\$2,725,550,000 from the Trust Fund is for*
9 *grants to States for the administration of State un-*
10 *employment insurance laws as authorized under title*
11 *III of the Social Security Act (including not less than*
12 *\$95,000,000 to conduct in-person reemployment and*
13 *eligibility assessments and unemployment insurance*
14 *improper payment reviews, and to provide reemploy-*
15 *ment services and referrals to training as appro-*
16 *priate, for claimants of unemployment insurance for*
17 *ex-service members under 5 U.S.C. 8521 et. seq. and*
18 *for the claimants of regular unemployment compensa-*
19 *tion who are profiled as most likely to exhaust their*
20 *benefits in each State, and \$3,000,000 for continued*
21 *support of the Unemployment Insurance Integrity*
22 *Center of Excellence), the administration of unem-*
23 *ployment insurance for Federal employees and for ex-*
24 *service members as authorized under 5 U.S.C. 8501–*
25 *8523, and the administration of trade readjustment*

1 *allowances, reemployment trade adjustment assist-*
2 *ance, and alternative trade adjustment assistance*
3 *under the Trade Act of 1974 and under section 231(a)*
4 *of the Trade Adjustment Assistance Extension Act of*
5 *2011 and section 405(a) of the Trade Preferences Ex-*
6 *tension Act of 2015, and shall be available for obliga-*
7 *tion by the States through December 31, 2016, except*
8 *that funds used for automation acquisitions shall be*
9 *available for Federal obligation through December 31,*
10 *2016, and for State obligation through September 30,*
11 *2018, or, if the automation acquisition is being car-*
12 *ried out through consortia of States, for State obliga-*
13 *tion through September 30, 2021, and for expenditure*
14 *through September 30, 2022, and funds for competi-*
15 *tive grants awarded to States for improved operations*
16 *and to conduct in-person assessments and reviews and*
17 *provide reemployment services and referrals shall be*
18 *available for Federal obligation through December 31,*
19 *2016, and for obligation by the States through Sep-*
20 *tember 30, 2018, and funds for the Unemployment In-*
21 *surance Integrity Center of Excellence shall be avail-*
22 *able for obligation by the State through September 30,*
23 *2017, and funds used for unemployment insurance*
24 *workloads experienced by the States through Sep-*

1 *tember 30, 2016 shall be available for Federal obliga-*
2 *tion through December 31, 2016;*

3 (2) *\$14,547,000 from the Trust Fund is for na-*
4 *tional activities necessary to support the administra-*
5 *tion of the Federal-State unemployment insurance*
6 *system;*

7 (3) *\$658,587,000 from the Trust Fund, together*
8 *with \$21,413,000 from the General Fund of the Treas-*
9 *ury, is for grants to States in accordance with section*
10 *6 of the Wagner-Peyser Act, and shall be available for*
11 *Federal obligation for the period July 1, 2016 through*
12 *June 30, 2017;*

13 (4) *\$19,818,000 from the Trust Fund is for na-*
14 *tional activities of the Employment Service, including*
15 *administration of the work opportunity tax credit*
16 *under section 51 of the Internal Revenue Code of*
17 *1986, and the provision of technical assistance and*
18 *staff training under the Wagner-Peyser Act;*

19 (5) *\$62,310,000 from the Trust Fund is for the*
20 *administration of foreign labor certifications and re-*
21 *lated activities under the Immigration and Nation-*
22 *ality Act and related laws, of which \$48,028,000 shall*
23 *be available for the Federal administration of such*
24 *activities, and \$14,282,000 shall be available for*

1 *grants to States for the administration of such activi-*
2 *ties; and*

3 (6) *\$67,653,000 from the General Fund is to*
4 *provide workforce information, national electronic*
5 *tools, and one-stop system building under the Wagner-*
6 *Peyser Act and shall be available for Federal obliga-*
7 *tion for the period July 1, 2016 through June 30,*
8 *2017:*

9 *Provided, That to the extent that the Average Weekly In-*
10 *jured Unemployment (“AWIU”) for fiscal year 2016 is pro-*
11 *jected by the Department of Labor to exceed 2,680,000, an*
12 *additional \$28,600,000 from the Trust Fund shall be avail-*
13 *able for obligation for every 100,000 increase in the AWIU*
14 *level (including a pro rata amount for any increment less*
15 *than 100,000) to carry out title III of the Social Security*
16 *Act: Provided further, That funds appropriated in this Act*
17 *that are allotted to a State to carry out activities under*
18 *title III of the Social Security Act may be used by such*
19 *State to assist other States in carrying out activities under*
20 *such title III if the other States include areas that have*
21 *suffered a major disaster declared by the President under*
22 *the Robert T. Stafford Disaster Relief and Emergency As-*
23 *sistance Act: Provided further, That the Secretary may use*
24 *funds appropriated for grants to States under title III of*
25 *the Social Security Act to make payments on behalf of*

1 *States for the use of the National Directory of New Hires*
2 *under section 453(j)(8) of such Act: Provided further, That*
3 *the Secretary may use funds appropriated for grants to*
4 *States under title III of the Social Security Act to make*
5 *payments on behalf of States to the entity operating the*
6 *State Information Data Exchange System: Provided fur-*
7 *ther, That funds appropriated in this Act which are used*
8 *to establish a national one-stop career center system, or*
9 *which are used to support the national activities of the Fed-*
10 *eral-State unemployment insurance, employment service, or*
11 *immigration programs, may be obligated in contracts,*
12 *grants, or agreements with States and non-State entities:*
13 *Provided further, That States awarded competitive grants*
14 *for improved operations under title III of the Social Secu-*
15 *rity Act, or awarded grants to support the national activi-*
16 *ties of the Federal-State unemployment insurance system,*
17 *may award subgrants to other States under such grants,*
18 *subject to the conditions applicable to the grants: Provided*
19 *further, That funds appropriated under this Act for activi-*
20 *ties authorized under title III of the Social Security Act*
21 *and the Wagner-Peyser Act may be used by States to fund*
22 *integrated Unemployment Insurance and Employment*
23 *Service automation efforts, notwithstanding cost allocation*
24 *principles prescribed under the Office of Management and*
25 *Budget Circular A-87: Provided further, That the Sec-*

1 *retary, at the request of a State participating in a consor-*
2 *tium with other States, may realloot funds allotted to such*
3 *State under title III of the Social Security Act to other*
4 *States participating in the consortium in order to carry*
5 *out activities that benefit the administration of the unem-*
6 *ployment compensation law of the State making the request:*
7 *Provided further, That the Secretary may collect fees for*
8 *the costs associated with additional data collection, anal-*
9 *yses, and reporting services relating to the National Agri-*
10 *cultural Workers Survey requested by State and local gov-*
11 *ernments, public and private institutions of higher edu-*
12 *cation, and nonprofit organizations and may utilize such*
13 *sums, in accordance with the provisions of 29 U.S.C. 9a,*
14 *for the National Agricultural Workers Survey infrastruc-*
15 *ture, methodology, and data to meet the information collec-*
16 *tion and reporting needs of such entities, which shall be*
17 *credited to this appropriation and shall remain available*
18 *until September 30, 2017, for such purposes.*

19 *In addition, \$20,000,000 from the Employment Secu-*
20 *rity Administration Account of the Unemployment Trust*
21 *Fund shall be available for in-person reemployment and eli-*
22 *gibility assessments and unemployment insurance improper*
23 *payment reviews and to provide reemployment services and*
24 *referrals to training as appropriate, which shall be avail-*

1 *able for Federal obligations through December 31, 2016, and*
2 *for State obligation through September 30, 2018.*

3 *ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND*
4 *OTHER FUNDS*

5 *For repayable advances to the Unemployment Trust*
6 *Fund as authorized by sections 905(d) and 1203 of the So-*
7 *cial Security Act, and to the Black Lung Disability Trust*
8 *Fund as authorized by section 9501(c)(1) of the Internal*
9 *Revenue Code of 1986; and for nonrepayable advances to*
10 *the revolving fund established by section 901(e) of the Social*
11 *Security Act, to the Unemployment Trust Fund as author-*
12 *ized by 5 U.S.C. 8509, and to the “Federal Unemployment*
13 *Benefits and Allowances” account, such sums as may be*
14 *necessary, which shall be available for obligation through*
15 *September 30, 2017.*

16 *PROGRAM ADMINISTRATION*

17 *For expenses of administering employment and train-*
18 *ing programs, \$104,577,000, together with not to exceed*
19 *\$49,982,000 which may be expended from the Employment*
20 *Security Administration Account in the Unemployment*
21 *Trust Fund.*

22 *EMPLOYEE BENEFITS SECURITY ADMINISTRATION*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses for the Employee Benefits Secu-*
25 *rity Administration, \$181,000,000.*

1 *PENSION BENEFIT GUARANTY CORPORATION*

2 *PENSION BENEFIT GUARANTY CORPORATION FUND*

3 *The Pension Benefit Guaranty Corporation (“Cor-*
4 *poration”)* is authorized to make such expenditures, includ-
5 *ing financial assistance authorized by subtitle E of title IV*
6 *of the Employee Retirement Income Security Act of 1974,*
7 *within limits of funds and borrowing authority available*
8 *to the Corporation, and in accord with law, and to make*
9 *such contracts and commitments without regard to fiscal*
10 *year limitations, as provided by 31 U.S.C. 9104, as may*
11 *be necessary in carrying out the program, including associ-*
12 *ated administrative expenses, through September 30, 2016,*
13 *for the Corporation: Provided, That none of the funds avail-*
14 *able to the Corporation for fiscal year 2016 shall be avail-*
15 *able for obligations for administrative expenses in excess of*
16 *\$431,799,000: Provided further, That to the extent that the*
17 *number of new plan participants in plans terminated by*
18 *the Corporation exceeds 100,000 in fiscal year 2016, an*
19 *amount not to exceed an additional \$9,200,000 shall be*
20 *available through September 30, 2017, for obligation for ad-*
21 *ministrative expenses for every 20,000 additional termi-*
22 *nated participants: Provided further, That obligations in*
23 *excess of the amounts provided in this paragraph may be*
24 *incurred for unforeseen and extraordinary pretermination*
25 *expenses or extraordinary multiemployer program related*

1 *expenses after approval by the Office of Management and*
2 *Budget and notification of the Committees on Appropria-*
3 *tions of the House of Representatives and the Senate.*

4 *WAGE AND HOUR DIVISION*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses for the Wage and Hour Divi-*
7 *sion, including reimbursement to State, Federal, and local*
8 *agencies and their employees for inspection services ren-*
9 *dered, \$227,500,000.*

10 *OFFICE OF LABOR-MANAGEMENT STANDARDS*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses for the Office of Labor-Manage-*
13 *ment Standards, \$40,593,000.*

14 *OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses for the Office of Federal Con-*
17 *tract Compliance Programs, \$105,476,000.*

18 *OFFICE OF WORKERS' COMPENSATION PROGRAMS*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses for the Office of Workers' Com-*
21 *pensation Programs, \$113,324,000, together with*
22 *\$2,177,000 which may be expended from the Special Fund*
23 *in accordance with sections 39(c), 44(d), and 44(j) of the*
24 *Longshore and Harbor Workers' Compensation Act.*

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

1
2
3 *For the payment of compensation, benefits, and ex-*
4 *penses (except administrative expenses) accruing during the*
5 *current or any prior fiscal year authorized by 5 U.S.C. 81;*
6 *continuation of benefits as provided for under the heading*
7 *“Civilian War Benefits” in the Federal Security Agency*
8 *Appropriation Act, 1947; the Employees’ Compensation*
9 *Commission Appropriation Act, 1944; section 5(f) of the*
10 *War Claims Act (50 U.S.C. App. 2004); obligations in-*
11 *curred under the War Hazards Compensation Act (42*
12 *U.S.C. 1701 et seq.); and 50 percent of the additional com-*
13 *ensation and benefits required by section 10(h) of the*
14 *Longshore and Harbor Workers’ Compensation Act,*
15 *\$210,000,000, together with such amounts as may be nec-*
16 *essary to be charged to the subsequent year appropriation*
17 *for the payment of compensation and other benefits for any*
18 *period subsequent to August 15 of the current year, for de-*
19 *posit into and to assume the attributes of the Employees’*
20 *Compensation Fund established under 5 U.S.C. 8147(a);*
21 *Provided, That amounts appropriated may be used under*
22 *5 U.S.C. 8104 by the Secretary to reimburse an employer,*
23 *who is not the employer at the time of injury, for portions*
24 *of the salary of a re-employed, disabled beneficiary: Pro-*
25 *vided further, That balances of reimbursements unobligated*

1 on September 30, 2015, shall remain available until ex-
2 pended for the payment of compensation, benefits, and ex-
3 penses: Provided further, That in addition there shall be
4 transferred to this appropriation from the Postal Service
5 and from any other corporation or instrumentality required
6 under 5 U.S.C. 8147(c) to pay an amount for its fair share
7 of the cost of administration, such sums as the Secretary
8 determines to be the cost of administration for employees
9 of such fair share entities through September 30, 2016: Pro-
10 vided further, That of those funds transferred to this ac-
11 count from the fair share entities to pay the cost of adminis-
12 tration of the Federal Employees' Compensation Act,
13 \$62,170,000 shall be made available to the Secretary as fol-
14 lows:

15 (1) For enhancement and maintenance of auto-
16 mated data processing systems operations and tele-
17 communications systems, \$21,140,000;

18 (2) For automated workload processing oper-
19 ations, including document imaging, centralized mail
20 intake, and medical bill processing, \$22,968,000;

21 (3) For periodic roll disability management and
22 medical review, \$16,668,000;

23 (4) For program integrity, \$1,394,000; and

24 (5) The remaining funds shall be paid into the
25 Treasury as miscellaneous receipts:

1 *Provided further, That the Secretary may require that any*
2 *person filing a notice of injury or a claim for benefits under*
3 *5 U.S.C. 81, or the Longshore and Harbor Workers' Com-*
4 *pensation Act, provide as part of such notice and claim,*
5 *such identifying information (including Social Security ac-*
6 *count number) as such regulations may prescribe.*

7 *SPECIAL BENEFITS FOR DISABLED COAL MINERS*

8 *For carrying out title IV of the Federal Mine Safety*
9 *and Health Act of 1977, as amended by Public Law 107-*
10 *275, \$69,302,000, to remain available until expended.*

11 *For making after July 31 of the current fiscal year,*
12 *benefit payments to individuals under title IV of such Act,*
13 *for costs incurred in the current fiscal year, such amounts*
14 *as may be necessary.*

15 *For making benefit payments under title IV for the*
16 *first quarter of fiscal year 2017, \$19,000,000, to remain*
17 *available until expended.*

18 *ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES*

19 *OCCUPATIONAL ILLNESS COMPENSATION FUND*

20 *For necessary expenses to administer the Energy Em-*
21 *ployees Occupational Illness Compensation Program Act,*
22 *\$58,552,000, to remain available until expended: Provided,*
23 *That the Secretary may require that any person filing a*
24 *claim for benefits under the Act provide as part of such*

1 *claim such identifying information (including Social Secu-*
2 *rity account number) as may be prescribed.*

3 *BLACK LUNG DISABILITY TRUST FUND*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *Such sums as may be necessary from the Black Lung*
6 *Disability Trust Fund (the “Fund”), to remain available*
7 *until expended, for payment of all benefits authorized by*
8 *section 9501(d)(1), (2), (6), and (7) of the Internal Revenue*
9 *Code of 1986; and repayment of, and payment of interest*
10 *on advances, as authorized by section 9501(d)(4) of that*
11 *Act. In addition, the following amounts may be expended*
12 *from the Fund for fiscal year 2016 for expenses of operation*
13 *and administration of the Black Lung Benefits program,*
14 *as authorized by section 9501(d)(5): not to exceed*
15 *\$35,244,000 for transfer to the Office of Workers’ Compensa-*
16 *tion Programs, “Salaries and Expenses”; not to exceed*
17 *\$30,279,000 for transfer to Departmental Management,*
18 *“Salaries and Expenses”; not to exceed \$327,000 for trans-*
19 *fer to Departmental Management, “Office of Inspector Gen-*
20 *eral”; and not to exceed \$356,000 for payments into mis-*
21 *cellaneous receipts for the expenses of the Department of the*
22 *Treasury.*

1 *OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION*
2 *SALARIES AND EXPENSES*

3 *For necessary expenses for the Occupational Safety*
4 *and Health Administration, \$552,787,000, including not to*
5 *exceed \$100,850,000 which shall be the maximum amount*
6 *available for grants to States under section 23(g) of the Oc-*
7 *cupational Safety and Health Act (the “Act”), which grants*
8 *shall be no less than 50 percent of the costs of State occupa-*
9 *tional safety and health programs required to be incurred*
10 *under plans approved by the Secretary under section 18*
11 *of the Act; and, in addition, notwithstanding 31 U.S.C.*
12 *3302, the Occupational Safety and Health Administration*
13 *may retain up to \$499,000 per fiscal year of training insti-*
14 *tute course tuition and fees, otherwise authorized by law*
15 *to be collected, and may utilize such sums for occupational*
16 *safety and health training and education: Provided, That*
17 *notwithstanding 31 U.S.C. 3302, the Secretary is author-*
18 *ized, during the fiscal year ending September 30, 2016, to*
19 *collect and retain fees for services provided to Nationally*
20 *Recognized Testing Laboratories, and may utilize such*
21 *sums, in accordance with the provisions of 29 U.S.C. 9a,*
22 *to administer national and international laboratory rec-*
23 *ognition programs that ensure the safety of equipment and*
24 *products used by workers in the workplace: Provided fur-*
25 *ther, That none of the funds appropriated under this para-*

1 *graph shall be obligated or expended to prescribe, issue, ad-*
2 *minister, or enforce any standard, rule, regulation, or order*
3 *under the Act which is applicable to any person who is en-*
4 *gaged in a farming operation which does not maintain a*
5 *temporary labor camp and employs 10 or fewer employees:*
6 *Provided further, That no funds appropriated under this*
7 *paragraph shall be obligated or expended to administer or*
8 *enforce any standard, rule, regulation, or order under the*
9 *Act with respect to any employer of 10 or fewer employees*
10 *who is included within a category having a Days Away,*
11 *Restricted, or Transferred (“DART”) occupational injury*
12 *and illness rate, at the most precise industrial classification*
13 *code for which such data are published, less than the na-*
14 *tional average rate as such rates are most recently published*
15 *by the Secretary, acting through the Bureau of Labor Sta-*
16 *tistics, in accordance with section 24 of the Act, except—*
17 *(1) to provide, as authorized by the Act, con-*
18 *sultation, technical assistance, educational and train-*
19 *ing services, and to conduct surveys and studies;*
20 *(2) to conduct an inspection or investigation in*
21 *response to an employee complaint, to issue a citation*
22 *for violations found during such inspection, and to*
23 *assess a penalty for violations which are not corrected*
24 *within a reasonable abatement period and for any*
25 *willful violations found;*

1 (3) to take any action authorized by the Act with
2 respect to imminent dangers;

3 (4) to take any action authorized by the Act with
4 respect to health hazards;

5 (5) to take any action authorized by the Act with
6 respect to a report of an employment accident which
7 is fatal to one or more employees or which results in
8 hospitalization of two or more employees, and to take
9 any action pursuant to such investigation authorized
10 by the Act; and

11 (6) to take any action authorized by the Act with
12 respect to complaints of discrimination against em-
13 ployees for exercising rights under the Act:

14 *Provided further, That the foregoing proviso shall not apply*
15 *to any person who is engaged in a farming operation which*
16 *does not maintain a temporary labor camp and employs*
17 *10 or fewer employees: Provided further, That \$10,537,000*
18 *shall be available for Susan Harwood training grants.*

19 MINE SAFETY AND HEALTH ADMINISTRATION

20 SALARIES AND EXPENSES

21 *For necessary expenses for the Mine Safety and Health*
22 *Administration, \$375,887,000, including purchase and be-*
23 *stowal of certificates and trophies in connection with mine*
24 *rescue and first-aid work, and the hire of passenger motor*
25 *vehicles, including up to \$2,000,000 for mine rescue and*

1 *recovery activities and not less than \$8,441,000 for State*
2 *assistance grants: Provided, That notwithstanding 31*
3 *U.S.C. 3302, not to exceed \$750,000 may be collected by*
4 *the National Mine Health and Safety Academy for room,*
5 *board, tuition, and the sale of training materials, otherwise*
6 *authorized by law to be collected, to be available for mine*
7 *safety and health education and training activities: Pro-*
8 *vided further, That notwithstanding 31 U.S.C. 3302, the*
9 *Mine Safety and Health Administration is authorized to*
10 *collect and retain up to \$2,499,000 from fees collected for*
11 *the approval and certification of equipment, materials, and*
12 *explosives for use in mines, and may utilize such sums for*
13 *such activities: Provided further, That the Secretary is au-*
14 *thorized to accept lands, buildings, equipment, and other*
15 *contributions from public and private sources and to pros-*
16 *ecute projects in cooperation with other agencies, Federal,*
17 *State, or private: Provided further, That the Mine Safety*
18 *and Health Administration is authorized to promote health*
19 *and safety education and training in the mining commu-*
20 *nity through cooperative programs with States, industry,*
21 *and safety associations: Provided further, That the Sec-*
22 *retary is authorized to recognize the Joseph A. Holmes Safe-*
23 *ty Association as a principal safety association and, not-*
24 *withstanding any other provision of law, may provide*
25 *funds and, with or without reimbursement, personnel, in-*

1 *cluding service of Mine Safety and Health Administration*
2 *officials as officers in local chapters or in the national orga-*
3 *nization: Provided further, That any funds available to the*
4 *Department of Labor may be used, with the approval of*
5 *the Secretary, to provide for the costs of mine rescue and*
6 *survival operations in the event of a major disaster.*

7 *BUREAU OF LABOR STATISTICS*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses for the Bureau of Labor Statis-*
10 *tics, including advances or reimbursements to State, Fed-*
11 *eral, and local agencies and their employees for services ren-*
12 *dered, \$544,000,000, together with not to exceed \$65,000,000*
13 *which may be expended from the Employment Security Ad-*
14 *ministration account in the Unemployment Trust Fund.*

15 *OFFICE OF DISABILITY EMPLOYMENT POLICY*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses for the Office of Disability Em-*
18 *ployment Policy to provide leadership, develop policy and*
19 *initiatives, and award grants furthering the objective of*
20 *eliminating barriers to the training and employment of*
21 *people with disabilities, \$38,203,000.*

1 *DEPARTMENTAL MANAGEMENT*2 *SALARIES AND EXPENSES*3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For necessary expenses for Departmental Management,*
5 *including the hire of three passenger motor vehicles,*
6 *\$334,065,000, together with not to exceed \$308,000, which*
7 *may be expended from the Employment Security Adminis-*
8 *tration account in the Unemployment Trust Fund: Pro-*
9 *vided, That \$59,825,000 for the Bureau of International*
10 *Labor Affairs shall be available for obligation through De-*
11 *cember 31, 2016: Provided further, That funds available to*
12 *the Bureau of International Labor Affairs may be used to*
13 *administer or operate international labor activities, bilat-*
14 *eral and multilateral technical assistance, and micro-*
15 *finance programs, by or through contracts, grants, sub-*
16 *grants and other arrangements: Provided further, That not*
17 *more than \$53,825,000 shall be for programs to combat ex-*
18 *ploitative child labor internationally and not less than*
19 *\$6,000,000 shall be used to implement model programs that*
20 *address worker rights issues through technical assistance in*
21 *countries with which the United States has free trade agree-*
22 *ments or trade preference programs: Provided further, That*
23 *\$8,040,000 shall be used for program evaluation and shall*
24 *be available for obligation through September 30, 2017:*
25 *Provided further, That funds available for program evalua-*

1 *tion may be used to administer grants for the purpose of*
2 *evaluation: Provided further, That grants made for the pur-*
3 *pose of evaluation shall be awarded through fair and open*
4 *competition: Provided further, That funds available for pro-*
5 *gram evaluation may be transferred to any other appro-*
6 *priate account in the Department for such purpose: Pro-*
7 *vided further, That the Committees on Appropriations of*
8 *the House of Representatives and the Senate are notified*
9 *at least 15 days in advance of any transfer: Provided fur-*
10 *ther, That the funds available to the Women's Bureau may*
11 *be used for grants to serve and promote the interests of*
12 *women in the workforce.*

13 *VETERANS EMPLOYMENT AND TRAINING*

14 *Not to exceed \$233,001,000 may be derived from the*
15 *Employment Security Administration account in the Un-*
16 *employment Trust Fund to carry out the provisions of*
17 *chapters 41, 42, and 43 of title 38, United States Code, of*
18 *which:*

19 *(1) \$175,000,000 is for Jobs for Veterans State*
20 *grants under 38 U.S.C. 4102A(b)(5) to support dis-*
21 *abled veterans' outreach program specialists under*
22 *section 4103A of such title and local veterans' employ-*
23 *ment representatives under section 4104(b) of such*
24 *title, and for the expenses described in section*
25 *4102A(b)(5)(C), which shall be available for obliga-*

1 *tion by the States through December 31, 2016, and*
2 *not to exceed 3 percent for the necessary Federal ex-*
3 *penditures for data systems and contract support to*
4 *allow for the tracking of participant and performance*
5 *information: Provided, That, in addition, such funds*
6 *may be used to support such specialists and rep-*
7 *resentatives in the provision of services to*
8 *transitioning members of the Armed Forces who have*
9 *participated in the Transition Assistance Program*
10 *and have been identified as in need of intensive serv-*
11 *ices, to members of the Armed Forces who are wound-*
12 *ed, ill, or injured and receiving treatment in military*
13 *treatment facilities or warrior transition units, and*
14 *to the spouses or other family caregivers of such*
15 *wounded, ill, or injured members;*

16 *(2) \$14,100,000 is for carrying out the Transi-*
17 *tion Assistance Program under 38 U.S.C. 4113 and*
18 *10 U.S.C. 1144;*

19 *(3) \$40,487,000 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 *\$38,109,000 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, 2016, 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, \$29,778,000.*

21 *OFFICE OF INSPECTOR GENERAL*

22 *For salaries and expenses of the Office of Inspector*
23 *General in carrying out the provisions of the Inspector Gen-*
24 *eral Act of 1978, \$80,640,000, together with not to exceed*
25 *\$5,660,000 which may be expended from the Employment*

1 *Security Administration account in the Unemployment*
2 *Trust Fund.*

3 *GENERAL PROVISIONS*

4 *SEC. 101. None of the funds appropriated by this Act*
5 *for the Job Corps shall be used to pay the salary and bo-*
6 *nuses of an individual, either as direct costs or any prora-*
7 *tion as an indirect cost, at a rate in excess of Executive*
8 *Level II.*

9 *(TRANSFER OF FUNDS)*

10 *SEC. 102. Not to exceed 1 percent of any discretionary*
11 *funds (pursuant to the Balanced Budget and Emergency*
12 *Deficit Control Act of 1985) which are appropriated for the*
13 *current fiscal year for the Department of Labor in this Act*
14 *may be transferred between a program, project, or activity,*
15 *but no such program, project, or activity shall be increased*
16 *by more than 3 percent by any such transfer: Provided,*
17 *That the transfer authority granted by this section shall not*
18 *be used to create any new program or to fund any project*
19 *or activity for which no funds are provided in this Act:*
20 *Provided further, That the Committees on Appropriations*
21 *of the House of Representatives and the Senate are notified*
22 *at least 15 days in advance of any transfer.*

23 *SEC. 103. In accordance with Executive Order 13126,*
24 *none of the funds appropriated or otherwise made available*
25 *pursuant to this Act shall be obligated or expended for the*

1 *procurement of goods mined, produced, manufactured, or*
2 *harvested or services rendered, in whole or in part, by forced*
3 *or indentured child labor in industries and host countries*
4 *already identified by the United States Department of*
5 *Labor prior to enactment of this Act.*

6 *SEC. 104. Except as otherwise provided in this section,*
7 *none of the funds made available to the Department of*
8 *Labor for grants under section 414(c) of the American Com-*
9 *petitiveness and Workforce Improvement Act of 1998 (29*
10 *U.S.C. 2916a) may be used for any purpose other than com-*
11 *petitive grants for training individuals who are older than*
12 *16 years of age and are not currently enrolled in school*
13 *within a local educational agency in the occupations and*
14 *industries for which employers are using H-1B visas to*
15 *hire foreign workers, and the related activities necessary to*
16 *support such training: Provided, That up to \$13,000,000*
17 *of such funds shall be available for obligation through Sep-*
18 *tember 30, 2017 to process permanent foreign labor certifi-*
19 *cations under section 212(a)(5)(A) of the Immigration and*
20 *Nationality Act (8 U.S.C. 1182(a)(5)(A)): Provided further,*
21 *That the funding limitation under this section shall not*
22 *apply to funding provided pursuant to solicitations for*
23 *grant applications issued before January 15, 2014.*

24 *SEC. 105. None of the funds made available by this*
25 *Act under the heading “Employment and Training Admin-*

1 *istration” shall be used by a recipient or subrecipient of*
2 *such funds to pay the salary and bonuses of an individual,*
3 *either as direct costs or indirect costs, at a rate in excess*
4 *of Executive Level II. This limitation shall not apply to*
5 *vendors providing goods and services as defined in Office*
6 *of Management and Budget Circular A-133. Where States*
7 *are recipients of such funds, States may establish a lower*
8 *limit for salaries and bonuses of those receiving salaries and*
9 *bonuses from subrecipients of such funds, taking into ac-*
10 *count factors including the relative cost-of-living in the*
11 *State, the compensation levels for comparable State or local*
12 *government employees, and the size of the organizations*
13 *that administer Federal programs involved including Em-*
14 *ployment and Training Administration programs.*

15 *(TRANSFER OF FUNDS)*

16 *SEC. 106. Notwithstanding section 102, the Secretary*
17 *may transfer funds made available to the Employment and*
18 *Training Administration by this Act, either directly or*
19 *through a set-aside, for technical assistance services to*
20 *grantees to “Program Administration” when it is deter-*
21 *mined that those services will be more efficiently performed*
22 *by Federal employees: Provided, That this section shall not*
23 *apply to section 171 of the WIOA.*

(TRANSFER OF FUNDS)

1
2 *SEC. 107. (a) The Secretary may reserve not more*
3 *than 0.75 percent from each appropriation made available*
4 *in this Act identified in subsection (b) in order to carry*
5 *out evaluations of any of the programs or activities that*
6 *are funded under such accounts. Any funds reserved under*
7 *this section shall be transferred to “Departmental Manage-*
8 *ment” for use by the Office of the Chief Evaluation Officer*
9 *within the Department of Labor, and shall be available for*
10 *obligation through September 30, 2017: Provided, That such*
11 *funds shall only be available if the Chief Evaluation Officer*
12 *of the Department of Labor submits a plan to the Commit-*
13 *tees on Appropriations of the House of Representatives and*
14 *the Senate describing the evaluations to be carried out 15*
15 *days in advance of any transfer.*

16 *(b) The accounts referred to in subsection (a) are:*
17 *“Training and Employment Services”, “Job Corps”, “Com-*
18 *munity Service Employment for Older Americans”, “State*
19 *Unemployment Insurance and Employment Service Oper-*
20 *ations”, “Employee Benefits Security Administration”,*
21 *“Office of Workers’ Compensation Programs”, “Wage and*
22 *Hour Division”, “Office of Federal Contract Compliance*
23 *Programs”, “Office of Labor Management Standards”, “Oc-*
24 *cupational Safety and Health Administration”, “Mine*
25 *Safety and Health Administration”, “Office of Disability*

1 *Employment Policy*”, funding made available to the “Bu-
2 *reau of International Labor Affairs*” and “*Women’s Bu-*
3 *reau*” within the “*Departmental Management, Salaries and*
4 *Expenses*” account, and “*Veterans Employment and Train-*
5 *ing*”.

6 *SEC. 108. (a) Section 7 of the Fair Labor Standards*
7 *Act of 1938 (29 U.S.C. 207) shall be applied as if the fol-*
8 *lowing text is part of such section:*

9 “(s)(1) *The provisions of this section shall not apply*
10 *for a period of 2 years after the occurrence of a major dis-*
11 *aster to any employee—*

12 “(A) *employed to adjust or evaluate claims re-*
13 *sulting from or relating to such major disaster, by an*
14 *employer not engaged, directly or through an affiliate,*
15 *in underwriting, selling, or marketing property, cas-*
16 *ualty, or liability insurance policies or contracts;*

17 “(B) *who receives from such employer on average*
18 *weekly compensation of not less than \$591.00 per*
19 *week or any minimum weekly amount established by*
20 *the Secretary, whichever is greater, for the number of*
21 *weeks such employee is engaged in any of the activi-*
22 *ties described in subparagraph (C); and*

23 “(C) *whose duties include any of the following:*

24 “(i) *interviewing insured individuals, indi-*
25 *viduals who suffered injuries or other damages or*

1 *losses arising from or relating to a disaster, wit-*
2 *nesses, or physicians;*

3 *“(ii) inspecting property damage or review-*
4 *ing factual information to prepare damage esti-*
5 *mates;*

6 *“(iii) evaluating and making recommenda-*
7 *tions regarding coverage or compensability of*
8 *claims or determining liability or value aspects*
9 *of claims;*

10 *“(iv) negotiating settlements; or*

11 *“(v) making recommendations regarding*
12 *litigation.*

13 *“(2) The exemption in this subsection shall not affect*
14 *the exemption provided by section 13(a)(1).*

15 *“(3) For purposes of this subsection—*

16 *“(A) the term ‘major disaster’ means any dis-*
17 *aster or catastrophe declared or designated by any*
18 *State or Federal agency or department;*

19 *“(B) the term ‘employee employed to adjust or*
20 *evaluate claims resulting from or relating to such*
21 *major disaster’ means an individual who timely se-*
22 *cured or secures a license required by applicable law*
23 *to engage in and perform the activities described in*
24 *clauses (i) through (v) of paragraph (1)(C) relating to*
25 *a major disaster, and is employed by an employer*

1 *that maintains worker compensation insurance cov-*
2 *erage or protection for its employees, if required by*
3 *applicable law, and withholds applicable Federal,*
4 *State, and local income and payroll taxes from the*
5 *wages, salaries and any benefits of such employees;*
6 *and*

7 “(C) *the term ‘affiliate’ means a company that,*
8 *by reason of ownership or control of 25 percent or*
9 *more of the outstanding shares of any class of voting*
10 *securities of one or more companies, directly or indi-*
11 *rectly, controls, is controlled by, or is under common*
12 *control with, another company.”.*

13 *(b) This section shall be effective on the date of enact-*
14 *ment of this Act.*

15 *SEC. 109. Notwithstanding any other provision of law,*
16 *beginning October 1, 2015, the Secretary of Labor, in con-*
17 *sultation with the Secretary of Agriculture may select an*
18 *entity to operate a Civilian Conservation Center on a com-*
19 *petitive basis in accordance with section 147 of the WIOA,*
20 *if the Secretary of Labor determines such Center has had*
21 *consistently low performance under the performance ac-*
22 *countability system in effect for the Job Corps program*
23 *prior to July 1, 2016, or with respect to expected levels of*
24 *performance established under section 159(c) of such Act be-*
25 *ginning July 1, 2016.*

1 *SEC. 110. None of the funds made available by this*
2 *Act may be used to implement, administer, or enforce the*
3 *Establishing a Minimum Wage for Contractors regulation*
4 *published by the Department of Labor in the Federal Reg-*
5 *ister on October 7, 2014 (79 Fed. Reg. 60634 et seq.), with*
6 *respect to Federal contracts, permits, or other contract-like*
7 *instruments entered into with the Federal Government in*
8 *connection with Federal property or lands, specifically re-*
9 *lated to offering seasonal recreational services or seasonal*
10 *recreation equipment rental for the general public: Pro-*
11 *vided, That this section shall not apply to lodging and food*
12 *services associated with seasonal recreation services.*

13 *SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE*
14 *CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE*
15 *SEAFOOD INDUSTRY.—*

16 (1) *IN GENERAL.—Subject to paragraph (2), if a*
17 *petition for H-2B nonimmigrants filed by an em-*
18 *ployer in the seafood industry is granted, the em-*
19 *ployer may bring the nonimmigrants described in the*
20 *petition into the United States at any time during*
21 *the 120-day period beginning on the start date for*
22 *which the employer is seeking the services of the non-*
23 *immigrants without filing another petition.*

24 (2) *REQUIREMENTS FOR CROSSINGS AFTER 90TH*
25 *DAY.—An employer in the seafood industry may not*

1 bring *H–2B* nonimmigrants into the United States
2 after the date that is 90 days after the start date for
3 which the employer is seeking the services of the non-
4 immigrants unless the employer—

5 (A) completes a new assessment of the local
6 labor market by—

7 (i) listing job orders in local news-
8 papers on 2 separate Sundays; and

9 (ii) posting the job opportunity on the
10 appropriate Department of Labor Elec-
11 tronic Job Registry and at the employer’s
12 place of employment; and

13 (B) offers the job to an equally or better
14 qualified United States worker who—

15 (i) applies for the job; and

16 (ii) will be available at the time and
17 place of need.

18 (3) *EXEMPTION FROM RULES WITH RESPECT TO*
19 *STAGGERING.*—The Secretary of Labor shall not con-
20 sider an employer in the seafood industry who brings
21 *H–2B* nonimmigrants into the United States during
22 the 120-day period specified in paragraph (1) to be
23 staggering the date of need in violation of section
24 655.20(d) of title 20, Code of Federal Regulations, or
25 any other applicable provision of law.

1 **(b) H-2B NONIMMIGRANTS DEFINED.**—*In this section,*
2 *the term “H-2B nonimmigrants” means aliens admitted*
3 *to the United States pursuant to section*
4 *101(a)(15)(H)(ii)(B) of the Immigration and Nationality*
5 *Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).*

6 **SEC. 112.** *The determination of prevailing wage for*
7 *the purposes of the H-2B program shall be the greater of—*
8 *(1) the actual wage level paid by the employer to other em-*
9 *ployees with similar experience and qualifications for such*
10 *position in the same location; or (2) the prevailing wage*
11 *level for the occupational classification of the position in*
12 *the geographic area in which the H-2B nonimmigrant will*
13 *be employed, based on the best information available at the*
14 *time of filing the petition. In the determination of pre-*
15 *vailing wage for the purposes of the H-2B program, the*
16 *Secretary shall accept private wage surveys even in in-*
17 *stances where Occupational Employment Statistics survey*
18 *data are available unless the Secretary determines that the*
19 *methodology and data in the provided survey are not statis-*
20 *tically supported.*

21 **SEC. 113.** *None of the funds in this Act shall be used*
22 *to enforce the definition of corresponding employment found*
23 *in 20 CFR 655.5 or the three-fourths guarantee rule defini-*
24 *tion found in 20 CFR 655.20, or any references thereto.*
25 *Further, for the purpose of regulating admission of tem-*

1 *porary workers under the H-2B program, the definition of*
2 *temporary need shall be that provided in 8 CFR*
3 *214.2(h)(6)(ii)(B).*

4 *SEC. 114. None of the funds in this Act shall be used*
5 *to implement 20 CFR 655.70 and 20 CFR 655.71.*

6 *This title may be cited as the “Department of Labor*
7 *Appropriations Act, 2016”.*

8 *TITLE II*

9 *DEPARTMENT OF HEALTH AND HUMAN*

10 *SERVICES*

11 *HEALTH RESOURCES AND SERVICES ADMINISTRATION*

12 *PRIMARY HEALTH CARE*

13 *For carrying out titles II and III of the Public Health*
14 *Service Act (referred to in this Act as the “PHS Act”) with*
15 *respect to primary health care and the Native Hawaiian*
16 *Health Care Act of 1988, \$1,491,522,000 (in addition to*
17 *the \$3,600,000,000 previously appropriated to the Commu-*
18 *nity Health Center Fund for fiscal year 2016): Provided,*
19 *That no more than \$100,000 shall be available until ex-*
20 *pended for carrying out the provisions of section 224(o) of*
21 *the PHS Act: Provided further, That no more than*
22 *\$99,893,000 shall be available until expended for carrying*
23 *out the provisions of Public Law 104–73 and for expenses*
24 *incurred by the Department of Health and Human Services*
25 *(referred to in this Act as “HHS”) pertaining to adminis-*

1 *trative claims made under such law: Provided further, That*
2 *of funds provided for the Health Centers program, as de-*
3 *finied by section 330 of the PHS Act, by this Act or any*
4 *other Act for fiscal year 2016, not less than \$200,000,000*
5 *shall be obligated in fiscal year 2016 to support new access*
6 *points, grants to expand medical services, behavioral health,*
7 *oral health, pharmacy, or vision services, and not less than*
8 *\$150,000,000 shall be obligated in fiscal year 2016 for con-*
9 *struction and capital improvement costs: Provided further,*
10 *That the time limitation in section 330(e)(3) of the PHS*
11 *Act shall not apply in fiscal year 2016.*

12 *HEALTH WORKFORCE*

13 *For carrying out titles III, VII, and VIII of the PHS*
14 *Act with respect to the health workforce, section 1128E of*
15 *the Social Security Act, and the Health Care Quality Im-*
16 *provement Act of 1986, \$786,895,000: Provided, That sec-*
17 *tions 747(c)(2), 751(j)(2), 762(k), and the proportional*
18 *funding amounts in paragraphs (1) through (4) of section*
19 *756(e) of the PHS Act shall not apply to funds made avail-*
20 *able under this heading: Provided further, That for any pro-*
21 *gram operating under section 751 of the PHS Act on or*
22 *before January 1, 2009, the Secretary of Health and*
23 *Human Services (referred to in this title as the “Sec-*
24 *retary”)* may hereafter waive any of the requirements con-
25 *tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such*

1 *Act for the full project period of a grant under such section:*
2 *Provided further, That no funds shall be available for sec-*
3 *tion 340G–1 of the PHS Act: Provided further, That fees*
4 *collected for the disclosure of information under section*
5 *427(b) of the Health Care Quality Improvement Act of 1986*
6 *and sections 1128E(d)(2) and 1921 of the Social Security*
7 *Act shall be sufficient to recover the full costs of operating*
8 *the programs authorized by such sections and shall remain*
9 *available until expended for the National Practitioner Data*
10 *Bank: Provided further, That funds transferred to this ac-*
11 *count to carry out section 846 and subpart 3 of part D*
12 *of title III of the PHS Act may be used to make prior year*
13 *adjustments to awards made under such sections.*

14 *MATERNAL AND CHILD HEALTH*

15 *For carrying out titles III, XI, XII, and XIX of the*
16 *PHS Act with respect to maternal and child health, title*
17 *V of the Social Security Act, and section 712 of the Amer-*
18 *ican Jobs Creation Act of 2004, \$845,117,000: Provided,*
19 *That notwithstanding sections 502(a)(1) and 502(b)(1) of*
20 *the Social Security Act, not more than \$77,093,000 shall*
21 *be available for carrying out special projects of regional and*
22 *national significance pursuant to section 501(a)(2) of such*
23 *Act and \$10,276,000 shall be available for projects described*
24 *in subparagraphs (A) through (F) of section 501(a)(3) of*
25 *such Act.*

1 *RYAN WHITE HIV/AIDS PROGRAM*

2 *For carrying out title XXVI of the PHS Act with re-*
3 *spect to the Ryan White HIV/AIDS program,*
4 *\$2,322,781,000, of which \$1,970,881,000 shall remain*
5 *available to the Secretary through September 30, 2018, for*
6 *parts A and B of title XXVI of the PHS Act, and of which*
7 *not less than \$900,313,000 shall be for State AIDS Drug*
8 *Assistance Programs under the authority of section 2616*
9 *or 311(c) of such Act.*

10 *HEALTH CARE SYSTEMS*

11 *For carrying out titles III and XII of the PHS Act*
12 *with respect to health care systems, and the Stem Cell*
13 *Therapeutic and Research Act of 2005, \$103,193,000, of*
14 *which \$122,000 shall be available until expended for facili-*
15 *ties renovations at the Gillis W. Long Hansen's Disease*
16 *Center.*

17 *RURAL HEALTH*

18 *For carrying out titles III and IV of the PHS Act with*
19 *respect to rural health, section 427(a) of the Federal Coal*
20 *Mine Health and Safety Act of 1969, and sections 711 and*
21 *1820 of the Social Security Act, \$149,571,000, of which*
22 *\$41,609,000 from general revenues, notwithstanding section*
23 *1820(j) of the Social Security Act, shall be available for*
24 *carrying out the Medicare rural hospital flexibility grants*
25 *program: Provided, That of the funds made available under*

1 *this heading for Medicare rural hospital flexibility grants,*
2 *\$14,942,000 shall be available for the Small Rural Hospital*
3 *Improvement Grant Program for quality improvement and*
4 *adoption of health information technology and up to*
5 *\$1,000,000 shall be to carry out section 1820(g)(6) of the*
6 *Social Security Act, with funds provided for grants under*
7 *section 1820(g)(6) available for the purchase and imple-*
8 *mentation of telehealth services, including pilots and dem-*
9 *onstrations on the use of electronic health records to coordi-*
10 *nate rural veterans care between rural providers and the*
11 *Department of Veterans Affairs electronic health record sys-*
12 *tem: Provided further, That notwithstanding section*
13 *338J(k) of the PHS Act, \$9,511,000 shall be available for*
14 *State Offices of Rural Health.*

15 *FAMILY PLANNING*

16 *For carrying out the program under title X of the PHS*
17 *Act to provide for voluntary family planning projects,*
18 *\$286,479,000: Provided, That amounts provided to said*
19 *projects under such title shall not be expended for abortions,*
20 *that all pregnancy counseling shall be nondirective, and*
21 *that such amounts shall not be expended for any activity*
22 *(including the publication or distribution of literature) that*
23 *in any way tends to promote public support or opposition*
24 *to any legislative proposal or candidate for public office.*

1 *HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED*
2 *DISEASES, AND TUBERCULOSIS PREVENTION*

3 *For carrying out titles II, III, XVII, and XXIII of the*
4 *PHS Act with respect to HIV/AIDS, viral hepatitis, sexu-*
5 *ally transmitted diseases, and tuberculosis prevention,*
6 *\$1,122,278,000.*

7 *EMERGING AND ZOOONOTIC INFECTIOUS DISEASES*

8 *For carrying out titles II, III, and XVII, and section*
9 *2821 of the PHS Act, titles II and IV of the Immigration*
10 *and Nationality Act, and section 501 of the Refugee Edu-*
11 *cation Assistance Act, with respect to emerging and zoonotic*
12 *infectious diseases, \$527,885,000.*

13 *CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION*

14 *For carrying out titles II, III, XI, XV, XVII, and XIX*
15 *of the PHS Act with respect to chronic disease prevention*
16 *and health promotion, \$838,146,000: Provided, That funds*
17 *appropriated under this account may be available for mak-*
18 *ing grants under section 1509 of the PHS Act for not less*
19 *than 21 States, tribes, or tribal organizations: Provided fur-*
20 *ther, That of the funds available under this heading,*
21 *\$10,000,000 shall be available to continue and expand com-*
22 *munity specific extension and outreach programs to combat*
23 *obesity in counties with the highest levels of obesity: Pro-*
24 *vided further, That the proportional funding requirements*

1 *under section 1503(a) of the PHS Act shall not apply to*
2 *funds made available under this heading.*

3 *BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,*
4 *DISABILITIES AND HEALTH*

5 *For carrying out titles II, III, XI, and XVII of the*
6 *PHS Act with respect to birth defects, developmental dis-*
7 *abilities, disabilities and health, \$135,610,000.*

8 *PUBLIC HEALTH SCIENTIFIC SERVICES*

9 *For carrying out titles II, III, and XVII of the PHS*
10 *Act with respect to health statistics, surveillance, health*
11 *informatics, and workforce development, \$491,597,000.*

12 *ENVIRONMENTAL HEALTH*

13 *For carrying out titles II, III, and XVII of the PHS*
14 *Act with respect to environmental health, \$165,303,000.*

15 *INJURY PREVENTION AND CONTROL*

16 *For carrying out titles II, III, and XVII of the PHS*
17 *Act with respect to injury prevention and control,*
18 *\$236,059,000: Provided, That of the funds provided under*
19 *this heading, \$70,000,000 shall be available for an evidence-*
20 *based opioid drug overdose prevention program.*

21 *NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND*
22 *HEALTH*

23 *For carrying out titles II, III, and XVII of the PHS*
24 *Act, sections 101, 102, 103, 201, 202, 203, 301, and 501*
25 *of the Federal Mine Safety and Health Act, section 13 of*

1 *the Mine Improvement and New Emergency Response Act,*
2 *and sections 20, 21, and 22 of the Occupational Safety and*
3 *Health Act, with respect to occupational safety and health,*
4 *\$339,121,000.*

5 *ENERGY EMPLOYEES OCCUPATIONAL ILLNESS*

6 *COMPENSATION PROGRAM*

7 *For necessary expenses to administer the Energy Em-*
8 *ployees Occupational Illness Compensation Program Act,*
9 *\$55,358,000, to remain available until expended: Provided,*
10 *That this amount shall be available consistent with the pro-*
11 *vision regarding administrative expenses in section 151(b)*
12 *of division B, title I of Public Law 106–554.*

13 *GLOBAL HEALTH*

14 *For carrying out titles II, III, and XVII of the PHS*
15 *Act with respect to global health, \$427,121,000, of which*
16 *\$128,421,000 for international HIV/AIDS shall remain*
17 *available through September 30, 2017: Provided, That funds*
18 *may be used for purchase and insurance of official motor*
19 *vehicles in foreign countries.*

20 *PUBLIC HEALTH PREPAREDNESS AND RESPONSE*

21 *For carrying out titles II, III, and XVII of the PHS*
22 *Act with respect to public health preparedness and response,*
23 *and for expenses necessary to support activities related to*
24 *countering potential biological, nuclear, radiological, and*
25 *chemical threats to civilian populations, \$1,405,000,000, of*

1 *which \$575,000,000 shall remain available until expended*
2 *for the Strategic National Stockpile: Provided, That in the*
3 *event the Director of the CDC activates the Emergency Op-*
4 *erations Center, the Director of the CDC may detail CDC*
5 *staff without reimbursement for up to 90 days to support*
6 *the work of the CDC Emergency Operations Center, so long*
7 *as the Director provides a notice to the Committees on Ap-*
8 *propriations of the House of Representatives and the Senate*
9 *within 15 days of the use of this authority and a full report*
10 *within 30 days after use of this authority which includes*
11 *the number of staff and funding level broken down by the*
12 *originating center and number of days detailed: Provided*
13 *further, That funds appropriated under this heading may*
14 *be used to support a contract for the operation and mainte-*
15 *nance of an aircraft in direct support of activities through-*
16 *out CDC to ensure the agency is prepared to address public*
17 *health preparedness emergencies.*

18 *BUILDINGS AND FACILITIES*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For acquisition of real property, equipment, construc-*
21 *tion, demolition, and renovation of facilities, \$10,000,000,*
22 *which shall remain available until September 30, 2020:*
23 *Provided, That funds previously set-aside by CDC for re-*
24 *pair and upgrade of the Lake Lynn Experimental Mine*
25 *and Laboratory shall be used to acquire a replacement mine*

1 *safety research facility: Provided further, That in addition,*
2 *the prior year unobligated balance of any amounts assigned*
3 *to former employees in accounts of CDC made available for*
4 *Individual Learning Accounts shall be credited to and*
5 *merged with the amounts made available under this head-*
6 *ing to support the replacement of the mine safety research*
7 *facility.*

8 *CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT*

9 *For carrying out titles II, III, XVII and XIX, and*
10 *section 2821 of the PHS Act and for cross-cutting activities*
11 *and program support for activities funded in other appro-*
12 *priations included in this Act for the Centers for Disease*
13 *Control and Prevention, \$113,570,000: Provided, That*
14 *paragraphs (1) through (3) of subsection (b) of section 2821*
15 *of the PHS Act shall not apply to funds appropriated under*
16 *this heading and in all other accounts of the CDC: Provided*
17 *further, That employees of CDC or the Public Health Serv-*
18 *ice, both civilian and commissioned officers, detailed to*
19 *States, municipalities, or other organizations under author-*
20 *ity of section 214 of the PHS Act, or in overseas assign-*
21 *ments, shall be treated as non-Federal employees for report-*
22 *ing purposes only and shall not be included within any*
23 *personnel ceiling applicable to the Agency, Service, or HHS*
24 *during the period of detail or assignment: Provided further,*
25 *That CDC may use up to \$10,000 from amounts appro-*

1 *priated to CDC in this Act for official reception and rep-*
2 *resentation expenses when specifically approved by the Di-*
3 *rector of CDC: Provided further, That in addition, such*
4 *sums as may be derived from authorized user fees, which*
5 *shall be credited to the appropriation charged with the cost*
6 *thereof: Provided further, That with respect to the previous*
7 *proviso, authorized user fees from the Vessel Sanitation Pro-*
8 *gram and the Respirator Certification Program shall be*
9 *available through September 30, 2017.*

10 *NATIONAL INSTITUTES OF HEALTH*

11 *NATIONAL CANCER INSTITUTE*

12 *For carrying out section 301 and title IV of the PHS*
13 *Act with respect to cancer, \$5,214,701,000, of which up to*
14 *\$16,000,000 may be used for facilities repairs and improve-*
15 *ments at the National Cancer Institute—Frederick Feder-*
16 *ally Funded Research and Development Center in Fred-*
17 *erick, Maryland.*

18 *NATIONAL HEART, LUNG, AND BLOOD INSTITUTE*

19 *For carrying out section 301 and title IV of the PHS*
20 *Act with respect to cardiovascular, lung, and blood diseases,*
21 *and blood and blood products, \$3,115,538,000.*

1 *not less than \$320,840,000 is provided for the Institutional*
2 *Development Awards program.*

3 *EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD*
4 *HEALTH AND HUMAN DEVELOPMENT*

5 *For carrying out section 301 and title IV of the PHS*
6 *Act with respect to child health and human development,*
7 *\$1,339,802,000.*

8 *NATIONAL EYE INSTITUTE*

9 *For carrying out section 301 and title IV of the PHS*
10 *Act with respect to eye diseases and visual disorders,*
11 *\$715,903,000.*

12 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*
13 *SCIENCES*

14 *For carrying out section 301 and title IV of the PHS*
15 *Act with respect to environmental health sciences,*
16 *\$693,702,000.*

17 *NATIONAL INSTITUTE ON AGING*

18 *For carrying out section 301 and title IV of the PHS*
19 *Act with respect to aging, \$1,600,191,000.*

20 *NATIONAL INSTITUTE OF ARTHRITIS AND*
21 *MUSCULOSKELETAL AND SKIN DISEASES*

22 *For carrying out section 301 and title IV of the PHS*
23 *Act with respect to arthritis and musculoskeletal and skin*
24 *diseases, \$542,141,000.*

1 *That NIH shall submit a spend plan on the next phase of*
2 *the study in the previous proviso to the Committees on Ap-*
3 *propriations of the House of Representatives and the Senate*
4 *not later than 90 days after the date of enactment of this*
5 *Act: Provided further, That \$663,039,000 shall be available*
6 *for the Common Fund established under section 402A(c)(1)*
7 *of the PHS Act: Provided further, That of the funds pro-*
8 *vided, \$10,000 shall be for official reception and representa-*
9 *tion expenses when specifically approved by the Director*
10 *of the NIH: Provided further, That the Office of AIDS Re-*
11 *search within the Office of the Director of the NIH may*
12 *spend up to \$8,000,000 to make grants for construction or*
13 *renovation of facilities as provided for in section*
14 *2354(a)(5)(B) of the PHS Act: Provided further, That up*
15 *to \$130,000,000 of the funds provided to the Common Fund*
16 *are available to support the trans-NIH Precision Medicine*
17 *Initiative: Provided further, That of the amount provided*
18 *to the NIH, the Director of the NIH shall enter into an*
19 *agreement with the National Academy of Sciences, as part*
20 *of the studies conducted under section 489 of the PHS Act,*
21 *to conduct a comprehensive study on policies affecting the*
22 *next generation of researchers in the United States: Pro-*
23 *vided further, That, of the funds from Institute, Center, and*
24 *Office of the Director accounts within “Department of*
25 *Health and Human Services, National Institutes of*

1 *Health,” in order to strengthen privacy protections for*
2 *human research participants, NIH shall require investiga-*
3 *tors receiving NIH funding for new and competing research*
4 *projects designed to generate and analyze large volumes of*
5 *data derived from human research participants to obtain*
6 *a certificate of confidentiality.*

7 *In addition to other funds appropriated for the Com-*
8 *mon Fund established under section 402A(c) of the PHS*
9 *Act, \$12,600,000 is appropriated to the Common Fund*
10 *from the 10-year Pediatric Research Initiative Fund de-*
11 *scribed in section 9008 of title 26, United States Code, for*
12 *the purpose of carrying out section 402(b)(7)(B)(ii) of the*
13 *PHS Act (relating to pediatric research), as authorized in*
14 *the Gabriella Miller Kids First Research Act.*

15 *BUILDINGS AND FACILITIES*

16 *For the study of, construction of, renovation of, and*
17 *acquisition of equipment for, facilities of or used by NIH,*
18 *including the acquisition of real property, \$128,863,000, to*
19 *remain available through September 30, 2020.*

20 *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*

21 *ADMINISTRATION*

22 *MENTAL HEALTH*

23 *For carrying out titles III, V, and XIX of the PHS*
24 *Act with respect to mental health, and the Protection and*
25 *Advocacy for Individuals with Mental Illness Act,*

1 \$1,133,948,000: *Provided, That notwithstanding section*
2 *520A(f)(2) of the PHS Act, no funds appropriated for car-*
3 *rying out section 520A shall be available for carrying out*
4 *section 1971 of the PHS Act: Provided further, That in ad-*
5 *dition to amounts provided herein, \$21,039,000 shall be*
6 *available under section 241 of the PHS Act to carry out*
7 *subpart I of part B of title XIX of the PHS Act to fund*
8 *section 1920(b) technical assistance, national data, data*
9 *collection and evaluation activities, and further that the*
10 *total available under this Act for section 1920(b) activities*
11 *shall not exceed 5 percent of the amounts appropriated for*
12 *subpart I of part B of title XIX: Provided further, That*
13 *section 520E(b)(2) of the PHS Act shall not apply to funds*
14 *appropriated in this Act for fiscal year 2016: Provided fur-*
15 *ther, That of the amount appropriated under this heading,*
16 *\$46,887,000 shall be for the National Child Traumatic*
17 *Stress Initiative as described in section 582 of the PHS*
18 *Act: Provided further, That notwithstanding section*
19 *565(b)(1) of the PHS Act, technical assistance may be pro-*
20 *vided to a public entity to establish or operate a system*
21 *of comprehensive community mental health services to chil-*
22 *dren with a serious emotional disturbance, without regard*
23 *to whether the public entity receives a grant under section*
24 *561(a) of such Act: Provided further, That States shall ex-*
25 *pend at least 10 percent of the amount each receives for*

1 *carrying out section 1911 of the PHS Act to support evi-*
2 *dence-based programs that address the needs of individuals*
3 *with early serious mental illness, including psychotic dis-*
4 *orders, regardless of the age of the individual at onset: Pro-*
5 *vided further, That none of the funds provided for section*
6 *1911 of the PHS Act shall be subject to section 241 of such*
7 *Act: Provided further, That of the funds made available*
8 *under this heading, \$15,000,000 shall be to carry out sec-*
9 *tion 224 of the Protecting Access to Medicare Act of 2014*
10 *(Public Law 113–93; 42 U.S.C. 290aa 22 note).*

11 *SUBSTANCE ABUSE TREATMENT*

12 *For carrying out titles III, V, and XIX of the PHS*
13 *Act with respect to substance abuse treatment and section*
14 *1922(a) of the PHS Act with respect to substance abuse pre-*
15 *vention, \$2,114,224,000: Provided, That in addition to*
16 *amounts provided herein, the following amounts shall be*
17 *available under section 241 of the PHS Act: (1) \$79,200,000*
18 *to carry out subpart II of part B of title XIX of the PHS*
19 *Act to fund section 1935(b) technical assistance, national*
20 *data, data collection and evaluation activities, and further*
21 *that the total available under this Act for section 1935(b)*
22 *activities shall not exceed 5 percent of the amounts appro-*
23 *priated for subpart II of part B of title XIX; and (2)*
24 *\$2,000,000 to evaluate substance abuse treatment programs:*
25 *Provided further, That none of the funds provided for sec-*

1 *tion 1921 of the PHS Act shall be subject to section 241*
2 *of such Act.*

3 *SUBSTANCE ABUSE PREVENTION*

4 *For carrying out titles III and V of the PHS Act with*
5 *respect to substance abuse prevention, \$211,219,000.*

6 *HEALTH SURVEILLANCE AND PROGRAM SUPPORT*

7 *For program support and cross-cutting activities that*
8 *supplement activities funded under the headings “Mental*
9 *Health”, “Substance Abuse Treatment”, and “Substance*
10 *Abuse Prevention” in carrying out titles III, V, and XIX*
11 *of the PHS Act and the Protection and Advocacy for Indi-*
12 *viduals with Mental Illness Act in the Substance Abuse and*
13 *Mental Health Services Administration, \$174,878,000: Pro-*
14 *vided, That in addition to amounts provided herein,*
15 *\$31,428,000 shall be available under section 241 of the PHS*
16 *Act to supplement funds available to carry out national*
17 *surveys on drug abuse and mental health, to collect and*
18 *analyze program data, and to conduct public awareness*
19 *and technical assistance activities: Provided further, That,*
20 *in addition, fees may be collected for the costs of publica-*
21 *tions, data, data tabulations, and data analysis completed*
22 *under title V of the PHS Act and provided to a public or*
23 *private entity upon request, which shall be credited to this*
24 *appropriation and shall remain available until expended*
25 *for such purposes: Provided further, That amounts made*

1 *available in this Act for carrying out section 501(m) of the*
2 *PHS Act shall remain available through September 30,*
3 *2017: Provided further, That funds made available under*
4 *this heading may be used to supplement program support*
5 *funding provided under the headings “Mental Health”,*
6 *“Substance Abuse Treatment”, and “Substance Abuse Pre-*
7 *vention”.*

8 *AGENCY FOR HEALTHCARE RESEARCH AND QUALITY*

9 *HEALTHCARE RESEARCH AND QUALITY*

10 *For carrying out titles III and IX of the PHS Act,*
11 *part A of title XI of the Social Security Act, and section*
12 *1013 of the Medicare Prescription Drug, Improvement, and*
13 *Modernization Act of 2003, \$334,000,000: Provided, That*
14 *section 947(c) of the PHS Act shall not apply in fiscal year*
15 *2016: Provided further, That in addition, amounts received*
16 *from Freedom of Information Act fees, reimbursable and*
17 *interagency agreements, and the sale of data shall be cred-*
18 *ited to this appropriation and shall remain available until*
19 *September 30, 2017.*

20 *CENTERS FOR MEDICARE AND MEDICAID SERVICES*

21 *GRANTS TO STATES FOR MEDICAID*

22 *For carrying out, except as otherwise provided, titles*
23 *XI and XIX of the Social Security Act, \$243,545,410,000,*
24 *to remain available until expended.*

1 *For making, after May 31, 2016, payments to States*
2 *under title XIX or in the case of section 1928 on behalf*
3 *of States under title XIX of the Social Security Act for the*
4 *last quarter of fiscal year 2016 for unanticipated costs in-*
5 *curred for the current fiscal year, such sums as may be nec-*
6 *essary.*

7 *For making payments to States or in the case of sec-*
8 *tion 1928 on behalf of States under title XIX of the Social*
9 *Security Act for the first quarter of fiscal year 2017,*
10 *\$115,582,502,000, to remain available until expended.*

11 *Payment under such title XIX may be made for any*
12 *quarter with respect to a State plan or plan amendment*
13 *in effect during such quarter, if submitted in or prior to*
14 *such quarter and approved in that or any subsequent quar-*
15 *ter.*

16 *PAYMENTS TO HEALTH CARE TRUST FUNDS*

17 *For payment to the Federal Hospital Insurance Trust*
18 *Fund and the Federal Supplementary Medical Insurance*
19 *Trust Fund, as provided under sections 217(g), 1844, and*
20 *1860D–16 of the Social Security Act, sections 103(c) and*
21 *111(d) of the Social Security Amendments of 1965, section*
22 *278(d)(3) of Public Law 97–248, and for administrative*
23 *expenses incurred pursuant to section 201(g) of the Social*
24 *Security Act, \$283,171,800,000.*

1 *retary is directed to collect fees in fiscal year 2016 from*
2 *Medicare Advantage organizations pursuant to section*
3 *1857(e)(2) of the Social Security Act and from eligible orga-*
4 *nizations with risk-sharing contracts under section 1876 of*
5 *that Act pursuant to section 1876(k)(4)(D) of that Act.*

6 *HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT*

7 *In addition to amounts otherwise available for pro-*
8 *gram integrity and program management, \$681,000,000, to*
9 *remain available through September 30, 2017, to be trans-*
10 *ferred from the Federal Hospital Insurance Trust Fund and*
11 *the Federal Supplementary Medical Insurance Trust Fund,*
12 *as authorized by section 201(g) of the Social Security Act,*
13 *of which \$486,120,000 shall be for the Medicare Integrity*
14 *Program at the Centers for Medicare and Medicaid Serv-*
15 *ices, including administrative costs, to conduct oversight ac-*
16 *tivities for Medicare Advantage under Part C and the Medi-*
17 *care Prescription Drug Program under Part D of the Social*
18 *Security Act and for activities described in section 1893(b)*
19 *of such Act, of which \$67,200,000 shall be for the Depart-*
20 *ment of Health and Human Services Office of Inspector*
21 *General to carry out fraud and abuse activities authorized*
22 *by section 1817(k)(3) of such Act, of which \$67,200,000*
23 *shall be for the Medicaid and Children’s Health Insurance*
24 *Program (“CHIP”) program integrity activities, and of*
25 *which \$60,480,000 shall be for the Department of Justice*

1 *to carry out fraud and abuse activities authorized by sec-*
2 *tion 1817(k)(3) of such Act: Provided, That the report re-*
3 *quired by section 1817(k)(5) of the Social Security Act for*
4 *fiscal year 2016 shall include measures of the operational*
5 *efficiency and impact on fraud, waste, and abuse in the*
6 *Medicare, Medicaid, and CHIP programs for the funds pro-*
7 *vided by this appropriation: Provided further, That of the*
8 *amount provided under this heading, \$311,000,000 is pro-*
9 *vided to meet the terms of section 251(b)(2)(C)(i) of the*
10 *Balanced Budget and Emergency Deficit Control Act of*
11 *1985, as amended, and \$370,000,000 is additional new*
12 *budget authority specified for purposes of section*
13 *251(b)(2)(C) of such Act: Provided further, That the Sec-*
14 *retary shall support the full cost of the Senior Medicare Pa-*
15 *trol program to combat health care fraud and abuse from*
16 *the funds provided to this account.*

17 *ADMINISTRATION FOR CHILDREN AND FAMILIES*
18 *PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT*
19 *AND FAMILY SUPPORT PROGRAMS*

20 *For carrying out, except as otherwise provided, titles*
21 *I, IV–D, X, XI, XIV, and XVI of the Social Security Act*
22 *and the Act of July 5, 1960, \$2,944,906,000, to remain*
23 *available until expended; and for such purposes for the first*
24 *quarter of fiscal year 2017, \$1,300,000,000, to remain*
25 *available until expended.*

1 *For carrying out, after May 31 of the current fiscal*
2 *year, except as otherwise provided, titles I, IV–D, X, XI,*
3 *XIV, and XVI of the Social Security Act and the Act of*
4 *July 5, 1960, for the last 3 months of the current fiscal*
5 *year for unanticipated costs, incurred for the current fiscal*
6 *year, such sums as may be necessary.*

7 *LOW INCOME HOME ENERGY ASSISTANCE*

8 *For making payments under subsections (b) and (d)*
9 *of section 2602 of the Low Income Home Energy Assistance*
10 *Act of 1981, \$3,390,304,000: Provided, That all but*
11 *\$491,000,000 of this amount shall be allocated as though*
12 *the total appropriation for such payments for fiscal year*
13 *2016 was less than \$1,975,000,000: Provided further, That*
14 *notwithstanding section 2609A(a), of the amounts appro-*
15 *priated under section 2602(b), not more than \$2,988,000*
16 *of such amounts may be reserved by the Secretary for tech-*
17 *nical assistance, training, and monitoring of program ac-*
18 *tivities for compliance with internal controls, policies and*
19 *procedures and may, in addition to the authorities provided*
20 *in section 2609A(a)(1), use such funds through contracts*
21 *with private entities that do not qualify as nonprofit orga-*
22 *nizations.*

23 *REFUGEE AND ENTRANT ASSISTANCE*

24 *For necessary expenses for refugee and entrant assist-*
25 *ance activities authorized by section 414 of the Immigration*

1 *and Nationality Act and section 501 of the Refugee Edu-*
2 *cation Assistance Act of 1980, and for carrying out section*
3 *462 of the Homeland Security Act of 2002, section 235 of*
4 *the William Wilberforce Trafficking Victims Protection Re-*
5 *authorization Act of 2008, the Trafficking Victims Protec-*
6 *tion Act of 2000 (“TVPA”), section 203 of the Trafficking*
7 *Victims Protection Reauthorization Act of 2005, and the*
8 *Torture Victims Relief Act of 1998, \$1,674,691,000, of*
9 *which \$1,645,201,000 shall remain available through Sep-*
10 *tember 30, 2018 for carrying out such sections 414, 501,*
11 *462, and 235: Provided, That amounts available under this*
12 *heading to carry out such section 203 and the TVPA shall*
13 *also be available for research and evaluation with respect*
14 *to activities under those authorities: Provided further, That*
15 *the limitation in section 205 of this Act regarding transfers*
16 *increasing any appropriation shall apply to transfers to*
17 *appropriations under this heading by substituting “10 per-*
18 *cent” for “3 percent”.*

19 *PAYMENTS TO STATES FOR THE CHILD CARE AND*
20 *DEVELOPMENT BLOCK GRANT*

21 *For carrying out the Child Care and Development*
22 *Block Grant Act of 2014 (“CCDBG Act”), \$2,761,000,000*
23 *shall be used to supplement, not supplant State general rev-*
24 *enue funds for child care assistance for low-income families:*
25 *Provided, That, in addition to the amounts required to be*

1 reserved by the States under section 658G of the CCDBG
2 Act, \$127,206,000 shall be for activities that improve the
3 quality of infant and toddler care: Provided further, That
4 technical assistance under section 658I(a)(3) of such Act
5 may be provided directly, or through the use of contracts,
6 grants, cooperative agreements, or interagency agreements:
7 Provided further, That all funds made available to carry
8 out section 418 of the Social Security Act (42 U.S.C. 618),
9 including funds appropriated for that purpose in such sec-
10 tion 418 or any other provision of law, shall be subject to
11 the reservation of funds authority in paragraphs (4) and
12 (5) of section 658O(a) of the CCDBG Act.

13 *SOCIAL SERVICES BLOCK GRANT*

14 *For making grants to States pursuant to section 2002*
15 *of the Social Security Act, \$1,700,000,000: Provided, That*
16 *notwithstanding subparagraph (B) of section 404(d)(2) of*
17 *such Act, the applicable percent specified under such sub-*
18 *paragraph for a State to carry out State programs pursu-*
19 *ant to title XX-A of such Act shall be 10 percent.*

20 *CHILDREN AND FAMILIES SERVICES PROGRAMS*

21 *For carrying out, except as otherwise provided, the*
22 *Runaway and Homeless Youth Act, the Head Start Act, the*
23 *Child Abuse Prevention and Treatment Act, sections 303*
24 *and 313 of the Family Violence Prevention and Services*
25 *Act, the Native American Programs Act of 1974, title II*

1 *of the Child Abuse Prevention and Treatment and Adoption*
2 *Reform Act of 1978 (adoption opportunities), part B–1 of*
3 *title IV and sections 429, 473A, 477(i), 1110, 1114A, and*
4 *1115 of the Social Security Act; for making payments*
5 *under the Community Services Block Grant Act (“CSBG*
6 *Act”), and the Assets for Independence Act; for necessary*
7 *administrative expenses to carry out titles I, IV, V, X, XI,*
8 *XIV, XVI, and XX–A of the Social Security Act, the Act*
9 *of July 5, 1960, the Low Income Home Energy Assistance*
10 *Act of 1981, title IV of the Immigration and Nationality*
11 *Act, and section 501 of the Refugee Education Assistance*
12 *Act of 1980; and for the administration of prior year obli-*
13 *gations made by the Administration for Children and Fam-*
14 *ilies under the Developmental Disabilities Assistance and*
15 *Bill of Rights Act and the Help America Vote Act of 2002,*
16 *\$10,984,268,000, of which \$37,943,000, to remain available*
17 *through September 30, 2017, shall be for grants to States*
18 *for adoption and legal guardianship incentive payments,*
19 *as defined by section 473A of the Social Security Act and*
20 *may be made for adoptions completed before September 30,*
21 *2016: Provided, That \$9,168,095,000 shall be for making*
22 *payments under the Head Start Act: Provided further, That*
23 *of the amount in the previous proviso, \$8,214,095,000 shall*
24 *be available for payments under section 640 of the Head*
25 *Start Act, of which \$141,000,000 shall be available for a*

1 *cost of living adjustment notwithstanding section*
2 *640(a)(3)(A) of such Act: Provided further, That notwith-*
3 *standing such section 640, of the amount in the second pre-*
4 *ceding proviso, \$294,000,000 (of which up to one percent*
5 *may be reserved for research and evaluation) shall be avail-*
6 *able through December 31, 2016 for award by the Secretary*
7 *to grantees that apply for supplemental funding to increase*
8 *their hours of program operations and for training and*
9 *technical assistance for such activities: Provided further,*
10 *That of the amount provided for making payments under*
11 *the Head Start Act, \$25,000,000 shall be available for allo-*
12 *cation by the Secretary to supplement activities described*
13 *in paragraphs (7)(B) and (9) of section 641(c) of such Act*
14 *under the Designation Renewal System, established under*
15 *the authority of sections 641(c)(7), 645A(b)(12) and*
16 *645A(d) of such Act: Provided further, That notwith-*
17 *standing such section 640, of the amount provided for mak-*
18 *ing payments under the Head Start Act, and in addition*
19 *to funds otherwise available under such section 640 for such*
20 *purposes, \$635,000,000 shall be available through March*
21 *31, 2017 for Early Head Start programs as described in*
22 *section 645A of such Act, for conversion of Head Start serv-*
23 *ices to Early Head Start services as described in section*
24 *645(a)(5)(A) of such Act, for discretionary grants for high*
25 *quality infant and toddler care through Early Head Start-*

1 *Child Care Partnerships, to entities defined as eligible*
2 *under section 645A(d) of such Act, for training and tech-*
3 *nical assistance for such activities, and for up to*
4 *\$14,000,000 in Federal costs of administration and evalua-*
5 *tion, and, notwithstanding section 645A(c)(2) of such Act,*
6 *these funds are available to serve children under age 4: Pro-*
7 *vided further, That funds described in the preceding two*
8 *provisos shall not be included in the calculation of “base*
9 *grant” in subsequent fiscal years, as such term is used in*
10 *section 640(a)(7)(A) of such Act: Provided further, That*
11 *\$751,383,000 shall be for making payments under the*
12 *CSBG Act: Provided further, That \$36,733,000 shall be for*
13 *sections 680 and 678E(b)(2) of the CSBG Act, of which not*
14 *less than \$29,883,000 shall be for section 680(a)(2) and not*
15 *less than \$6,500,000 shall be for section 680(a)(3)(B) of*
16 *such Act: Provided further, That to the extent Community*
17 *Services Block Grant funds are distributed as grant funds*
18 *by a State to an eligible entity as provided under the CSBG*
19 *Act, and have not been expended by such entity, they shall*
20 *remain with such entity for carryover into the next fiscal*
21 *year for expenditure by such entity consistent with program*
22 *purposes: Provided further, That the Secretary shall estab-*
23 *lish procedures regarding the disposition of intangible as-*
24 *sets and program income that permit such assets acquired*
25 *with, and program income derived from, grant funds au-*

1 *thorized under section 680 of the CSBG Act to become the*
2 *sole property of such grantees after a period of not more*
3 *than 12 years after the end of the grant period for any ac-*
4 *tivity consistent with section 680(a)(2)(A) of the CSBG Act:*
5 *Provided further, That intangible assets in the form of*
6 *loans, equity investments and other debt instruments, and*
7 *program income may be used by grantees for any eligible*
8 *purpose consistent with section 680(a)(2)(A) of the CSBG*
9 *Act: Provided further, That these procedures shall apply to*
10 *such grant funds made available after November 29, 1999:*
11 *Provided further, That funds appropriated for section*
12 *680(a)(2) of the CSBG Act shall be available for financing*
13 *construction and rehabilitation and loans or investments*
14 *in private business enterprises owned by community devel-*
15 *opment corporations: Provided further, That the Secretary*
16 *shall issue performance standards for nonprofit organiza-*
17 *tions receiving funds from State and territorial grantees*
18 *under the CSBG Act, and such States and territories shall*
19 *assure the implementation of such standards prior to Sep-*
20 *tember 30, 2016, and include information on such imple-*
21 *mentation in the report required by section 678E(2) of such*
22 *Act: Provided further, That, to the extent funds for the As-*
23 *sets for Independence (AFI) Act provided in this Act are*
24 *distributed as grant funds to a qualified entity and have*
25 *not been expended by such entity within 3 years after the*

1 *date of the award, such funds may be recaptured and, dur-*
2 *ing the fiscal year of such recapture, reallocated among*
3 *other qualified entities, to remain available to such entities*
4 *for 5 years: Provided further, That \$1,864,000 shall be for*
5 *a human services case management system for federally de-*
6 *clared disasters, to include a comprehensive national case*
7 *management contract and Federal costs of administering*
8 *the system: Provided further, That up to \$2,000,000 shall*
9 *be for improving the Public Assistance Reporting Informa-*
10 *tion System, including grants to States to support data col-*
11 *lection for a study of the system's effectiveness.*

12 *PROMOTING SAFE AND STABLE FAMILIES*

13 *For carrying out, except as otherwise provided, section*
14 *436 of the Social Security Act, \$345,000,000 and, for car-*
15 *rying out, except as otherwise provided, section 437 of such*
16 *Act, \$59,765,000.*

17 *PAYMENTS FOR FOSTER CARE AND PERMANENCY*

18 *For carrying out, except as otherwise provided, title*
19 *IV–E of the Social Security Act, \$5,298,000,000.*

20 *For carrying out, except as otherwise provided, title*
21 *IV–E of the Social Security Act, for the first quarter of fis-*
22 *cal year 2017, \$2,300,000,000.*

23 *For carrying out, after May 31 of the current fiscal*
24 *year, except as otherwise provided, section 474 of title IV–*
25 *E of the Social Security Act, for the last 3 months of the*

1 *current fiscal year for unanticipated costs, incurred for the*
2 *current fiscal year, such sums as may be necessary.*

3 *ADMINISTRATION FOR COMMUNITY LIVING*
4 *AGING AND DISABILITY SERVICES PROGRAMS*
5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For carrying out, to the extent not otherwise provided,*
7 *the Older Americans Act of 1965 (“OAA”), titles III and*
8 *XXIX of the PHS Act, sections 1252 and 1253 of the PHS*
9 *Act, section 119 of the Medicare Improvements for Patients*
10 *and Providers Act of 2008, title XX–B of the Social Secu-*
11 *rity Act, the Developmental Disabilities Assistance and Bill*
12 *of Rights Act, parts 2 and 5 of subtitle D of title II of the*
13 *Help America Vote Act of 2002, the Assistive Technology*
14 *Act of 1998, titles II and VII (and section 14 with respect*
15 *to such titles) of the Rehabilitation Act of 1973 , and for*
16 *Department-wide coordination of policy and program ac-*
17 *tivities that assist individuals with disabilities,*
18 *\$1,912,735,000, together with \$52,115,000 to be transferred*
19 *from the Federal Hospital Insurance Trust Fund and the*
20 *Federal Supplementary Medical Insurance Trust Fund to*
21 *carry out section 4360 of the Omnibus Budget Reconcili-*
22 *ation Act of 1990: Provided, That amounts appropriated*
23 *under this heading may be used for grants to States under*
24 *section 361 of the OAA only for disease prevention and*
25 *health promotion programs and activities which have been*

1 *demonstrated through rigorous evaluation to be evidence-*
2 *based and effective: Provided further, That notwithstanding*
3 *any other provision of this Act, funds made available under*
4 *this heading to carry out section 311 of the OAA may be*
5 *transferred to the Secretary of Agriculture in accordance*
6 *with such section: Provided further, That \$2,000,000 shall*
7 *be for competitive grants to support alternative financing*
8 *programs that provide for the purchase of assistive tech-*
9 *nology devices, such as a low-interest loan fund; an interest*
10 *buy-down program; a revolving loan fund; a loan guar-*
11 *antee; or an insurance program: Provided further, That ap-*
12 *plicants shall provide an assurance that, and information*
13 *describing the manner in which, the alternative financing*
14 *program will expand and emphasize consumer choice and*
15 *control: Provided further, That State agencies and commu-*
16 *nity-based disability organizations that are directed by and*
17 *operated for individuals with disabilities shall be eligible*
18 *to compete: Provided further, That in addition, the unobli-*
19 *gated balance of amounts previously made available for the*
20 *Health Resources and Services Administration to carry out*
21 *functions under sections 1252 and 1253 of the PHS Act*
22 *shall be transferred to this account, except for such sums*
23 *as may be necessary to provide for an orderly transition*
24 *of such functions to the Administration for Community*
25 *Living: Provided further, That none of the funds made*

1 available under this heading may be used by an eligible
2 system (as defined in section 102 of the Protection and Ad-
3 vocacy for Individuals with Mental Illness Act (42 U.S.C.
4 10802)) to continue to pursue any legal action in a Federal
5 or State court on behalf of an individual or group of indi-
6 viduals with a developmental disability (as defined in sec-
7 tion 102(8)(A) of the Developmental Disabilities and Assist-
8 ance and Bill of Rights Act of 2000 (20 U.S.C.
9 15002(8)(A)) that is attributable to a mental impairment
10 (or a combination of mental and physical impairments),
11 that has as the requested remedy the closure of State oper-
12 ated intermediate care facilities for people with intellectual
13 or developmental disabilities, unless reasonable public no-
14 tice of the action has been provided to such individuals (or,
15 in the case of mental incapacitation, the legal guardians
16 who have been specifically awarded authority by the courts
17 to make healthcare and residential decisions on behalf of
18 such individuals) who are affected by such action, within
19 90 days of instituting such legal action, which informs such
20 individuals (or such legal guardians) of their legal rights
21 and how to exercise such rights consistent with current Fed-
22 eral Rules of Civil Procedure: Provided further, That the
23 limitations in the immediately preceding proviso shall not
24 apply in the case of an individual who is neither competent
25 to consent nor has a legal guardian, nor shall the proviso

1 *apply in the case of individuals who are a ward of the State*
2 *or subject to public guardianship.*

3 *OFFICE OF THE SECRETARY*

4 *GENERAL DEPARTMENTAL MANAGEMENT*

5 *For necessary expenses, not otherwise provided, for*
6 *general departmental management, including hire of six*
7 *passenger motor vehicles, and for carrying out titles III,*
8 *XVII, XXI, and section 229 of the PHS Act, the United*
9 *States-Mexico Border Health Commission Act, and research*
10 *studies under section 1110 of the Social Security Act,*
11 *\$456,009,000, together with \$64,828,000 from the amounts*
12 *available under section 241 of the PHS Act to carry out*
13 *national health or human services research and evaluation*
14 *activities: Provided, That of this amount, \$53,900,000 shall*
15 *be for minority AIDS prevention and treatment activities:*
16 *Provided further, That of the funds made available under*
17 *this heading, \$101,000,000 shall be for making competitive*
18 *contracts and grants to public and private entities to fund*
19 *medically accurate and age appropriate programs that re-*
20 *duce teen pregnancy and for the Federal costs associated*
21 *with administering and evaluating such contracts and*
22 *grants, of which not more than 10 percent of the available*
23 *funds shall be for training and technical assistance, evalua-*
24 *tion, outreach, and additional program support activities,*
25 *and of the remaining amount 75 percent shall be for repli-*

1 *cating programs that have been proven effective through rig-*
2 *orous evaluation to reduce teenage pregnancy, behavioral*
3 *risk factors underlying teenage pregnancy, or other associ-*
4 *ated risk factors, and 25 percent shall be available for re-*
5 *search and demonstration grants to develop, replicate, re-*
6 *fine, and test additional models and innovative strategies*
7 *for preventing teenage pregnancy: Provided further, That*
8 *of the amounts provided under this heading from amounts*
9 *available under section 241 of the PHS Act, \$6,800,000*
10 *shall be available to carry out evaluations (including longi-*
11 *tudinal evaluations) of teenage pregnancy prevention ap-*
12 *proaches: Provided further, That of the funds made avail-*
13 *able under this heading, \$10,000,000 shall be for making*
14 *competitive grants which exclusively implement education*
15 *in sexual risk avoidance (defined as voluntarily refraining*
16 *from non-marital sexual activity): Provided further, That*
17 *funding for such competitive grants for sexual risk avoid-*
18 *ance shall use medically accurate information referenced to*
19 *peer-reviewed publications by educational, scientific, gov-*
20 *ernmental, or health organizations; implement an evidence-*
21 *based approach integrating research findings with practical*
22 *implementation that aligns with the needs and desired out-*
23 *comes for the intended audience; and teach the benefits asso-*
24 *ciated with self-regulation, success sequencing for poverty*
25 *prevention, healthy relationships, goal setting, and resisting*

1 *sexual coercion, dating violence, and other youth risk behav-*
2 *iors such as underage drinking or illicit drug use without*
3 *normalizing teen sexual activity: Provided further, That no*
4 *more than 10 percent of the funding for such competitive*
5 *grants for sexual risk avoidance shall be available for tech-*
6 *nical assistance and administrative costs of such programs:*
7 *Provided further, That funds provided in this Act for em-*
8 *bryo adoption activities may be used to provide to individ-*
9 *uals adopting embryos, through grants and other mecha-*
10 *nisms, medical and administrative services deemed nec-*
11 *essary for such adoptions: Provided further, That such serv-*
12 *ices shall be provided consistent with 42 CFR 59.5(a)(4).*

13 *OFFICE OF MEDICARE HEARINGS AND APPEALS*

14 *For expenses necessary for the Office of Medicare Hear-*
15 *ings and Appeals, \$107,381,000, to be transferred in appro-*
16 *priate part from the Federal Hospital Insurance Trust*
17 *Fund and the Federal Supplementary Medical Insurance*
18 *Trust Fund.*

19 *OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH*

20 *INFORMATION TECHNOLOGY*

21 *For expenses necessary for the Office of the National*
22 *Coordinator for Health Information Technology, including*
23 *grants, contracts, and cooperative agreements for the devel-*
24 *opment and advancement of interoperable health informa-*
25 *tion technology, \$60,367,000.*

1 *for other public health emergencies, \$950,958,000, of which*
2 *\$511,700,000 shall remain available through September 30,*
3 *2017, for expenses necessary to support advanced research*
4 *and development pursuant to section 319L of the PHS Act*
5 *and other administrative expenses of the Biomedical Ad-*
6 *vanced Research and Development Authority: Provided,*
7 *That funds provided under this heading for the purpose of*
8 *acquisition of security countermeasures shall be in addition*
9 *to any other funds available for such purpose: Provided fur-*
10 *ther, That products purchased with funds provided under*
11 *this heading may, at the discretion of the Secretary, be de-*
12 *posited in the Strategic National Stockpile pursuant to sec-*
13 *tion 319F–2 of the PHS Act: Provided further, That*
14 *\$5,000,000 of the amounts made available to support emer-*
15 *gency operations shall remain available through September*
16 *30, 2018.*

17 *For expenses necessary for procuring security counter-*
18 *measures (as defined in section 319F–2(c)(1)(B) of the PHS*
19 *Act), \$510,000,000, to remain available until expended.*

20 *For an additional amount for expenses necessary to*
21 *prepare for or respond to an influenza pandemic,*
22 *\$72,000,000; of which \$40,000,000 shall be available until*
23 *expended, for activities including the development and pur-*
24 *chase of vaccine, antivirals, necessary medical supplies,*
25 *diagnostics, and other surveillance tools: Provided, That*

1 *notwithstanding section 496(b) of the PHS Act, funds may*
2 *be used for the construction or renovation of privately*
3 *owned facilities for the production of pandemic influenza*
4 *vaccines and other biologics, if the Secretary finds such con-*
5 *struction or renovation necessary to secure sufficient sup-*
6 *plies of such vaccines or biologics.*

7 *GENERAL PROVISIONS*

8 *SEC. 201. Funds appropriated in this title shall be*
9 *available for not to exceed \$50,000 for official reception and*
10 *representation expenses when specifically approved by the*
11 *Secretary.*

12 *SEC. 202. None of the funds appropriated in this title*
13 *shall be used to pay the salary of an individual, through*
14 *a grant or other extramural mechanism, at a rate in excess*
15 *of Executive Level II.*

16 *SEC. 203. None of the funds appropriated in this Act*
17 *may be expended pursuant to section 241 of the PHS Act,*
18 *except for funds specifically provided for in this Act, or for*
19 *other taps and assessments made by any office located in*
20 *HHS, prior to the preparation and submission of a report*
21 *by the Secretary to the Committees on Appropriations of*
22 *the House of Representatives and the Senate detailing the*
23 *planned uses of such funds.*

24 *SEC. 204. Notwithstanding section 241(a) of the PHS*
25 *Act, such portion as the Secretary shall determine, but not*

1 *more than 2.5 percent, of any amounts appropriated for*
2 *programs authorized under such Act shall be made available*
3 *for the evaluation (directly, or by grants or contracts) and*
4 *the implementation and effectiveness of programs funded in*
5 *this title.*

6 (TRANSFER OF FUNDS)

7 *SEC. 205. Not to exceed 1 percent of any discretionary*
8 *funds (pursuant to the Balanced Budget and Emergency*
9 *Deficit Control Act of 1985) which are appropriated for the*
10 *current fiscal year for HHS in this Act may be transferred*
11 *between appropriations, but no such appropriation shall be*
12 *increased by more than 3 percent by any such transfer: Pro-*
13 *vided, That the transfer authority granted by this section*
14 *shall not be used to create any new program or to fund*
15 *any project or activity for which no funds are provided in*
16 *this Act: Provided further, That the Committees on Appro-*
17 *priations of the House of Representatives and the Senate*
18 *are notified at least 15 days in advance of any transfer.*

19 *SEC. 206. In lieu of the timeframe specified in section*
20 *338E(c)(2) of the PHS Act, terminations described in such*
21 *section may occur up to 60 days after the execution of a*
22 *contract awarded in fiscal year 2016 under section 338B*
23 *of such Act.*

24 *SEC. 207. None of the funds appropriated in this Act*
25 *may be made available to any entity under title X of the*

1 *PHS Act unless the applicant for the award certifies to the*
2 *Secretary that it encourages family participation in the de-*
3 *cision of minors to seek family planning services and that*
4 *it provides counseling to minors on how to resist attempts*
5 *to coerce minors into engaging in sexual activities.*

6 *SEC. 208. Notwithstanding any other provision of law,*
7 *no provider of services under title X of the PHS Act shall*
8 *be exempt from any State law requiring notification or the*
9 *reporting of child abuse, child molestation, sexual abuse,*
10 *rape, or incest.*

11 *SEC. 209. None of the funds appropriated by this Act*
12 *(including funds appropriated to any trust fund) may be*
13 *used to carry out the Medicare Advantage program if the*
14 *Secretary denies participation in such program to an other-*
15 *wise eligible entity (including a Provider Sponsored Orga-*
16 *nization) because the entity informs the Secretary that it*
17 *will not provide, pay for, provide coverage of, or provide*
18 *referrals for abortions: Provided, That the Secretary shall*
19 *make appropriate prospective adjustments to the capitation*
20 *payment to such an entity (based on an actuarially sound*
21 *estimate of the expected costs of providing the service to such*
22 *entity's enrollees): Provided further, That nothing in this*
23 *section shall be construed to change the Medicare program's*
24 *coverage for such services and a Medicare Advantage orga-*
25 *nization described in this section shall be responsible for*

1 *informing enrollees where to obtain information about all*
2 *Medicare covered services.*

3 *SEC. 210. None of the funds made available in this*
4 *title may be used, in whole or in part, to advocate or pro-*
5 *mote gun control.*

6 *SEC. 211. The Secretary shall make available through*
7 *assignment not more than 60 employees of the Public*
8 *Health Service to assist in child survival activities and to*
9 *work in AIDS programs through and with funds provided*
10 *by the Agency for International Development, the United*
11 *Nations International Children's Emergency Fund or the*
12 *World Health Organization.*

13 *SEC. 212. In order for HHS to carry out international*
14 *health activities, including HIV/AIDS and other infectious*
15 *disease, chronic and environmental disease, and other*
16 *health activities abroad during fiscal year 2016:*

17 *(1) The Secretary may exercise authority equiva-*
18 *lent to that available to the Secretary of State in sec-*
19 *tion 2(c) of the State Department Basic Authorities*
20 *Act of 1956. The Secretary shall consult with the Sec-*
21 *retary of State and relevant Chief of Mission to en-*
22 *sure that the authority provided in this section is ex-*
23 *ercised in a manner consistent with section 207 of the*
24 *Foreign Service Act of 1980 and other applicable stat-*
25 *utes administered by the Department of State.*

1 (2) *The Secretary is authorized to provide such*
2 *funds by advance or reimbursement to the Secretary*
3 *of State as may be necessary to pay the costs of ac-*
4 *quisition, lease, alteration, renovation, and manage-*
5 *ment of facilities outside of the United States for the*
6 *use of HHS. The Department of State shall cooperate*
7 *fully with the Secretary to ensure that HHS has se-*
8 *ecure, safe, functional facilities that comply with ap-*
9 *plicable regulation governing location, setback, and*
10 *other facilities requirements and serve the purposes*
11 *established by this Act. The Secretary is authorized,*
12 *in consultation with the Secretary of State, through*
13 *grant or cooperative agreement, to make available to*
14 *public or nonprofit private institutions or agencies in*
15 *participating foreign countries, funds to acquire,*
16 *lease, alter, or renovate facilities in those countries as*
17 *necessary to conduct programs of assistance for inter-*
18 *national health activities, including activities relating*
19 *to HIV/AIDS and other infectious diseases, chronic*
20 *and environmental diseases, and other health activi-*
21 *ties abroad.*

22 (3) *The Secretary is authorized to provide to*
23 *personnel appointed or assigned by the Secretary to*
24 *serve abroad, allowances and benefits similar to those*
25 *provided under chapter 9 of title I of the Foreign*

(TRANSFER OF FUNDS)

1
2 *SEC. 214. Of the amounts made available in this Act*
3 *for NIH, the amount for research related to the human im-*
4 *munodeficiency virus, as jointly determined by the Director*
5 *of NIH and the Director of the Office of AIDS Research,*
6 *shall be made available to the “Office of AIDS Research”*
7 *account. The Director of the Office of AIDS Research shall*
8 *transfer from such account amounts necessary to carry out*
9 *section 2353(d)(3) of the PHS Act.*

10 *SEC. 215. (a) AUTHORITY.—Notwithstanding any*
11 *other provision of law, the Director of NIH (“Director”)*
12 *may use funds available under section 402(b)(7) or*
13 *402(b)(12) of the PHS Act to enter into transactions (other*
14 *than contracts, cooperative agreements, or grants) to carry*
15 *out research identified pursuant to such section 402(b)(7)*
16 *(pertaining to the Common Fund) or research and activi-*
17 *ties described in such section 402(b)(12).*

18 *(b) PEER REVIEW.—In entering into transactions*
19 *under subsection (a), the Director may utilize such peer re-*
20 *view procedures (including consultation with appropriate*
21 *scientific experts) as the Director determines to be appro-*
22 *priate to obtain assessments of scientific and technical*
23 *merit. Such procedures shall apply to such transactions in*
24 *lieu of the peer review and advisory council review proce-*
25 *dures that would otherwise be required under sections*

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and
2 494 of the PHS Act.

3 SEC. 216. Not to exceed \$45,000,000 of funds appro-
4 priated by this Act to the institutes and centers of the Na-
5 tional Institutes of Health may be used for alteration, re-
6 pair, or improvement of facilities, as necessary for the prop-
7 er and efficient conduct of the activities authorized herein,
8 at not to exceed \$3,500,000 per project.

9 (TRANSFER OF FUNDS)

10 SEC. 217. Of the amounts made available for NIH, 1
11 percent of the amount made available for National Research
12 Service Awards (“NRSA”) shall be made available to the
13 Administrator of the Health Resources and Services Admin-
14 istration to make NRSA awards for research in primary
15 medical care to individuals affiliated with entities who have
16 received grants or contracts under sections 736, 739, or 747
17 of the PHS Act, and 1 percent of the amount made avail-
18 able for NRSA shall be made available to the Director of
19 the Agency for Healthcare Research and Quality to make
20 NRSA awards for health service research.

21 SEC. 218. In addition to amounts provided herein,
22 payments made for research organisms or substances, au-
23 thorized under section 301(a) of the PHS Act, shall be re-
24 tained and credited to the appropriations accounts of the
25 Institutes and Centers of the NIH making the substance or

1 *organism available under section 301(a). Amounts credited*
2 *to the account under this authority shall be available for*
3 *obligation through September 30, 2017.*

4 *SEC. 219. (a) The Biomedical Advanced Research and*
5 *Development Authority (“BARDA”) may enter into a con-*
6 *tract, for more than one but no more than 10 program*
7 *years, for purchase of research services or of security coun-*
8 *termeasures, as that term is defined in section 319F-*
9 *2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)),*
10 *if—*

11 *(1) funds are available and obligated—*

12 *(A) for the full period of the contract or for*
13 *the first fiscal year in which the contract is in*
14 *effect; and*

15 *(B) for the estimated costs associated with*
16 *a necessary termination of the contract; and*

17 *(2) the Secretary determines that a multi-year*
18 *contract will serve the best interests of the Federal*
19 *Government by encouraging full and open competi-*
20 *tion or promoting economy in administration, per-*
21 *formance, and operation of BARDA’s programs.*

22 *(b) A contract entered into under this section—*

23 *(1) shall include a termination clause as de-*
24 *scribed by subsection (c) of section 3903 of title 41,*
25 *United States Code; and*

1 (2) *shall be subject to the congressional notice re-*
2 *quirement stated in subsection (d) of such section.*

3 SEC. 220. (a) *The Secretary shall establish a publicly*
4 *accessible Web site to provide information regarding the*
5 *uses of funds made available under section 4002 of the Pa-*
6 *tient Protection and Affordable Care Act of 2010 (“ACA”).*

7 (b) *With respect to funds provided under section 4002*
8 *of the ACA, the Secretary shall include on the Web site es-*
9 *tablished under subsection (a) at a minimum the following*
10 *information:*

11 (1) *In the case of each transfer of funds under*
12 *section 4002(c), a statement indicating the program*
13 *or activity receiving funds, the operating division or*
14 *office that will administer the funds, and the planned*
15 *uses of the funds, to be posted not later than the day*
16 *after the transfer is made.*

17 (2) *Identification (along with a link to the full*
18 *text) of each funding opportunity announcement, re-*
19 *quest for proposals, or other announcement or solici-*
20 *tation of proposals for grants, cooperative agreements,*
21 *or contracts intended to be awarded using such funds,*
22 *to be posted not later than the day after the an-*
23 *ouncement or solicitation is issued.*

24 (3) *Identification of each grant, cooperative*
25 *agreement, or contract with a value of \$25,000 or*

1 *more awarded using such funds, including the pur-*
2 *pose of the award and the identity of the recipient,*
3 *to be posted not later than 5 days after the award is*
4 *made.*

5 *(4) A report detailing the uses of all funds trans-*
6 *ferred under section 4002(c) during the fiscal year, to*
7 *be posted not later than 90 days after the end of the*
8 *fiscal year.*

9 *(c) With respect to awards made in fiscal years 2013*
10 *through 2016, the Secretary shall also include on the Web*
11 *site established under subsection (a), semi-annual reports*
12 *from each entity awarded a grant, cooperative agreement,*
13 *or contract from such funds with a value of \$25,000 or*
14 *more, summarizing the activities undertaken and identi-*
15 *fying any sub-grants or sub-contracts awarded (including*
16 *the purpose of the award and the identity of the recipient),*
17 *to be posted not later than 30 days after the end of each*
18 *6-month period.*

19 *(d) In carrying out this section, the Secretary shall—*

20 *(1) present the information required in sub-*
21 *section (b)(1) on a single webpage or on a single*
22 *database;*

23 *(2) ensure that all information required in this*
24 *section is directly accessible from the single webpage*
25 *or database; and*

1 *ACA (and the amendments made by that Act), the Secretary*
2 *shall include, at a minimum, the following information:*

3 (1) *For each such fiscal year, the section of such*
4 *Act under which such funds were appropriated, a*
5 *statement indicating the program, project, or activity*
6 *receiving such funds, the Federal operating division*
7 *or office that administers such program, and the*
8 *amount of funding received in discretionary or man-*
9 *datory appropriations.*

10 (2) *For each such fiscal year, the number of full-*
11 *time equivalent employees or contracted employees as-*
12 *signed to each authorized and funded provision de-*
13 *tailed in accordance with paragraph (1).*

14 (c) *In carrying out this section, the Secretary may ex-*
15 *clude from the report employees or contractors who—*

16 (1) *are supported through appropriations en-*
17 *acted in laws other than the ACA and work on pro-*
18 *grams that existed prior to the passage of the ACA;*

19 (2) *spend less than 50 percent of their time on*
20 *activities funded by or newly authorized in the ACA;*
21 *or*

22 (3) *work on contracts for which FTE reporting*
23 *is not a requirement of their contract, such as fixed-*
24 *price contracts.*

1 *SEC. 223. The Secretary shall publish, as part of the*
2 *fiscal year 2017 budget of the President submitted under*
3 *section 1105(a) of title 31, United States Code, information*
4 *that details the uses of all funds used by the Centers for*
5 *Medicare and Medicaid Services specifically for Health In-*
6 *surance Exchanges for each fiscal year since the enactment*
7 *of the ACA and the proposed uses for such funds for fiscal*
8 *year 2017. Such information shall include, for each such*
9 *fiscal year, the amount of funds used for each activity speci-*
10 *fied under the heading “Health Insurance Exchange Trans-*
11 *parency” in the explanatory statement described in section*
12 *4 (in the matter preceding division A of this consolidated*
13 *Act).*

14 *SEC. 224. (a) The Secretary shall provide to the Com-*
15 *mittees on Appropriations of the House of Representatives*
16 *and the Senate:*

17 *(1) Detailed monthly enrollment figures from the*
18 *Exchanges established under the Patient Protection*
19 *and Affordable Care Act of 2010 pertaining to enroll-*
20 *ments during the open enrollment period; and*

21 *(2) Notification of any new or competitive grant*
22 *awards, including supplements, authorized under sec-*
23 *tion 330 of the Public Health Service Act.*

24 *(b) The Committees on Appropriations of the House*
25 *and Senate must be notified at least 2 business days in*

1 *partment of Health and Human Services, Health Resources*
2 *and Services Administration” are hereby permanently re-*
3 *scinded:*

4 (1) *\$281,003 appropriated to carry out section*
5 *1610(b) of the PHS Act;*

6 (2) *\$3,611 appropriated to carry out section*
7 *1602(c) of the PHS Act;*

8 (3) *\$105,576 appropriated in section 167 of divi-*
9 *sion H of Public Law 108–199; and*

10 (4) *\$55,793 appropriated to carry out the Na-*
11 *tional Cord Blood Stem Cell Bank Program.*

12 *SEC. 228. The Secretary shall include in the fiscal year*
13 *2017 budget justification an analysis of how section 2713*
14 *of the PHS Act will impact eligibility for discretionary*
15 *HHS programs.*

16 *SEC. 229. Effective during the period beginning on No-*
17 *vember 1, 2015 and ending January 1, 2018, any provision*
18 *of law that refers (including through cross-reference to an-*
19 *other provision of law) to the current recommendations of*
20 *the United States Preventive Services Task Force with re-*
21 *spect to breast cancer screening, mammography, and pre-*
22 *vention shall be administered by the Secretary involved as*
23 *if—*

24 (1) *such reference to such current recommenda-*
25 *tions were a reference to the recommendations of such*

1 *Task Force with respect to breast cancer screening,*
2 *mammography, and prevention last issued before*
3 *2009; and*

4 (2) *such recommendations last issued before 2009*
5 *applied to any screening mammography modality*
6 *under section 1861(jj) of the Social Security Act (42*
7 *U.S.C. 1395x(jj)).*

8 (TRANSFER OF FUNDS)

9 SEC. 230. (a) *IN GENERAL.*—*Subject to the succeeding*
10 *provisions of this section, activities authorized under part*
11 *A of title IV and section 1108(b) of the Social Security Act*
12 *shall continue through September 30, 2016, in the manner*
13 *authorized for fiscal year 2015, and out of any money in*
14 *the Treasury of the United States not otherwise appro-*
15 *priated, there are hereby appropriated such sums as may*
16 *be necessary for such purpose. Grants and payments may*
17 *be made pursuant to this authority through September 30,*
18 *2016 at the level provided for such activities for fiscal year*
19 *2015, except as provided in subsection (b).*

20 (b) *CONTINGENCY FUND.*—*In the case of the Contin-*
21 *gency Fund for State Welfare Programs established under*
22 *section 403(b) of the Social Security Act—*

23 (1) *the amount appropriated for such section*
24 *403(b) shall be \$608,000,000 for each of fiscal years*
25 *2016 and 2017, notwithstanding section 228(b)(1) of*

1 *the Department of Health and Human Services Ap-*
2 *propriations Act, 2015;*

3 *(2) the requirement to reserve funds provided for*
4 *in section 403(b)(2) of the Social Security Act shall*
5 *not apply during fiscal years 2016 and 2017; and*

6 *(3) grants and payments may only be made*
7 *from such Fund for fiscal year 2016 after the applica-*
8 *tion of subsection (c).*

9 *(c) CENSUS RESEARCH AND WELFARE RESEARCH.—*
10 *Of the amount made available under subsection (b)(1) for*
11 *section 403(b) of the Social Security Act for fiscal year*
12 *2016—*

13 *(1) \$15,000,000 is hereby transferred to the Chil-*
14 *dren’s Research and Technical Assistance account in*
15 *the Administration for Children and Families at the*
16 *Department of Health and Human Services and*
17 *made available to carry out section 413(h) of the So-*
18 *cial Security Act; and*

19 *(2) \$10,000,000 is hereby transferred and made*
20 *available to the Bureau of the Census to conduct ac-*
21 *tivities using the Survey of Income and Program*
22 *Participation to obtain information to enable inter-*
23 *ested parties to evaluate the impact of the amend-*
24 *ments made by title I of the Personal Responsibility*
25 *and Work Opportunity Reconciliation Act of 1996.*

1 *SEC. 231. Section 1886(m)(6) of the Social Security*
2 *Act (42 U.S.C. 1395ww(m)(6)) is amended—*

3 *(1) in subparagraph (A)(i) by striking “sub-*
4 *paragraph (C)” and inserting “subparagraphs (C)*
5 *and (E)”;* and

6 *(2) by adding at the end the following new sub-*
7 *paragraph:*

8 *“(E) TEMPORARY EXCEPTION FOR CERTAIN*
9 *SEVERE WOUND DISCHARGES FROM CERTAIN*
10 *LONG-TERM CARE HOSPITALS.—*

11 *“(i) IN GENERAL.—In the case of a*
12 *discharge occurring prior to January 1,*
13 *2017, subparagraph (A)(i) shall not apply*
14 *(and payment shall be made to a long-term*
15 *care hospital without regard to this para-*
16 *graph) if such discharge—*

17 *“(I) is from a long-term care hos-*
18 *pital that is—*

19 *“(aa) identified by the*
20 *amendment made by section*
21 *4417(a) of the Balanced Budget*
22 *Act of 1997 (42 U.S.C. 1395ww*
23 *note, Public Law 105–33); and*

24 *“(bb) located in a rural area*
25 *(as defined in subsection*

1 (d)(2)(D)) or treated as being so
2 located pursuant to subsection
3 (d)(8)(E); and

4 “(II) the individual discharged
5 has a severe wound.

6 “(ii) SEVERE WOUND DEFINED.—In
7 this subparagraph, the term ‘severe wound’
8 means a stage 3 wound, stage 4 wound,
9 unstageable wound, non-healing surgical
10 wound, infected wound, fistula, osteomy-
11 elitis, or wound with morbid obesity, as
12 identified in the claim from the long-term
13 care hospital.”.

14 This title may be cited as the “Department of Health
15 and Human Services Appropriations Act, 2016”.

16 TITLE III

17 DEPARTMENT OF EDUCATION

18 EDUCATION FOR THE DISADVANTAGED

19 For carrying out title I of the Elementary and Sec-
20 ondary Education Act of 1965 (referred to in this Act as
21 “ESEA”) and section 418A of the Higher Education Act
22 of 1965 (referred to in this Act as “HEA”),
23 \$16,016,790,000, of which \$5,127,006,000 shall become
24 available on July 1, 2016, and shall remain available
25 through September 30, 2017, and of which \$10,841,177,000

1 *shall become available on October 1, 2016, and shall remain*
2 *available through September 30, 2017, for academic year*
3 *2016–2017: Provided, That \$6,459,401,000 shall be for*
4 *basic grants under section 1124 of the ESEA: Provided fur-*
5 *ther, That up to \$3,984,000 of these funds shall be available*
6 *to the Secretary of Education (referred to in this title as*
7 *“Secretary”) on October 1, 2015, to obtain annually up-*
8 *dated local educational agency-level census poverty data*
9 *from the Bureau of the Census: Provided further, That*
10 *\$1,362,301,000 shall be for concentration grants under sec-*
11 *tion 1124A of the ESEA: Provided further, That*
12 *\$3,544,050,000 shall be for targeted grants under section*
13 *1125 of the ESEA: Provided further, That \$3,544,050,000*
14 *shall be for education finance incentive grants under section*
15 *1125A of the ESEA: Provided further, That funds available*
16 *under sections 1124, 1124A, 1125 and 1125A of the ESEA*
17 *may be used to provide homeless children and youths with*
18 *services not ordinarily provided to other students under*
19 *those sections, including supporting the liaison designated*
20 *pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento*
21 *Homeless Assistance Act, and providing transportation*
22 *pursuant to section 722(g)(1)(J)(iii) of such Act: Provided*
23 *further, That \$450,000,000 shall be available for school im-*
24 *provement grants under section 1003(g) of the ESEA, which*
25 *shall be allocated by the Secretary through the formula de-*

1 scribed in section 1003(g)(2) and shall be used consistent
2 with the requirements of section 1003(g), except that State
3 and local educational agencies may use such funds to serve
4 any school eligible to receive assistance under part A of title
5 I that has not made adequate yearly progress for at least
6 2 years or is in the State's lowest quintile of performance
7 based on proficiency rates and, in the case of secondary
8 schools, priority shall be given to those schools with gradua-
9 tion rates below 60 percent: Provided further, That notwith-
10 standing section 1003(g)(5)(C) of the ESEA, the Secretary
11 may permit a State educational agency to establish an
12 award period of up to 5 years for each participating local
13 educational agency: Provided further, That funds available
14 for school improvement grants for fiscal year 2014 and
15 thereafter may be used by a local educational agency to im-
16 plement a whole-school reform strategy for a school using
17 an evidence-based strategy that ensures whole-school reform
18 is undertaken in partnership with a strategy developer of-
19 fering a whole-school reform program that is based on at
20 least a moderate level of evidence that the program will have
21 a statistically significant effect on student outcomes, includ-
22 ing at least one well-designed and well-implemented experi-
23 mental or quasi-experimental study: Provided further, That
24 funds available for school improvement grants may be used
25 by a local educational agency to implement an alternative

1 *State-determined school improvement strategy that has been*
2 *established by a State educational agency with the approval*
3 *of the Secretary: Provided further, That a local educational*
4 *agency that is determined to be eligible for services under*
5 *subpart 1 or 2 of part B of title VI of the ESEA may mod-*
6 *ify not more than one element of a school improvement*
7 *grant model: Provided further, That notwithstanding sec-*
8 *tion 1003(g)(5)(A), each State educational agency may es-*
9 *tablish a maximum subgrant size of not more than*
10 *\$2,000,000 for each participating school applicable to such*
11 *funds: Provided further, That the Secretary may reserve up*
12 *to 5 percent of the funds available for section 1003(g) of*
13 *the ESEA to carry out activities to build State and local*
14 *educational agency capacity to implement effectively the*
15 *school improvement grants program: Provided further, That*
16 *\$190,000,000 shall be available under section 1502 of the*
17 *ESEA for a comprehensive literacy development and edu-*
18 *cation program to advance literacy skills, including pre-*
19 *literacy skills, reading, and writing, for students from birth*
20 *through grade 12, including limited-English-proficient stu-*
21 *dents and students with disabilities, of which one-half of*
22 *1 percent shall be reserved for the Secretary of the Interior*
23 *for such a program at schools funded by the Bureau of In-*
24 *dian Education, one-half of 1 percent shall be reserved for*
25 *grants to the outlying areas for such a program, up to 5*

1 percent may be reserved for national activities, and the re-
2 mainder shall be used to award competitive grants to State
3 educational agencies for such a program, of which a State
4 educational agency may reserve up to 5 percent for State
5 leadership activities, including technical assistance and
6 training, data collection, reporting, and administration,
7 and shall subgrant not less than 95 percent to local edu-
8 cational agencies or, in the case of early literacy, to local
9 educational agencies or other nonprofit providers of early
10 childhood education that partner with a public or private
11 nonprofit organization or agency with a demonstrated
12 record of effectiveness in improving the early literacy devel-
13 opment of children from birth through kindergarten entry
14 and in providing professional development in early lit-
15 eracy, giving priority to such agencies or other entities serv-
16 ing greater numbers or percentages of disadvantaged chil-
17 dren: Provided further, That the State educational agency
18 shall ensure that at least 15 percent of the subgranted funds
19 are used to serve children from birth through age 5, 40 per-
20 cent are used to serve students in kindergarten through
21 grade 5, and 40 percent are used to serve students in middle
22 and high school including an equitable distribution of funds
23 between middle and high schools: Provided further, That eli-
24 gible entities receiving subgrants from State educational
25 agencies shall use such funds for services and activities that

1 *have the characteristics of effective literacy instruction*
2 *through professional development, screening and assess-*
3 *ment, targeted interventions for students reading below*
4 *grade level and other research-based methods of improving*
5 *classroom instruction and practice: Provided further, That*
6 *\$44,623,000 shall be for carrying out section 418A of the*
7 *HEA.*

8 *IMPACT AID*

9 *For carrying out programs of financial assistance to*
10 *federally affected schools authorized by title VIII of the*
11 *ESEA, \$1,305,603,000, of which \$1,168,233,000 shall be for*
12 *basic support payments under section 8003(b), \$48,316,000*
13 *shall be for payments for children with disabilities under*
14 *section 8003(d), \$17,406,000 shall be for construction under*
15 *section 8007(a), \$66,813,000 shall be for Federal property*
16 *payments under section 8002, and \$4,835,000, to remain*
17 *available until expended, shall be for facilities maintenance*
18 *under section 8008: Provided, That for purposes of com-*
19 *puting the amount of a payment for an eligible local edu-*
20 *cational agency under section 8003(a) for school year 2015–*
21 *2016, children enrolled in a school of such agency that*
22 *would otherwise be eligible for payment under section*
23 *8003(a)(1)(B) of such Act, but due to the deployment of both*
24 *parents or legal guardians, or a parent or legal guardian*
25 *having sole custody of such children, or due to the death*

1 *of a military parent or legal guardian while on active duty*
2 *(so long as such children reside on Federal property as de-*
3 *scribed in section 8003(a)(1)(B)), are no longer eligible*
4 *under such section, shall be considered as eligible students*
5 *under such section, provided such students remain in aver-*
6 *age daily attendance at a school in the same local edu-*
7 *cational agency they attended prior to their change in eligi-*
8 *bility status.*

9 *SCHOOL IMPROVEMENT PROGRAMS*

10 *For carrying out school improvement activities author-*
11 *ized by parts A and B of title II, part B of title IV, parts*
12 *A and B of title VI, and parts B and C of title VII of*
13 *the ESEA; the McKinney-Vento Homeless Assistance Act;*
14 *section 203 of the Educational Technical Assistance Act of*
15 *2002; the Compact of Free Association Amendments Act of*
16 *2003; and the Civil Rights Act of 1964, \$4,433,629,000, of*
17 *which \$2,611,619,000 shall become available on July 1,*
18 *2016, and remain available through September 30, 2017,*
19 *and of which \$1,681,441,000 shall become available on Oc-*
20 *tober 1, 2016, and shall remain available through Sep-*
21 *tember 30, 2017, for academic year 2016–2017: Provided,*
22 *That funds made available to carry out part B of title VII*
23 *of the ESEA may be used for construction, renovation, and*
24 *modernization of any elementary school, secondary school,*
25 *or structure related to an elementary school or secondary*

1 school, run by the Department of Education of the State
2 of Hawaii, that serves a predominantly Native Hawaiian
3 student body: Provided further, That funds made available
4 to carry out part C of title VII of the ESEA shall be award-
5 ed on a competitive basis, and also may be used for con-
6 struction: Provided further, That \$51,445,000 shall be
7 available to carry out section 203 of the Educational Tech-
8 nical Assistance Act of 2002 and the Secretary shall make
9 such arrangements as determined to be necessary to ensure
10 that the Bureau of Indian Education has access to services
11 provided under this section: Provided further, That
12 \$16,699,000 shall be available to carry out the Supple-
13 mental Education Grants program for the Federated States
14 of Micronesia and the Republic of the Marshall Islands:
15 Provided further, That the Secretary may reserve up to 5
16 percent of the amount referred to in the previous proviso
17 to provide technical assistance in the implementation of
18 these grants: Provided further, That up to 4.0 percent of
19 the funds for subpart 1 of part A of title II of the ESEA
20 shall be reserved by the Secretary for competitive awards
21 for teacher or principal recruitment and training or profes-
22 sional enhancement activities, including for civic education
23 instruction, to national not-for-profit organizations, of
24 which up to 8 percent may only be used for research, dis-
25 semination, evaluation, and technical assistance for com-

1 *petitive awards carried out under this proviso: Provided*
2 *further, That \$152,717,000 shall be to carry out part B of*
3 *title II of the ESEA: Provided further, That none of the*
4 *funds made available by this Act shall be used to allow 21st*
5 *Century Community Learning Centers initiative funding*
6 *for expanded learning time unless these activities provide*
7 *enrichment and engaging academic activities for students*
8 *at least 300 additional program hours before, during, or*
9 *after the traditional school day and supplements but does*
10 *not supplant school day requirements.*

11 *INDIAN EDUCATION*

12 *For expenses necessary to carry out, to the extent not*
13 *otherwise provided, title VII, part A of the ESEA,*
14 *\$143,939,000.*

15 *INNOVATION AND IMPROVEMENT*

16 *For carrying out activities authorized by part G of*
17 *title I, subpart 5 of part A and parts C and D of title*
18 *II, parts B, C, and D of title V of the ESEA, and section*
19 *14007 of division A of the American Recovery and Reinvest-*
20 *ment Act of 2009, as amended, \$1,181,226,000: Provided,*
21 *That up to \$120,000,000 shall be available through Decem-*
22 *ber 31, 2016 for section 14007 of division A of Public Law*
23 *111–5, and up to 5 percent of such funds may be used for*
24 *technical assistance and the evaluation of activities carried*
25 *out under such section: Provided further, That the education*

1 *facilities clearinghouse established through a competitive*
2 *process in fiscal year 2013 may collect and disseminate in-*
3 *formation on effective educational practices and the latest*
4 *research on the planning, design, financing, construction,*
5 *improvement, operation, and maintenance of safe, healthy,*
6 *high-performance public facilities for early learning pro-*
7 *grams, kindergarten through grade 12, and higher edu-*
8 *cation: Provided further, That \$230,000,000 of the funds*
9 *for subpart 1 of part D of title V of the ESEA shall be*
10 *for competitive grants to local educational agencies, includ-*
11 *ing charter schools that are local educational agencies, or*
12 *States, or partnerships of: (1) a local educational agency,*
13 *a State, or both; and (2) at least one nonprofit organization*
14 *to develop and implement performance-based compensation*
15 *systems for teachers, principals, and other personnel in*
16 *high-need schools: Provided further, That such performance-*
17 *based compensation systems must consider gains in student*
18 *academic achievement as well as classroom evaluations con-*
19 *ducted multiple times during each school year among other*
20 *factors and provide educators with incentives to take on ad-*
21 *ditional responsibilities and leadership roles: Provided fur-*
22 *ther, That recipients of such grants shall demonstrate that*
23 *such performance-based compensation systems are developed*
24 *with the input of teachers and school leaders in the schools*
25 *and local educational agencies to be served by the grant:*

1 *Provided further, That recipients of such grants may use*
2 *such funds to develop or improve systems and tools (which*
3 *may be developed and used for the entire local educational*
4 *agency or only for schools served under the grant) that*
5 *would enhance the quality and success of the compensation*
6 *system, such as high-quality teacher evaluations and tools*
7 *to measure growth in student achievement: Provided fur-*
8 *ther, That applications for such grants shall include a plan*
9 *to sustain financially the activities conducted and systems*
10 *developed under the grant once the grant period has expired:*
11 *Provided further, That up to 5 percent of such funds for*
12 *competitive grants shall be available for technical assist-*
13 *ance, training, peer review of applications, program out-*
14 *reach, and evaluation activities: Provided further, That*
15 *\$250,000,000 of the funds for part D of title V of the ESEA*
16 *shall be available through December 31, 2016 for carrying*
17 *out, in accordance with the applicable requirements of part*
18 *D of title V of the ESEA, a preschool development grants*
19 *program: Provided further, That the Secretary, jointly with*
20 *the Secretary of HHS, shall make competitive awards to*
21 *States for activities that build the capacity within the State*
22 *to develop, enhance, or expand high-quality preschool pro-*
23 *grams, including comprehensive services and family en-*
24 *gagement, for preschool-aged children from families at or*
25 *below 200 percent of the Federal poverty line: Provided fur-*

1 *ther, That each State may subgrant a portion of such grant*
2 *funds to local educational agencies and other early learning*
3 *providers (including, but not limited to, Head Start pro-*
4 *grams and licensed child care providers), or consortia there-*
5 *of, for the implementation of high-quality preschool pro-*
6 *grams for children from families at or below 200 percent*
7 *of the Federal poverty line: Provided further, That sub-*
8 *grantees that are local educational agencies shall form*
9 *strong partnerships with early learning providers and that*
10 *subgrantees that are early learning providers shall form*
11 *strong partnerships with local educational agencies, in*
12 *order to carry out the requirements of the subgrant: Pro-*
13 *vided further, That up to 3 percent of such funds for pre-*
14 *school development grants shall be available for technical*
15 *assistance, evaluation, and other national activities related*
16 *to such grants: Provided further, That \$10,000,000 of funds*
17 *available under part D of title V of the ESEA shall be for*
18 *the Full-Service Community Schools program: Provided*
19 *further, That of the funds available for part B of title V*
20 *of the ESEA, the Secretary shall use up to \$10,000,000 to*
21 *carry out activities under section 5205(b) and shall use not*
22 *less than \$16,000,000 for subpart 2: Provided further, That*
23 *of the funds available for subpart 1 of part B of title V*
24 *of the ESEA, and notwithstanding section 5205(a), the Sec-*
25 *retary shall reserve up to \$100,000,000 to make multiple*

1 awards to non-profit charter management organizations
2 and other entities that are not for-profit entities for the rep-
3 lication and expansion of successful charter school models
4 and shall reserve not less than \$11,000,000 to carry out the
5 activities described in section 5205(a), including improving
6 quality and oversight of charter schools and providing tech-
7 nical assistance and grants to authorized public chartering
8 agencies in order to increase the number of high-performing
9 charter schools: Provided further, That funds available for
10 part B of title V of the ESEA may be used for grants that
11 support preschool education in charter schools: Provided
12 further, That each application submitted pursuant to sec-
13 tion 5203(a) shall describe a plan to monitor and hold ac-
14 countable authorized public chartering agencies through
15 such activities as providing technical assistance or estab-
16 lishing a professional development program, which may in-
17 clude evaluation, planning, training, and systems develop-
18 ment for staff of authorized public chartering agencies to
19 improve the capacity of such agencies in the State to au-
20 thorize, monitor, and hold accountable charter schools: Pro-
21 vided further, That each application submitted pursuant to
22 section 5203(a) shall contain assurances that State law,
23 regulations, or other policies require that: (1) each author-
24 ized charter school in the State operate under a legally
25 binding charter or performance contract between itself and

1 *the school's authorized public chartering agency that de-*
2 *scribes the rights and responsibilities of the school and the*
3 *public chartering agency; conduct annual, timely, and*
4 *independent audits of the school's financial statements that*
5 *are filed with the school's authorized public chartering*
6 *agency; and demonstrate improved student academic*
7 *achievement; and (2) authorized public chartering agencies*
8 *use increases in student academic achievement for all*
9 *groups of students described in section 1111(b)(2)(C)(v) of*
10 *the ESEA as one of the most important factors when deter-*
11 *mining to renew or revoke a school's charter.*

12 *SAFE SCHOOLS AND CITIZENSHIP EDUCATION*

13 *For carrying out activities authorized by part A of*
14 *title IV and subparts 1, 2, and 10 of part D of title V of*
15 *the ESEA, \$244,815,000: Provided, That \$75,000,000 shall*
16 *be available for subpart 2 of part A of title IV, of which*
17 *up to \$5,000,000, to remain available until expended, shall*
18 *be for the Project School Emergency Response to Violence*
19 *("Project SERV") program to provide education-related*
20 *services to local educational agencies and institutions of*
21 *higher education in which the learning environment has*
22 *been disrupted due to a violent or traumatic crisis: Pro-*
23 *vided further, That \$73,254,000 shall be available through*
24 *December 31, 2016 for Promise Neighborhoods.*

1 *ENGLISH LANGUAGE ACQUISITION*

2 *For carrying out part A of title III of the ESEA,*
3 *\$737,400,000, which shall become available on July 1, 2016,*
4 *and shall remain available through September 30, 2017, ex-*
5 *cept that 6.5 percent of such amount shall be available on*
6 *October 1, 2015, and shall remain available through Sep-*
7 *tember 30, 2017, to carry out activities under section*
8 *3111(c)(1)(C): Provided, That the Secretary shall use esti-*
9 *mates of the American Community Survey child counts for*
10 *the most recent 3-year period available to calculate alloca-*
11 *tions under such part.*

12 *SPECIAL EDUCATION*

13 *For carrying out the Individuals with Disabilities*
14 *Education Act (IDEA) and the Special Olympics Sport*
15 *and Empowerment Act of 2004, \$12,976,858,000, of which*
16 *\$3,456,259,000 shall become available on July 1, 2016, and*
17 *shall remain available through September 30, 2017, and of*
18 *which \$9,283,383,000 shall become available on October 1,*
19 *2016, and shall remain available through September 30,*
20 *2017, for academic year 2016–2017: Provided, That the*
21 *amount for section 611(b)(2) of the IDEA shall be equal*
22 *to the lesser of the amount available for that activity during*
23 *fiscal year 2015, increased by the amount of inflation as*
24 *specified in section 619(d)(2)(B) of the IDEA, or the per-*
25 *cent change in the funds appropriated under section 611(i)*

1 of the IDEA, but not less than the amount for that activity
2 during fiscal year 2015: Provided further, That the Sec-
3 retary shall, without regard to section 611(d) of the IDEA,
4 distribute to all other States (as that term is defined in
5 section 611(g)(2)), subject to the third proviso, any amount
6 by which a State's allocation under section 611(d), from
7 funds appropriated under this heading, is reduced under
8 section 612(a)(18)(B), according to the following: 85 per-
9 cent on the basis of the States' relative populations of chil-
10 dren aged 3 through 21 who are of the same age as children
11 with disabilities for whom the State ensures the availability
12 of a free appropriate public education under this part, and
13 15 percent to States on the basis of the States' relative popu-
14 lations of those children who are living in poverty: Provided
15 further, That the Secretary may not distribute any funds
16 under the previous proviso to any State whose reduction
17 in allocation from funds appropriated under this heading
18 made funds available for such a distribution: Provided fur-
19 ther, That the States shall allocate such funds distributed
20 under the second proviso to local educational agencies in
21 accordance with section 611(f): Provided further, That the
22 amount by which a State's allocation under section 611(d)
23 of the IDEA is reduced under section 612(a)(18)(B) and
24 the amounts distributed to States under the previous pro-
25 visos in fiscal year 2012 or any subsequent year shall not

1 *be considered in calculating the awards under section*
2 *611(d) for fiscal year 2013 or for any subsequent fiscal*
3 *years: Provided further, That, notwithstanding the provi-*
4 *sion in section 612(a)(18)(B) regarding the fiscal year in*
5 *which a State's allocation under section 611(d) is reduced*
6 *for failure to comply with the requirement of section*
7 *612(a)(18)(A), the Secretary may apply the reduction spec-*
8 *ified in section 612(a)(18)(B) over a period of consecutive*
9 *fiscal years, not to exceed five, until the entire reduction*
10 *is applied: Provided further, That the Secretary may, in*
11 *any fiscal year in which a State's allocation under section*
12 *611 is reduced in accordance with section 612(a)(18)(B),*
13 *reduce the amount a State may reserve under section*
14 *611(e)(1) by an amount that bears the same relation to the*
15 *maximum amount described in that paragraph as the re-*
16 *duction under section 612(a)(18)(B) bears to the total allo-*
17 *cation the State would have received in that fiscal year*
18 *under section 611(d) in the absence of the reduction: Pro-*
19 *vided further, That the Secretary shall either reduce the al-*
20 *location of funds under section 611 for any fiscal year fol-*
21 *lowing the fiscal year for which the State fails to comply*
22 *with the requirement of section 612(a)(18)(A) as authorized*
23 *by section 612(a)(18)(B), or seek to recover funds under sec-*
24 *tion 452 of the General Education Provisions Act (20*
25 *U.S.C. 1234a): Provided further, That the funds reserved*

1 *under 611(c) of the IDEA may be used to provide technical*
2 *assistance to States to improve the capacity of the States*
3 *to meet the data collection requirements of sections 616 and*
4 *618 and to administer and carry out other services and ac-*
5 *tivities to improve data collection, coordination, quality,*
6 *and use under parts B and C of the IDEA: Provided fur-*
7 *ther, That the level of effort a local educational agency must*
8 *meet under section 613(a)(2)(A)(iii) of the IDEA, in the*
9 *year after it fails to maintain effort is the level of effort*
10 *that would have been required in the absence of that failure*
11 *and not the LEA's reduced level of expenditures: Provided*
12 *further, That the Secretary may use funds made available*
13 *for the State Personnel Development Grants program under*
14 *part D, subpart 1 of IDEA to evaluate program perform-*
15 *ance under such subpart.*

16 *REHABILITATION SERVICES AND DISABILITY RESEARCH*

17 *For carrying out, to the extent not otherwise provided,*
18 *the Rehabilitation Act of 1973 and the Helen Keller Na-*
19 *tional Center Act, \$3,529,605,000, of which \$3,391,770,000*
20 *shall be for grants for vocational rehabilitation services*
21 *under title I of the Rehabilitation Act: Provided, That the*
22 *Secretary may use amounts provided in this Act that re-*
23 *main available subsequent to the reallocation of funds to*
24 *States pursuant to section 110(b) of the Rehabilitation Act*
25 *for innovative activities aimed at improving the outcomes*

1 of individuals with disabilities as defined in section
2 7(20)(B) of the Rehabilitation Act, including activities
3 aimed at improving the education and post-school outcomes
4 of children receiving Supplemental Security Income
5 (“SSI”) and their families that may result in long-term
6 improvement in the SSI child recipient’s economic status
7 and self-sufficiency: Provided further, That States may
8 award subgrants for a portion of the funds to other public
9 and private, nonprofit entities: Provided further, That any
10 funds made available subsequent to reallocation for innova-
11 tive activities aimed at improving the outcomes of individ-
12 uals with disabilities shall remain available until Sep-
13 tember 30, 2017.

14 *SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES*

15 *AMERICAN PRINTING HOUSE FOR THE BLIND*

16 *For carrying out the Act of March 3, 1879,*
17 *\$25,431,000.*

18 *NATIONAL TECHNICAL INSTITUTE FOR THE DEAF*

19 *For the National Technical Institute for the Deaf*
20 *under titles I and II of the Education of the Deaf Act of*
21 *1986, \$70,016,000: Provided, That from the total amount*
22 *available, the Institute may at its discretion use funds for*
23 *the endowment program as authorized under section 207*
24 *of such Act.*

GALLAUDET UNIVERSITY

1
2 *For the Kendall Demonstration Elementary School,*
3 *the Model Secondary School for the Deaf, and the partial*
4 *support of Gallaudet University under titles I and II of*
5 *the Education of the Deaf Act of 1986, \$121,275,000: Pro-*
6 *vided, That from the total amount available, the University*
7 *may at its discretion use funds for the endowment program*
8 *as authorized under section 207 of such Act.*

CAREER, TECHNICAL, AND ADULT EDUCATION

9
10 *For carrying out, to the extent not otherwise provided,*
11 *the Carl D. Perkins Career and Technical Education Act*
12 *of 2006 and the Adult Education and Family Literacy Act*
13 *(“AEFLA”), \$1,720,686,000, of which \$929,686,000 shall*
14 *become available on July 1, 2016, and shall remain avail-*
15 *able through September 30, 2017, and of which*
16 *\$791,000,000 shall become available on October 1, 2016,*
17 *and shall remain available through September 30, 2017:*
18 *Provided, That of the amounts made available for AEFLA,*
19 *\$13,712,000 shall be for national leadership activities under*
20 *section 242.*

STUDENT FINANCIAL ASSISTANCE

21
22 *For carrying out subparts 1, 3, and 10 of part A, and*
23 *part C of title IV of the HEA, \$24,198,210,000, which shall*
24 *remain available through September 30, 2017.*

1 *in advanced foreign language training and international*
2 *studies in areas that are vital to United States national*
3 *security and who plan to apply their language skills and*
4 *knowledge of these countries in the fields of government, the*
5 *professions, or international development: Provided further,*
6 *That of the funds referred to in the preceding proviso up*
7 *to 1 percent may be used for program evaluation, national*
8 *outreach, and information dissemination activities: Pro-*
9 *vided further, That up to 1.5 percent of the funds made*
10 *available under chapter 2 of subpart 2 of part A of title*
11 *IV of the HEA may be used for evaluation.*

12 *HOWARD UNIVERSITY*

13 *For partial support of Howard University,*
14 *\$221,821,000, of which not less than \$3,405,000 shall be for*
15 *a matching endowment grant pursuant to the Howard Uni-*
16 *versity Endowment Act and shall remain available until*
17 *expended.*

18 *COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS*

19 *PROGRAM*

20 *For Federal administrative expenses to carry out ac-*
21 *tivities related to existing facility loans pursuant to section*
22 *121 of the HEA, \$435,000.*

1 *HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL*
2 *FINANCING PROGRAM ACCOUNT*

3 *For the cost of guaranteed loans, \$20,150,000, as au-*
4 *thorized pursuant to part D of title III of the HEA, which*
5 *shall remain available through September 30, 2017: 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: Provided further, That these funds are*
9 *available to subsidize total loan principal, any part of*
10 *which is to be guaranteed, not to exceed \$302,099,000: Pro-*
11 *vided further, That these funds may be used to support*
12 *loans to public and private Historically Black Colleges and*
13 *Universities without regard to the limitations within sec-*
14 *tion 344(a) of the HEA.*

15 *In addition, for administrative expenses to carry out*
16 *the Historically Black College and University Capital Fi-*
17 *ncancing Program entered into pursuant to part D of title*
18 *III of the HEA, \$334,000.*

19 *INSTITUTE OF EDUCATION SCIENCES*

20 *For carrying out activities authorized by the Edu-*
21 *cation Sciences Reform Act of 2002, the National Assess-*
22 *ment of Educational Progress Authorization Act, section*
23 *208 of the Educational Technical Assistance Act of 2002,*
24 *and section 664 of the Individuals with Disabilities Edu-*
25 *cation Act, \$618,015,000, which shall remain available*

1 *through September 30, 2017: Provided, That funds available*
2 *to carry out section 208 of the Educational Technical As-*
3 *sistance Act may be used to link Statewide elementary and*
4 *secondary data systems with early childhood, postsec-*
5 *ondary, and workforce data systems, or to further develop*
6 *such systems: Provided further, That up to \$6,000,000 of*
7 *the funds available to carry out section 208 of the Edu-*
8 *cational Technical Assistance Act may be used for awards*
9 *to public or private organizations or agencies to support*
10 *activities to improve data coordination, quality, and use*
11 *at the local, State, and national levels: Provided further,*
12 *That \$157,235,000 shall be for carrying out activities au-*
13 *thorized by the National Assessment of Educational*
14 *Progress Authorization Act.*

15 *DEPARTMENTAL MANAGEMENT*

16 *PROGRAM ADMINISTRATION*

17 *For carrying out, to the extent not otherwise provided,*
18 *the Department of Education Organization Act, including*
19 *rental of conference rooms in the District of Columbia and*
20 *hire of three passenger motor vehicles, \$432,000,000, of*
21 *which up to \$1,000,000, to remain available until expended,*
22 *may be for relocation of, and renovation of buildings occu-*
23 *pied by, Department staff.*

1 *portation of students to carry out a plan involving the reor-*
2 *ganization of the grade structure of schools, the pairing of*
3 *schools, or the clustering of schools, or any combination of*
4 *grade restructuring, pairing, or clustering. The prohibition*
5 *described in this section does not include the establishment*
6 *of magnet schools.*

7 *SEC. 303. No funds appropriated in this Act may be*
8 *used to prevent the implementation of programs of vol-*
9 *untary prayer and meditation in the public schools.*

10 *(TRANSFER OF FUNDS)*

11 *SEC. 304. 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 *Department of Education in this Act may be transferred*
15 *between appropriations, but no such appropriation shall be*
16 *increased by more than 3 percent by any such transfer: Pro-*
17 *vided, That the transfer authority granted by this section*
18 *shall not be used to create any new program or to fund*
19 *any project or activity for which no funds are provided in*
20 *this Act: Provided further, That the Committees on Appro-*
21 *priations of the House of Representatives and the Senate*
22 *are notified at least 15 days in advance of any transfer.*

23 *SEC. 305. The Outlying Areas may consolidate funds*
24 *received under this Act, pursuant to 48 U.S.C. 1469a, under*
25 *part A of title V of the ESEA.*

1 *SEC. 306. Section 105(f)(1)(B)(ix) of the Compact of*
2 *Free Association Amendments Act of 2003 (48 U.S.C.*
3 *1921d(f)(1)(B)(ix)) shall be applied by substituting “2016”*
4 *for “2009”.*

5 *SEC. 307. The Secretary, in consultation with the Di-*
6 *rector of the Institute of Education Sciences, may reserve*
7 *funds under section 9601 of the ESEA (subject to the limi-*
8 *tations in subsections (b) and (c) of that section) in order*
9 *to carry out activities authorized under paragraphs (1) and*
10 *(2) of subsection (a) of that section with respect to any*
11 *ESEA program funded in this Act and without respect to*
12 *the source of funds for those activities: Provided, That high-*
13 *quality evaluations of ESEA programs shall be prioritized,*
14 *before using funds for any other evaluation activities: Pro-*
15 *vided further, That any funds reserved under this section*
16 *shall be available from July 1, 2016 through September 30,*
17 *2017: Provided further, That not later than 10 days prior*
18 *to the initial obligation of funds reserved under this section,*
19 *the Secretary, in consultation with the Director, shall sub-*
20 *mit an evaluation plan to the Senate Committees on Appro-*
21 *priations and Health, Education, Labor, and Pensions and*
22 *the House Committees on Appropriations and Education*
23 *and the Workforce which identifies the source and amount*
24 *of funds reserved under this section, the impact on program*
25 *grantees if funds are withheld, the programs to be evaluated*

1 *with such funds, how ESEA programs will be regularly*
2 *evaluated, and how findings from evaluations completed*
3 *under this section will be widely disseminated.*

4 *SEC. 308. (a) An institution of higher education that*
5 *maintains an endowment fund supported with funds appro-*
6 *priated for title III or V of the HEA for fiscal year 2016*
7 *may use the income from that fund to award scholarships*
8 *to students, subject to the limitation in section*
9 *331(c)(3)(B)(i) of the HEA. The use of such income for such*
10 *purposes, prior to the enactment of this Act, shall be consid-*
11 *ered to have been an allowable use of that income, subject*
12 *to that limitation.*

13 *(b) Subsection (a) shall be in effect until titles III and*
14 *V of the HEA are reauthorized.*

15 *SEC. 309. Section 114(f) of the HEA (20 U.S.C.*
16 *1011c(f)) is amended by striking “2015” and inserting*
17 *“2016”.*

18 *SEC. 310. Section 458(a) of the HEA (20 U.S.C.*
19 *1087h(a)) is amended in paragraph (4) by striking “2014”*
20 *and inserting “2016”.*

21 *SEC. 311. Section 428(c)(1) of the HEA (20 U.S.C.*
22 *1078(c)(1)) is amended by striking “95 percent” and insert-*
23 *ing “100 percent”.*

24 *SEC. 312. Notwithstanding section 5(b) of the Every*
25 *Student Succeeds Act, funds provided in this Act for non-*

1 *competitive formula grant programs authorized by the*
2 *ESEA for use during academic year 2016–2017 shall be*
3 *administered in accordance with the ESEA as in effect on*
4 *the day before the date of enactment of the Every Student*
5 *Succeeds Act.*

6 *SEC. 313. CAREER PATHWAYS PROGRAMS.—*

7 *(1) Subsection (d) of section 484 of the HEA is*
8 *amended by replacing (d)(2) with the following:*

9 *“(2) ELIGIBLE CAREER PATHWAY PROGRAM.—In*
10 *this subsection, the term ‘eligible career pathway pro-*
11 *gram’ means a program that combines rigorous and*
12 *high-quality education, training, and other services*
13 *that—*

14 *“(A) aligns with the skill needs of industries*
15 *in the economy of the State or regional economy*
16 *involved;*

17 *“(B) prepares an individual to be successful*
18 *in any of a full range of secondary or postsec-*
19 *ondary education options, including apprentice-*
20 *ships registered under the Act of August 16, 1937*
21 *(commonly known as the ‘National Apprentice-*
22 *ship Act’; 50 Stat. 664, chapter 663; 29 U.S.C.*
23 *50 et seq.) (referred to individually in this Act*
24 *as an ‘apprenticeship’, except in section 171);*

1 “(C) includes counseling to support an in-
2 dividual in achieving the individual’s education
3 and career goals;

4 “(D) includes, as appropriate, education of-
5 fered concurrently with and in the same context
6 as workforce preparation activities and training
7 for a specific occupation or occupational cluster;

8 “(E) organizes education, training, and
9 other services to meet the particular needs of an
10 individual in a manner that accelerates the edu-
11 cational and career advancement of the indi-
12 vidual to the extent practicable;

13 “(F) enables an individual to attain a sec-
14 ondary school diploma or its recognized equiva-
15 lent, and at least 1 recognized postsecondary cre-
16 dential; and

17 “(G) helps an individual enter or advance
18 within a specific occupation or occupational
19 cluster.”.

20 (2) Subsection (b) of section 401 of the HEA is
21 amended by striking the addition to (b)(2)(A)(ii)
22 made by subsection 309(b) of division G of Public
23 Law 113–235.

24 This title may be cited as the “Department of Edu-
25 cation Appropriations Act, 2016”.

1 *after 180 days from the date of enactment of this Act a*
 2 *fee may not be charged under section 51–3.5 of title 41,*
 3 *Code of Federal Regulations, unless such fee is under the*
 4 *terms of the written agreement between the Committee and*
 5 *any such central nonprofit agency: Provided further, That*
 6 *no less than \$750,000 shall be available for the Office of*
 7 *Inspector General.*

8 *ADMINISTRATIVE PROVISIONS*

9 *SEC. 401. (a) Section 8G of the Inspector General Act*
 10 *of 1978 (5 U.S.C. App.) is amended—*

11 *(1) in subsection (a)—*

12 *(A) in paragraph (2), by inserting “the*
 13 *Committee for Purchase From People Who Are*
 14 *Blind or Severely Disabled,” after “the Board for*
 15 *International Broadcasting,”; and*

16 *(B) in paragraph (4)—*

17 *(i) by redesignating subparagraphs (D)*
 18 *through (H) as subparagraphs (E) through*
 19 *(I), respectively; and*

20 *(ii) by inserting after subparagraph*
 21 *(C) the following new subparagraph:*

22 *“(D) with respect to the Committee for Pur-*
 23 *chase From People Who Are Blind or Severely*
 24 *Disabled, such term means the Chairman of the*

1 *Committee for Purchase From People Who Are*
2 *Blind or Severely Disabled;*” and

3 (2) in subsection (e)(1)—

4 (A) by striking “board or commission”, the
5 first place it appears, and inserting “board,
6 chairman of a committee, or commission”; and

7 (B) by striking “board or commission”, the
8 second place it appears, and inserting “board,
9 committee, or commission”.

10 (b) Not later than 180 days after the date of the enact-
11 ment of this Act, the Chairman of the Committee for Pur-
12 chase From People Who Are Blind or Severely Disabled
13 shall appoint an Inspector General for the Committee.

14 (c) This section, and the amendments made by this sec-
15 tion, shall take effect on the date that is 180 days after the
16 date of the enactment of this Act.

17 SEC. 402. Not later than 30 days after the end of each
18 fiscal year quarter, beginning with the first quarter of fiscal
19 year 2016, the Committee For Purchase From People Who
20 Are Blind or Severely Disabled shall submit to the Commit-
21 tees on Oversight and Government Reform and Education
22 and the Workforce of the House of Representatives, the Com-
23 mittees on Homeland Security and Governmental Affairs
24 and Health, Education, Labor, and Pensions of the Senate,
25 and the Committees on Appropriations of the House of Rep-

1 *representatives and the Senate, the reports described under the*
2 *heading “Committee For Purchase From People Who Are*
3 *Blind or Severely Disabled—Requested Reports” in the ex-*
4 *planatory statement described in section 4 (in the matter*
5 *preceding division A of this consolidated Act).*

6 *CORPORATION FOR NATIONAL AND COMMUNITY SERVICE*

7 *OPERATING EXPENSES*

8 *For necessary expenses for the Corporation for Na-*
9 *tional and Community Service (referred to in this title as*
10 *“CNCS”) to carry out the Domestic Volunteer Service Act*
11 *of 1973 (referred to in this title as “1973 Act”) and the*
12 *National and Community Service Act of 1990 (referred to*
13 *in this title as “1990 Act”), \$787,929,000, notwithstanding*
14 *sections 198B(b)(3), 198S(g), 501(a)(4)(C), and*
15 *501(a)(4)(F) of the 1990 Act: Provided, That of the amounts*
16 *provided under this heading: (1) up to 1 percent of program*
17 *grant funds may be used to defray the costs of conducting*
18 *grant application reviews, including the use of outside peer*
19 *reviewers and electronic management of the grants cycle;*
20 *(2) \$50,000,000 shall be available for expenses to carry out*
21 *section 198K of the 1990 Act; (3) \$16,038,000 shall be avail-*
22 *able to provide assistance to State commissions on national*
23 *and community service, under section 126(a) of the 1990*
24 *Act and notwithstanding section 501(a)(5)(B) of the 1990*
25 *Act; (4) \$30,000,000 shall be available to carry out subtitle*

1 *E of the 1990 Act; and (5) \$3,800,000 shall be available*
2 *for expenses authorized under section 501(a)(4)(F) of the*
3 *1990 Act, which, notwithstanding the provisions of section*
4 *198P shall be awarded by CNCS on a competitive basis:*
5 *Provided further, That for the purposes of carrying out the*
6 *1990 Act, satisfying the requirements in section*
7 *122(c)(1)(D) may include a determination of need by the*
8 *local community: Provided further, That not to exceed 20*
9 *percent of funds made available under section 198K of the*
10 *1990 Act may be used for Social Innovation Fund Pilot*
11 *Program-related performance-based awards for Pay for*
12 *Success projects and shall remain available through Sep-*
13 *tember 30, 2017: Provided further, That, with respect to the*
14 *previous proviso, any funds obligated for such projects shall*
15 *remain available for disbursement until expended, notwith-*
16 *standing 31 U.S.C. 1552(a): Provided further, That any*
17 *funds deobligated from projects under section 198K of the*
18 *1990 Act shall immediately be available for activities au-*
19 *thorized under section 198K of such Act.*

20 *PAYMENT TO THE NATIONAL SERVICE TRUST*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For payment to the National Service Trust established*
23 *under subtitle D of title I of the 1990 Act, \$220,000,000,*
24 *to remain available until expended: Provided, That CNCS*
25 *may transfer additional funds from the amount provided*

1 *within “Operating Expenses” allocated to grants under sub-*
2 *title C of title I of the 1990 Act to the National Service*
3 *Trust upon determination that such transfer is necessary*
4 *to support the activities of national service participants*
5 *and after notice is transmitted to the Committees on Appro-*
6 *priations of the House of Representatives and the Senate:*
7 *Provided further, That amounts appropriated for or trans-*
8 *ferred to the National Service Trust may be invested under*
9 *section 145(b) of the 1990 Act without regard to the require-*
10 *ment to apportion funds under 31 U.S.C. 1513(b).*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of administration as provided*
13 *under section 501(a)(5) of the 1990 Act and under section*
14 *504(a) of the 1973 Act, including payment of salaries, au-*
15 *thorized travel, hire of passenger motor vehicles, the rental*
16 *of conference rooms in the District of Columbia, the employ-*
17 *ment of experts and consultants authorized under 5 U.S.C.*
18 *3109, and not to exceed \$2,500 for official reception and*
19 *representation expenses, \$81,737,000.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *For necessary expenses of the Office of Inspector Gen-*
22 *eral in carrying out the Inspector General Act of 1978,*
23 *\$5,250,000.*

1 ADMINISTRATIVE PROVISIONS

2 SEC. 403. *CNCS shall make any significant changes*
3 *to program requirements, service delivery or policy only*
4 *through public notice and comment rulemaking. For fiscal*
5 *year 2016, during any grant selection process, an officer*
6 *or employee of CNCS shall not knowingly disclose any cov-*
7 *ered grant selection information regarding such selection,*
8 *directly or indirectly, to any person other than an officer*
9 *or employee of CNCS that is authorized by CNCS to receive*
10 *such information.*

11 SEC. 404. *AmeriCorps programs receiving grants*
12 *under the National Service Trust program shall meet an*
13 *overall minimum share requirement of 24 percent for the*
14 *first 3 years that they receive AmeriCorps funding, and*
15 *thereafter shall meet the overall minimum share require-*
16 *ment as provided in section 2521.60 of title 45, Code of*
17 *Federal Regulations, without regard to the operating costs*
18 *match requirement in section 121(e) or the member support*
19 *Federal share limitations in section 140 of the 1990 Act,*
20 *and subject to partial waiver consistent with section*
21 *2521.70 of title 45, Code of Federal Regulations.*

22 SEC. 405. *Donations made to CNCS under section 196*
23 *of the 1990 Act for the purposes of financing programs and*
24 *operations under titles I and II of the 1973 Act or subtitle*
25 *B, C, D, or E of title I of the 1990 Act shall be used to*

1 *supplement and not supplant current programs and oper-*
2 *ations.*

3 *SEC. 406. In addition to the requirements in section*
4 *146(a) of the 1990 Act, use of an educational award for*
5 *the purpose described in section 148(a)(4) shall be limited*
6 *to individuals who are veterans as defined under section*
7 *101 of the Act.*

8 *SEC. 407. For the purpose of carrying out section*
9 *189D of the 1990 Act—*

10 *(1) entities described in paragraph (a) of such*
11 *section shall be considered “qualified entities” under*
12 *section 3 of the National Child Protection Act of 1993*
13 *(“NCPA”); and*

14 *(2) individuals described in such section shall be*
15 *considered “volunteers” under section 3 of NCPA; and*

16 *(3) State Commissions on National and Commu-*
17 *nity Service established pursuant to section 178 of the*
18 *1990 Act, are authorized to receive criminal history*
19 *record information, consistent with Public Law 92–*
20 *544.*

21 *CORPORATION FOR PUBLIC BROADCASTING*

22 *For payment to the Corporation for Public Broad-*
23 *casting (“CPB”), as authorized by the Communications Act*
24 *of 1934, an amount which shall be available within limita-*
25 *tions specified by that Act, for the fiscal year 2018,*

1 \$445,000,000: *Provided, That none of the funds made avail-*
2 *able to CPB by this Act shall be used to pay for receptions,*
3 *parties, or similar forms of entertainment for Government*
4 *officials or employees: Provided further, That none of the*
5 *funds made available to CPB by this Act shall be available*
6 *or used to aid or support any program or activity from*
7 *which any person is excluded, or is denied benefits, or is*
8 *discriminated against, on the basis of race, color, national*
9 *origin, religion, or sex: Provided further, That none of the*
10 *funds made available to CPB by this Act shall be used to*
11 *apply any political test or qualification in selecting, ap-*
12 *pointing, promoting, or taking any other personnel action*
13 *with respect to officers, agents, and employees of CPB: Pro-*
14 *vided further, That none of the funds made available to*
15 *CPB by this Act shall be used to support the Television Fu-*
16 *ture Fund or any similar purpose.*

17 *In addition, for the costs associated with replacing and*
18 *upgrading the public broadcasting interconnection system,*
19 *\$40,000,000.*

20 *FEDERAL MEDIATION AND CONCILIATION SERVICE*

21 *SALARIES AND EXPENSES*

22 *For expenses necessary for the Federal Mediation and*
23 *Conciliation Service (“Service”) to carry out the functions*
24 *vested in it by the Labor-Management Relations Act, 1947,*
25 *including hire of passenger motor vehicles; for expenses nec-*

1 *essary for the Labor-Management Cooperation Act of 1978;*
2 *and for expenses necessary for the Service to carry out the*
3 *functions vested in it by the Civil Service Reform Act,*
4 *\$48,748,000, including up to \$400,000 to remain available*
5 *through September 30, 2017, for activities authorized by the*
6 *Labor-Management Cooperation Act of 1978: Provided,*
7 *That notwithstanding 31 U.S.C. 3302, fees charged, up to*
8 *full-cost recovery, for special training activities and other*
9 *conflict resolution services and technical assistance, includ-*
10 *ing those provided to foreign governments and international*
11 *organizations, and for arbitration services shall be credited*
12 *to and merged with this account, and shall remain avail-*
13 *able until expended: Provided further, That fees for arbitra-*
14 *tion services shall be available only for education, training,*
15 *and professional development of the agency workforce: Pro-*
16 *vided further, That the Director of the Service is authorized*
17 *to accept and use on behalf of the United States gifts of*
18 *services and real, personal, or other property in the aid of*
19 *any projects or functions within the Director's jurisdiction.*

20 *FEDERAL MINE SAFETY AND HEALTH REVIEW*

21 *COMMISSION*

22 *SALARIES AND EXPENSES*

23 *For expenses necessary for the Federal Mine Safety*
24 *and Health Review Commission, \$17,085,000.*

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. 408. 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, \$13,230,000.*

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, \$12,639,000.*

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, \$29,000,000, which shall include amounts be-*
18 *coming available in fiscal year 2016 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, 2017,*
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 *\$111,225,000, 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 \$8,437,000, to be derived from the railroad retirement*
6 *accounts and railroad unemployment insurance account.*

7 *SOCIAL SECURITY ADMINISTRATION*8 *PAYMENTS TO SOCIAL SECURITY TRUST FUNDS*

9 *For payment to the Federal Old-Age and Survivors In-*
10 *surance Trust Fund and the Federal Disability Insurance*
11 *Trust Fund, as provided under sections 201(m), 228(g), and*
12 *1131(b)(2) of the Social Security Act, \$11,400,000.*

13 *SUPPLEMENTAL SECURITY INCOME PROGRAM*

14 *For carrying out titles XI and XVI of the Social Secu-*
15 *rity Act, section 401 of Public Law 92–603, section 212*
16 *of Public Law 93–66, as amended, and section 405 of Public*
17 *Law 95–216, including payment to the Social Security*
18 *trust funds for administrative expenses incurred pursuant*
19 *to section 201(g)(1) of the Social Security Act,*
20 *\$46,305,733,000, to remain available until expended: Pro-*
21 *vided, That any portion of the funds provided to a State*
22 *in the current fiscal year and not obligated by the State*
23 *during that year shall be returned to the Treasury: Pro-*
24 *vided further, That not more than \$101,000,000 shall be*
25 *available for research and demonstrations under sections*

1 1110, 1115, and 1144 of the Social Security Act, and re-
2 main available through September 30, 2018.

3 For making, after June 15 of the current fiscal year,
4 benefit payments to individuals under title XVI of the So-
5 cial Security Act, for unanticipated costs incurred for the
6 current fiscal year, such sums as may be necessary.

7 For making benefit payments under title XVI of the
8 Social Security Act for the first quarter of fiscal year 2017,
9 \$14,500,000,000, to remain available until expended.

10 LIMITATION ON ADMINISTRATIVE EXPENSES

11 For necessary expenses, including the hire of two pas-
12 senger motor vehicles, and not to exceed \$20,000 for official
13 reception and representation expenses, not more than
14 \$10,598,945,000 may be expended, as authorized by section
15 201(g)(1) of the Social Security Act, from any one or all
16 of the trust funds referred to in such section: Provided, That
17 not less than \$2,300,000 shall be for the Social Security
18 Advisory Board: Provided further, That, \$116,000,000 may
19 be used for the costs associated with conducting continuing
20 disability reviews under titles II and XVI of the Social Se-
21 curity Act and conducting redeterminations of eligibility
22 under title XVI of the Social Security Act: Provided further,
23 That the Commissioner may allocate additional funds
24 under this paragraph above the level specified in the pre-
25 vious proviso for such activities but only to reconcile esti-

1 mated and actual unit costs for conducting such activities
2 and after notifying the Committees on Appropriations of
3 the House of Representatives and the Senate at least 15
4 days in advance of any such reallocation: Provided further,
5 That the acquisition of services to conduct and manage rep-
6 resentative payee reviews shall be made using full and open
7 competition procedures: Provided further, That,
8 \$150,000,000, to remain available until expended, shall be
9 for necessary expenses for the renovation and modernization
10 of the Arthur J. Altmeyer Building: Provided further, That
11 unobligated balances of funds provided under this para-
12 graph at the end of fiscal year 2016 not needed for fiscal
13 year 2016 shall remain available until expended to invest
14 in the Social Security Administration information tech-
15 nology and telecommunications hardware and software in-
16 frastructure, including related equipment and non-payroll
17 administrative expenses associated solely with this informa-
18 tion technology and telecommunications infrastructure:
19 Provided further, That the Commissioner of Social Security
20 shall notify the Committees on Appropriations of the House
21 of Representatives and the Senate prior to making unobli-
22 gated balances available under the authority in the previous
23 proviso: Provided further, That reimbursement to the trust
24 funds under this heading for expenditures for official time
25 for employees of the Social Security Administration pursu-

1 *ant to 5 U.S.C. 7131, and for facilities or support services*
2 *for labor organizations pursuant to policies, regulations, or*
3 *procedures referred to in section 7135(b) of such title shall*
4 *be made by the Secretary of the Treasury, with interest,*
5 *from amounts in the general fund not otherwise appro-*
6 *priated, as soon as possible after such expenditures are*
7 *made.*

8 *In addition, for the costs associated with continuing*
9 *disability reviews under titles II and XVI of the Social Se-*
10 *curity Act and for the cost associated with conducting rede-*
11 *terminations of eligibility under title XVI of the Social Se-*
12 *curity Act, \$1,426,000,000 may be expended, as authorized*
13 *by section 201(g)(1) of the Social Security Act, from any*
14 *one or all of the trust funds referred to therein: Provided,*
15 *That, of such amount, \$273,000,000 is provided to meet the*
16 *terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budg-*
17 *et and Emergency Deficit Control Act of 1985, as amended,*
18 *and \$1,153,000,000 is additional new budget authority*
19 *specified for purposes of section 251(b)(2)(B) of such Act:*
20 *Provided further, That the Commissioner shall provide to*
21 *the Congress (at the conclusion of the fiscal year) a report*
22 *on the obligation and expenditure of these funds, similar*
23 *to the reports that were required by section 103(d)(2) of*
24 *Public Law 104–121 for fiscal years 1996 through 2002.*

1 *In addition, \$136,000,000 to be derived from adminis-*
2 *tration fees in excess of \$5.00 per supplementary payment*
3 *collected pursuant to section 1616(d) of the Social Security*
4 *Act or section 212(b)(3) of Public Law 93–66, which shall*
5 *remain available until expended. To the extent that the*
6 *amounts collected pursuant to such sections in fiscal year*
7 *2016 exceed \$136,000,000, the amounts shall be available*
8 *in fiscal year 2017 only to the extent provided in advance*
9 *in appropriations Acts.*

10 *In addition, up to \$1,000,000 to be derived from fees*
11 *collected pursuant to section 303(c) of the Social Security*
12 *Protection Act, which shall remain available until ex-*
13 *pended.*

14 *OFFICE OF INSPECTOR GENERAL*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For expenses necessary for the Office of Inspector Gen-*
17 *eral in carrying out the provisions of the Inspector General*
18 *Act of 1978, \$29,787,000, together with not to exceed*
19 *\$75,713,000, to be transferred and expended as authorized*
20 *by section 201(g)(1) of the Social Security Act from the*
21 *Federal Old-Age and Survivors Insurance Trust Fund and*
22 *the Federal Disability Insurance Trust Fund.*

23 *In addition, an amount not to exceed 3 percent of the*
24 *total provided in this appropriation may be transferred*
25 *from the “Limitation on Administrative Expenses”, Social*

1 *Security Administration, to be merged with this account,*
2 *to be available for the time and purposes for which this*
3 *account is available: Provided, That notice of such transfers*
4 *shall be transmitted promptly to the Committees on Appro-*
5 *priations of the House of Representatives and the Senate*
6 *at least 15 days in advance of any transfer.*

7 *TITLE V*

8 *GENERAL PROVISIONS*

9 *(TRANSFER OF FUNDS)*

10 *SEC. 501. The Secretaries of Labor, Health and*
11 *Human Services, and Education are authorized to transfer*
12 *unexpended balances of prior appropriations to accounts*
13 *corresponding to current appropriations provided in this*
14 *Act. Such transferred balances shall be used for the same*
15 *purpose, and for the same periods of time, for which they*
16 *were originally appropriated.*

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

20 *SEC. 503. (a) No part of any appropriation contained*
21 *in this Act or transferred pursuant to section 4002 of Public*
22 *Law 111–148 shall be used, other than for normal and rec-*
23 *ognized executive-legislative relationships, for publicity or*
24 *propaganda purposes, for the preparation, distribution, or*
25 *use of any kit, pamphlet, booklet, publication, electronic*

1 *communication, radio, television, or video presentation de-*
2 *signed to support or defeat the enactment of legislation be-*
3 *fore the Congress or any State or local legislature or legisla-*
4 *tive body, except in presentation to the Congress or any*
5 *State or local legislature itself, or designed to support or*
6 *defeat any proposed or pending regulation, administrative*
7 *action, or order issued by the executive branch of any State*
8 *or local government, except in presentation to the executive*
9 *branch of any State or local government itself.*

10 *(b) No part of any appropriation contained in this*
11 *Act or transferred pursuant to section 4002 of Public Law*
12 *111–148 shall be used to pay the salary or expenses of any*
13 *grant or contract recipient, or agent acting for such recipi-*
14 *ent, related to any activity designed to influence the enact-*
15 *ment of legislation, appropriations, regulation, administra-*
16 *tive action, or Executive order proposed or pending before*
17 *the Congress or any State government, State legislature or*
18 *local legislature or legislative body, other than for normal*
19 *and recognized executive-legislative relationships or partici-*
20 *pation by an agency or officer of a State, local or tribal*
21 *government in policymaking and administrative processes*
22 *within the executive branch of that government.*

23 *(c) The prohibitions in subsections (a) and (b) shall*
24 *include any activity to advocate or promote any proposed,*
25 *pending or future Federal, State or local tax increase, or*

1 *any proposed, pending, or future requirement or restriction*
2 *on any legal consumer product, including its sale or mar-*
3 *keting, including but not limited to the advocacy or pro-*
4 *motion of gun control.*

5 *SEC. 504. The Secretaries of Labor and Education are*
6 *authorized to make available not to exceed \$28,000 and*
7 *\$20,000, respectively, from funds available for salaries and*
8 *expenses under titles I and III, respectively, for official re-*
9 *ception and representation expenses; the Director of the*
10 *Federal Mediation and Conciliation Service is authorized*
11 *to make available for official reception and representation*
12 *expenses not to exceed \$5,000 from the funds available for*
13 *“Federal Mediation and Conciliation Service, Salaries and*
14 *Expenses”;* and the Chairman of the National Mediation
15 *Board is authorized to make available for official reception*
16 *and representation expenses not to exceed \$5,000 from funds*
17 *available for “National Mediation Board, Salaries and Ex-*
18 *penses”.*

19 *SEC. 505. When issuing statements, press releases, re-*
20 *quests for proposals, bid solicitations and other documents*
21 *describing projects or programs funded in whole or in part*
22 *with Federal money, all grantees receiving Federal funds*
23 *included in this Act, including but not limited to State and*
24 *local governments and recipients of Federal research grants,*
25 *shall clearly state—*

1 (1) *the percentage of the total costs of the pro-*
2 *gram or project which will be financed with Federal*
3 *money;*

4 (2) *the dollar amount of Federal funds for the*
5 *project or program; and*

6 (3) *percentage and dollar amount of the total*
7 *costs of the project or program that will be financed*
8 *by non-governmental sources.*

9 *SEC. 506. (a) None of the funds appropriated in this*
10 *Act, and none of the funds in any trust fund to which funds*
11 *are appropriated in this Act, shall be expended for any*
12 *abortion.*

13 *(b) None of the funds appropriated in this Act, and*
14 *none of the funds in any trust fund to which funds are*
15 *appropriated in this Act, shall be expended for health bene-*
16 *fits coverage that includes coverage of abortion.*

17 *(c) The term “health benefits coverage” means the*
18 *package of services covered by a managed care provider or*
19 *organization pursuant to a contract or other arrangement.*

20 *SEC. 507. (a) The limitations established in the pre-*
21 *ceding section shall not apply to an abortion—*

22 *(1) if the pregnancy is the result of an act of*
23 *rape or incest; or*

24 *(2) in the case where a woman suffers from a*
25 *physical disorder, physical injury, or physical illness,*

1 *including a life-endangering physical condition*
2 *caused by or arising from the pregnancy itself, that*
3 *would, as certified by a physician, place the woman*
4 *in danger of death unless an abortion is performed.*

5 *(b) Nothing in the preceding section shall be construed*
6 *as prohibiting the expenditure by a State, locality, entity,*
7 *or private person of State, local, or private funds (other*
8 *than a State's or locality's contribution of Medicaid match-*
9 *ing funds).*

10 *(c) Nothing in the preceding section shall be construed*
11 *as restricting the ability of any managed care provider*
12 *from offering abortion coverage or the ability of a State or*
13 *locality to contract separately with such a provider for such*
14 *coverage with State funds (other than a State's or locality's*
15 *contribution of Medicaid matching funds).*

16 *(d)(1) None of the funds made available in this Act*
17 *may be made available to a Federal agency or program,*
18 *or to a State or local government, if such agency, program,*
19 *or government subjects any institutional or individual*
20 *health care entity to discrimination on the basis that the*
21 *health care entity does not provide, pay for, provide cov-*
22 *erage of, or refer for abortions.*

23 *(2) In this subsection, the term "health care entity"*
24 *includes an individual physician or other health care pro-*
25 *fessional, a hospital, a provider-sponsored organization, a*

1 *health maintenance organization, a health insurance plan,*
2 *or any other kind of health care facility, organization, or*
3 *plan.*

4 *SEC. 508. (a) None of the funds made available in this*
5 *Act may be used for—*

6 *(1) the creation of a human embryo or embryos*
7 *for research purposes; or*

8 *(2) research in which a human embryo or em-*
9 *bryos are destroyed, discarded, or knowingly subjected*
10 *to risk of injury or death greater than that allowed*
11 *for research on fetuses in utero under 45 CFR*
12 *46.204(b) and section 498(b) of the Public Health*
13 *Service Act (42 U.S.C. 289g(b)).*

14 *(b) For purposes of this section, the term “human em-*
15 *bryo or embryos” includes any organism, not protected as*
16 *a human subject under 45 CFR 46 as of the date of the*
17 *enactment of this Act, that is derived by fertilization, par-*
18 *thenogenesis, cloning, or any other means from one or more*
19 *human gametes or human diploid cells.*

20 *SEC. 509. (a) None of the funds made available in this*
21 *Act may be used for any activity that promotes the legaliza-*
22 *tion of any drug or other substance included in schedule*
23 *I of the schedules of controlled substances established under*
24 *section 202 of the Controlled Substances Act except for nor-*

1 *mal and recognized executive-congressional communica-*
2 *tions.*

3 *(b) The limitation in subsection (a) shall not apply*
4 *when there is significant medical evidence of a therapeutic*
5 *advantage to the use of such drug or other substance or that*
6 *federally sponsored clinical trials are being conducted to de-*
7 *termine therapeutic advantage.*

8 *SEC. 510. None of the funds made available in this*
9 *Act may be used to promulgate or adopt any final standard*
10 *under section 1173(b) of the Social Security Act providing*
11 *for, or providing for the assignment of, a unique health*
12 *identifier for an individual (except in an individual's ca-*
13 *capacity as an employer or a health care provider), until leg-*
14 *islation is enacted specifically approving the standard.*

15 *SEC. 511. None of the funds made available in this*
16 *Act may be obligated or expended to enter into or renew*
17 *a contract with an entity if—*

18 *(1) such entity is otherwise a contractor with the*
19 *United States and is subject to the requirement in 38*
20 *U.S.C. 4212(d) regarding submission of an annual*
21 *report to the Secretary of Labor concerning employ-*
22 *ment of certain veterans; and*

23 *(2) such entity has not submitted a report as re-*
24 *quired by that section for the most recent year for*
25 *which such requirement was applicable to such entity.*

1 *SEC. 512. None of the funds made available in this*
2 *Act may be transferred to any department, agency, or in-*
3 *strumentality of the United States Government, except pur-*
4 *suant to a transfer made by, or transfer authority provided*
5 *in, this Act or any other appropriation Act.*

6 *SEC. 513. None of the funds made available by this*
7 *Act to carry out the Library Services and Technology Act*
8 *may be made available to any library covered by paragraph*
9 *(1) of section 224(f) of such Act, as amended by the Chil-*
10 *dren’s Internet Protection Act, unless such library has made*
11 *the certifications required by paragraph (4) of such section.*

12 *SEC. 514. (a) None of the funds provided under this*
13 *Act, or provided under previous appropriations Acts to the*
14 *agencies funded by this Act that remain available for obli-*
15 *gation or expenditure in fiscal year 2016, or provided from*
16 *any accounts in the Treasury of the United States derived*
17 *by the collection of fees available to the agencies funded by*
18 *this Act, shall be available for obligation or expenditure*
19 *through a reprogramming of funds that—*

20 *(1) creates new programs;*

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

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

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

1 (5) reorganizes or renames offices;

2 (6) reorganizes programs or activities; or

3 (7) contracts out or privatizes any functions or
4 activities presently performed by Federal employees;

5 unless the Committees on Appropriations of the House of
6 Representatives and the Senate are consulted 15 days in
7 advance of such reprogramming or of an announcement of
8 intent relating to such reprogramming, whichever occurs
9 earlier, and are notified in writing 10 days in advance of
10 such reprogramming.

11 (b) None of the funds provided under this Act, or pro-
12 vided under previous appropriations Acts to the agencies
13 funded by this Act that remain available for obligation or
14 expenditure in fiscal year 2016, or provided from any ac-
15 counts in the Treasury of the United States derived by the
16 collection of fees available to the agencies funded by this
17 Act, shall be available for obligation or expenditure through
18 a reprogramming of funds in excess of \$500,000 or 10 per-
19 cent, whichever is less, that—

20 (1) augments existing programs, projects (in-
21 cluding construction projects), or activities;

22 (2) reduces by 10 percent funding for any exist-
23 ing program, project, or activity, or numbers of per-
24 sonnel by 10 percent as approved by Congress; or

1 (3) results from any general savings from a re-
2 duction in personnel which would result in a change
3 in existing programs, activities, or projects as ap-
4 proved by Congress;
5 unless the Committees on Appropriations of the House of
6 Representatives and the Senate are consulted 15 days in
7 advance of such reprogramming or of an announcement of
8 intent relating to such reprogramming, whichever occurs
9 earlier, and are notified in writing 10 days in advance of
10 such reprogramming.

11 SEC. 515. (a) None of the funds made available in this
12 Act may be used to request that a candidate for appoint-
13 ment to a Federal scientific advisory committee disclose the
14 political affiliation or voting history of the candidate or
15 the position that the candidate holds with respect to polit-
16 ical issues not directly related to and necessary for the work
17 of the committee involved.

18 (b) None of the funds made available in this Act may
19 be used to disseminate information that is deliberately false
20 or misleading.

21 SEC. 516. Within 45 days of enactment of this Act,
22 each department and related agency funded through this
23 Act shall submit an operating plan that details at the pro-
24 gram, project, and activity level any funding allocations
25 for fiscal year 2016 that are different than those specified

1 *in this Act, the accompanying detailed table in the explana-*
2 *tory statement described in section 4 (in the matter pre-*
3 *ceding division A of this consolidated Act), or the fiscal year*
4 *2016 budget request.*

5 *SEC. 517. The Secretaries of Labor, Health and*
6 *Human Services, and Education shall each prepare and*
7 *submit to the Committees on Appropriations of the House*
8 *of Representatives and the Senate a report on the number*
9 *and amount of contracts, grants, and cooperative agree-*
10 *ments exceeding \$500,000 in value and awarded by the De-*
11 *partment on a non-competitive basis during each quarter*
12 *of fiscal year 2016, but not to include grants awarded on*
13 *a formula basis or directed by law. Such report shall in-*
14 *clude the name of the contractor or grantee, the amount of*
15 *funding, the governmental purpose, including a justifica-*
16 *tion for issuing the award on a non-competitive basis. Such*
17 *report shall be transmitted to the Committees within 30*
18 *days after the end of the quarter for which the report is*
19 *submitted.*

20 *SEC. 518. None of the funds appropriated in this Act*
21 *shall be expended or obligated by the Commissioner of So-*
22 *cial Security, for purposes of administering Social Security*
23 *benefit payments under title II of the Social Security Act,*
24 *to process any claim for credit for a quarter of coverage*
25 *based on work performed under a social security account*

1 *number that is not the claimant's number and the perform-*
2 *ance of such work under such number has formed the basis*
3 *for a conviction of the claimant of a violation of section*
4 *208(a)(6) or (7) of the Social Security Act.*

5 *SEC. 519. None of the funds appropriated by this Act*
6 *may be used by the Commissioner of Social Security or the*
7 *Social Security Administration to pay the compensation of*
8 *employees of the Social Security Administration to admin-*
9 *ister Social Security benefit payments, under any agree-*
10 *ment between the United States and Mexico establishing to-*
11 *talization arrangements between the social security system*
12 *established by title II of the Social Security Act and the*
13 *social security system of Mexico, which would not otherwise*
14 *be payable but for such agreement.*

15 *SEC. 520. Notwithstanding any other provision of this*
16 *Act, no funds appropriated in this Act shall be used to pur-*
17 *chase sterile needles or syringes for the hypodermic injection*
18 *of any illegal drug: Provided, That such limitation does not*
19 *apply to the use of funds for elements of a program other*
20 *than making such purchases if the relevant State or local*
21 *health department, in consultation with the Centers for Dis-*
22 *ease Control and Prevention, determines that the State or*
23 *local jurisdiction, as applicable, is experiencing, or is at*
24 *risk for, a significant increase in hepatitis infections or an*

1 *HIV outbreak due to injection drug use, and such program*
2 *is operating in accordance with State and local law.*

3 *SEC. 521. (a) None of the funds made available in this*
4 *Act may be used to maintain or establish a computer net-*
5 *work unless such network blocks the viewing, downloading,*
6 *and exchanging of pornography.*

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

11 *SEC. 522. None of the funds made available under this*
12 *or any other Act, or any prior Appropriations Act, may*
13 *be provided to the Association of Community Organizations*
14 *for Reform Now (ACORN), or any of its affiliates, subsidi-*
15 *aries, allied organizations, or successors.*

16 *SEC. 523. For purposes of carrying out Executive*
17 *Order 13589, Office of Management and Budget Memo-*
18 *randum M-12-12 dated May 11, 2012, and requirements*
19 *contained in the annual appropriations bills relating to*
20 *conference attendance and expenditures:*

21 *(1) the operating divisions of HHS shall be con-*
22 *sidered independent agencies; and*

23 *(2) attendance at and support for scientific con-*
24 *ferences shall be tabulated separately from and not*
25 *included in agency totals.*

1 *SEC. 524. Federal agencies funded under this Act shall*
2 *clearly state within the text, audio, or video used for adver-*
3 *tising or educational purposes, including emails or Internet*
4 *postings, that the communication is printed, published, or*
5 *produced and disseminated at U.S. taxpayer expense. The*
6 *funds used by a Federal agency to carry out this require-*
7 *ment shall be derived from amounts made available to the*
8 *agency for advertising or other communications regarding*
9 *the programs and activities of the agency.*

10 *SEC. 525. (a) Federal agencies may use Federal discre-*
11 *tionary funds that are made available in this Act to carry*
12 *out up to 10 Performance Partnership Pilots. Such Pilots*
13 *shall—*

14 *(1) be designed to improve outcomes for discon-*
15 *nected youth;*

16 *(2) include communities that have recently expe-*
17 *rienced civil unrest; and*

18 *(3) involve Federal programs targeted on discon-*
19 *nected youth, or designed to prevent youth from dis-*
20 *connecting from school or work, that provide edu-*
21 *cation, training, employment, and other related social*
22 *services. Such Pilots shall be governed by the provi-*
23 *sions of section 526 of division H of Public Law 113–*
24 *76, except that in carrying out such Pilots section 526*
25 *shall be applied by substituting “FISCAL YEAR 2016”*

1 for “FISCAL YEAR 2014” in the title of subsection (b)
2 and by substituting “September 30, 2020” for “Sep-
3 tember 30, 2018” each place it appears.

4 (b) In addition, Federal agencies may use Federal dis-
5 cretionary funds that are made available in this Act to par-
6 ticipate in Performance Partnership Pilots that are being
7 carried out pursuant to the authority provided by section
8 526 of division H of Public Law 113–76, and section 524
9 of division G of Public Law 113–235: Provided, That new
10 pilots that are being carried out with discretionary funds
11 made available in division G of Public Law 113–235 shall
12 include communities that have recently experienced civil
13 unrest.

14 SEC. 526. Not later than 30 days after the end of each
15 calendar quarter, beginning with the first quarter of fiscal
16 year 2013, the Departments of Labor, Health and Human
17 Services and Education and the Social Security Adminis-
18 tration shall provide the Committees on Appropriations of
19 the House of Representatives and Senate a quarterly report
20 on the status of balances of appropriations: Provided, That
21 for balances that are unobligated and uncommitted, com-
22 mitted, and obligated but unexpended, the quarterly reports
23 shall separately identify the amounts attributable to each
24 source year of appropriation (beginning with fiscal year

1 2012, or, to the extent feasible, earlier fiscal years) from
2 which balances were derived.

3 SEC. 527. Section 2812(d)(2) of the Public Health
4 Service Act (42 U.S.C. 300hh–11(d)(2)) is amended—

5 (1) by redesignating the three sentences as sub-
6 paragraphs (A), (B), and (C), respectively, and in-
7 denting accordingly;

8 (2) in subparagraph (A), as so redesignated, by
9 striking “An” and inserting “IN GENERAL.—An”;

10 (3) in subparagraph (B), as so redesignated, by
11 striking “With” and inserting “APPLICATION TO
12 TRAINING PROGRAMS.—With”;

13 (4) in subparagraph (C), as so redesignated, by
14 striking “In” and inserting “RESPONSIBILITY OF
15 LABOR SECRETARY.—In”; and

16 (5) by adding at the end the following new sub-
17 paragraphs:

18 “(D) COMPUTATION OF PAY.—In the event
19 of an injury to such an intermittent disaster re-
20 sponse appointee, the position of the employee
21 shall be deemed to be ‘one which would have af-
22 fforded employment for substantially a whole
23 year’, for purposes of section 8114(d)(2) of such
24 title.

1 **DIVISION I—LEGISLATIVE BRANCH**
2 **APPROPRIATIONS ACT, 2016**

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 *\$179,185,311, which shall be paid from this appropriation*
24 *without regard to the following limitations:*

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 *\$69,000,000.*

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, \$1,762,000.*

16 *AGENCY CONTRIBUTIONS AND RELATED EXPENSES*

17 *For agency contributions for employee benefits, as au-*
18 *thorized by law, and related expenses, \$48,797,499.*

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, \$5,408,500.*

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 *2018.*

20 *EXPENSES OF THE UNITED STATES SENATE CAUCUS ON*

21 *INTERNATIONAL NARCOTICS 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 1 of the Legislative Branch Appropria-*
25 *tions Act, 1991 (2 U.S.C. 6153) is amended—*

1 (1) *by redesignating subsections (c) and (d) as*
2 *subsections (d) and (e), respectively;*

3 (2) *by inserting after subsection (b) the fol-*
4 *lowing:*

5 “(c)(1) *The Chaplain of the Senate may, during any*
6 *fiscal year, at the election of the Chaplain of the Senate,*
7 *transfer funds from the appropriation account for salaries*
8 *for the Office of the Chaplain of the Senate to the account,*
9 *within the contingent fund of the Senate, from which ex-*
10 *penses are payable for the Office of the Chaplain.*

11 “(2) *The Chaplain of the Senate may, during any fis-*
12 *cal year, at the election of the Chaplain of the Senate, trans-*
13 *fer funds from the appropriation account for expenses, with-*
14 *in the contingent fund of the Senate, for the Office of the*
15 *Chaplain to the account from which salaries are payable*
16 *for the Office of the Chaplain of the Senate.”;*

17 (3) *in subsection (d), as so redesignated—*

18 (A) *in paragraph (1), by inserting “or the*
19 *Office of the Chaplain of the Senate, as the case*
20 *may be,” after “such committee” each place it*
21 *appears; and*

22 (B) *in paragraph (2), by inserting “or the*
23 *Chaplain of the Senate, as the case may be,”*
24 *after “the Chairman”; and*

1 (4) *in subsection (e), as so redesignated, by in-*
2 *serting “or the Chaplain of the Senate, as the case*
3 *may be,” after “The Chairman of a committee”.*

4 *HOUSE OF REPRESENTATIVES*

5 *SALARIES AND EXPENSES*

6 *For salaries and expenses of the House of Representa-*
7 *tives, \$1,180,736,000, as follows:*

8 *HOUSE LEADERSHIP OFFICES*

9 *For salaries and expenses, as authorized by law,*
10 *\$22,278,891, including: Office of the Speaker, \$6,645,417,*
11 *including \$25,000 for official expenses of the Speaker; Office*
12 *of the Majority Floor Leader, \$2,180,048, including \$10,000*
13 *for official expenses of the Majority Leader; Office of the*
14 *Minority Floor Leader, \$7,114,471, including \$10,000 for*
15 *official expenses of the Minority Leader; Office of the Major-*
16 *ity Whip, including the Chief Deputy Majority Whip,*
17 *\$1,886,632, including \$5,000 for official expenses of the Ma-*
18 *jority Whip; Office of the Minority Whip, including the*
19 *Chief Deputy Minority Whip, \$1,459,639, including \$5,000*
20 *for official expenses of the Minority Whip; Republican Con-*
21 *ference, \$1,505,426; Democratic Caucus, \$1,487,258: Pro-*
22 *vided, That such amount for salaries and expenses shall re-*
23 *main available from January 3, 2016 until January 2,*
24 *2017.*

1 *MEMBERS' REPRESENTATIONAL ALLOWANCES*
2 *INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES*
3 *OF MEMBERS, AND OFFICIAL MAIL*

4 *For Members' representational allowances, including*
5 *Members' clerk hire, official expenses, and official mail,*
6 *\$554,317,732.*

7 *COMMITTEE EMPLOYEES*
8 *STANDING COMMITTEES, SPECIAL AND SELECT*

9 *For salaries and expenses of standing committees, spe-*
10 *cial and select, authorized by House resolutions,*
11 *\$123,903,173: Provided, That such amount shall remain*
12 *available for such salaries and expenses until December 31,*
13 *2016.*

14 *COMMITTEE ON APPROPRIATIONS*

15 *For salaries and expenses of the Committee on Appro-*
16 *priations, \$23,271,004, including studies and examinations*
17 *of executive agencies and temporary personal services for*
18 *such committee, to be expended in accordance with section*
19 *202(b) of the Legislative Reorganization Act of 1946 and*
20 *to be available for reimbursement to agencies for services*
21 *performed: Provided, That such amount shall remain avail-*
22 *able for such salaries and expenses until December 31, 2016.*

23 *SALARIES, OFFICERS AND EMPLOYEES*

24 *For compensation and expenses of officers and employ-*
25 *ees, as authorized by law, \$178,531,768, including: for sala-*

1 *ries and expenses of the Office of the Clerk, including the*
2 *positions of the Chaplain and the Historian, and including*
3 *not more than \$25,000 for official representation and recep-*
4 *tion expenses, of which not more than \$20,000 is for the*
5 *Family Room and not more than \$2,000 is for the Office*
6 *of the Chaplain, \$24,980,898; for salaries and expenses of*
7 *the Office of the Sergeant at Arms, including the position*
8 *of Superintendent of Garages and the Office of Emergency*
9 *Management, and including not more than \$3,000 for offi-*
10 *cial representation and reception expenses, \$14,827,120 of*
11 *which \$4,784,229 shall remain available until expended; for*
12 *salaries and expenses of the Office of the Chief Administra-*
13 *tive Officer including not more than \$3,000 for official rep-*
14 *resentation and reception expenses, \$117,165,000, of which*
15 *\$1,350,000 shall remain available until expended; for sala-*
16 *ries and expenses of the Office of the Inspector General,*
17 *\$4,741,809; for salaries and expenses of the Office of General*
18 *Counsel, \$1,413,450; for salaries and expenses of the Office*
19 *of the Parliamentarian, including the Parliamentarian,*
20 *\$2,000 for preparing the Digest of Rules, and not more than*
21 *\$1,000 for official representation and reception expenses,*
22 *\$1,974,606; for salaries and expenses of the Office of the*
23 *Law Revision Counsel of the House, \$3,119,766; for salaries*
24 *and expenses of the Office of the Legislative Counsel of the*
25 *House, \$8,352,975; for salaries and expenses of the Office*

1 *of Interparliamentary Affairs, \$814,069; for other author-*
2 *ized employees, \$1,142,075.*

3 *ALLOWANCES AND EXPENSES*

4 *For allowances and expenses as authorized by House*
5 *resolution or law, \$278,433,432, including: supplies, mate-*
6 *rials, administrative costs and Federal tort claims,*
7 *\$3,625,236; official mail for committees, leadership offices,*
8 *and administrative offices of the House, \$190,486; Govern-*
9 *ment contributions for health, retirement, Social Security,*
10 *and other applicable employee benefits, \$251,629,425, to re-*
11 *main available until March 31, 2017; Business Continuity*
12 *and Disaster Recovery, \$16,217,008 of which \$5,000,000*
13 *shall remain available until expended; transition activities*
14 *for new members and staff, \$2,084,000, to remain available*
15 *until expended; Wounded Warrior Program \$2,500,000, to*
16 *remain available until expended; Office of Congressional*
17 *Ethics, \$1,467,030; and miscellaneous items including pur-*
18 *chase, exchange, maintenance, repair and operation of*
19 *House motor vehicles, interparliamentary receptions, and*
20 *gratuities to heirs of deceased employees of the House,*
21 *\$720,247.*

ADMINISTRATIVE PROVISIONS

1
2 *REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT*

3
4
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 2016. Any amount*
9 *remaining after all payments are made under such allow-*
10 *ances for fiscal year 2016 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
16 *(b) REGULATIONS.—The Committee on House Admin-*
17 *istration of the House of Representatives shall have author-*
18 *ity to prescribe regulations to carry out this section.*

19 *(c) DEFINITION.—As used in this section, the term*
20 *“Member of the House of Representatives” means a Rep-*
21 *resentative in, or a Delegate or Resident Commissioner to,*
22 *the Congress.*

DELIVERY OF BILLS AND RESOLUTIONS

23
24 *SEC. 102. None of the funds made available in this*
25 *Act may be used to deliver a printed copy of a bill, joint*

1 *resolution, or resolution to the office of a Member of the*
2 *House of Representatives (including a Delegate or Resident*
3 *Commissioner to the Congress) unless the Member requests*
4 *a copy.*

5 *DELIVERY OF CONGRESSIONAL RECORD*

6 *SEC. 103. None of the funds made available by this*
7 *Act may be used to deliver a printed copy of any version*
8 *of the Congressional Record to the office of a Member of*
9 *the House of Representatives (including a Delegate or Resi-*
10 *dent Commissioner to the Congress).*

11 *LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES*

12 *SEC. 104. None of the funds made available in this*
13 *Act may be used by the Chief Administrative Officer of the*
14 *House of Representatives to make any payments from any*
15 *Members' Representational Allowance for the leasing of a*
16 *vehicle, excluding mobile district offices, in an aggregate*
17 *amount that exceeds \$1,000 for the vehicle in any month.*

18 *LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE*

19 *SEC. 105. None of the funds made available by this*
20 *Act may be used to provide an aggregate number of more*
21 *than 50 printed copies of any edition of the United States*
22 *Code to all offices of the House of Representatives.*

23 *DELIVERY OF REPORTS OF DISBURSEMENTS*

24 *SEC. 106. None of the funds made available by this*
25 *Act may be used to deliver a printed copy of the report*

1 *of disbursements for the operations of the House of Rep-*
2 *resentatives under section 106 of the House of Representa-*
3 *tives Administrative Reform Technical Corrections Act (2*
4 *U.S.C. 5535) to the office of a Member of the House of Rep-*
5 *resentatives (including a Delegate or Resident Commis-*
6 *sioner to the Congress).*

7 *DELIVERY OF DAILY CALENDAR*

8 *SEC. 107. None of the funds made available by this*
9 *Act may be used to deliver to the office of a Member of the*
10 *House of Representatives (including a Delegate or Resident*
11 *Commissioner to the Congress) a printed copy of the Daily*
12 *Calendar of the House of Representatives which is prepared*
13 *by the Clerk of the House of Representatives.*

14 *DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY*

15 *SEC. 108. None of the funds made available by this*
16 *Act may be used to deliver a printed copy of the Congres-*
17 *sional Pictorial Directory to the office of a Member of the*
18 *House of Representatives (including a Delegate or Resident*
19 *Commissioner to the Congress).*

20 *JOINT ITEMS*

21 *For Joint Committees, as follows:*

22 *JOINT ECONOMIC COMMITTEE*

23 *For salaries and expenses of the Joint Economic Com-*
24 *mittee, \$4,203,000, to be disbursed by the Secretary of the*
25 *Senate.*

1 *the compensation of employees of the joint congressional*
2 *committee.*

3 *JOINT COMMITTEE ON TAXATION*

4 *For salaries and expenses of the Joint Committee on*
5 *Taxation, \$10,095,000, to be disbursed by the Chief Admin-*
6 *istrative Officer of the House of Representatives.*

7 *For other joint items, as follows:*

8 *OFFICE OF THE ATTENDING PHYSICIAN*

9 *For medical supplies, equipment, and contingent ex-*
10 *penses of the emergency rooms, and for the Attending Physi-*
11 *cian and his assistants, including:*

12 *(1) an allowance of \$2,175 per month to the At-*
13 *tending Physician;*

14 *(2) an allowance of \$1,300 per month to the Sen-*
15 *ior Medical Officer;*

16 *(3) an allowance of \$725 per month each to three*
17 *medical officers while on duty in the Office of the At-*
18 *tending Physician;*

19 *(4) an allowance of \$725 per month to 2 assist-*
20 *ants and \$580 per month each not to exceed 11 assist-*
21 *ants on the basis heretofore provided for such assist-*
22 *ants; and*

23 *(5) \$2,692,000 for reimbursement to the Depart-*
24 *ment of the Navy for expenses incurred for staff and*
25 *equipment assigned to the Office of the Attending*

1 *Physician, which shall be advanced and credited to*
2 *the applicable appropriation or appropriations from*
3 *which such salaries, allowances, and other expenses*
4 *are payable and shall be available for all the purposes*
5 *thereof, \$3,784,000, to be disbursed by the Chief Ad-*
6 *ministrative Officer of the House of Representatives.*

7 *OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES*

8 *SALARIES AND EXPENSES*

9 *For salaries and expenses of the Office of Congressional*
10 *Accessibility Services, \$1,400,000, to be disbursed by the*
11 *Secretary of the Senate.*

12 *CAPITOL POLICE*

13 *SALARIES*

14 *For salaries of employees of the Capitol Police, includ-*
15 *ing overtime, hazardous duty pay, and Government con-*
16 *tributions for health, retirement, social security, profes-*
17 *sional liability insurance, and other applicable employee*
18 *benefits, \$309,000,000 of which overtime shall not exceed*
19 *\$30,928,000 unless the Committee on Appropriations of the*
20 *House and Senate are notified, to be disbursed by the Chief*
21 *of the Capitol Police or his designee.*

22 *GENERAL EXPENSES*

23 *For necessary expenses of the Capitol Police, including*
24 *motor vehicles, communications and other equipment, secu-*
25 *rity equipment and installation, uniforms, weapons, sup-*

1 *plies, materials, training, medical services, forensic services,*
2 *stenographic services, personal and professional services, the*
3 *employee assistance program, the awards program, postage,*
4 *communication services, travel advances, relocation of in-*
5 *structor and liaison personnel for the Federal Law Enforce-*
6 *ment Training Center, and not more than \$5,000 to be ex-*
7 *pende on the certification of the Chief of the Capitol Police*
8 *in connection with official representation and reception ex-*
9 *penses, \$66,000,000, to be disbursed by the Chief of the Cap-*
10 *itol Police or his designee: Provided, That, notwithstanding*
11 *any other provision of law, the cost of basic training for*
12 *the Capitol Police at the Federal Law Enforcement Train-*
13 *ing Center for fiscal year 2016 shall be paid by the Sec-*
14 *retary of Homeland Security from funds available to the*
15 *Department of Homeland Security.*

16 *ADMINISTRATIVE PROVISION*

17 *DEPOSIT OF REIMBURSEMENTS FOR LAW ENFORCEMENT*

18 *ASSISTANCE*

19 *SEC. 1001. (a) IN GENERAL.—Section 2802(a)(1) of*
20 *the Supplemental Appropriations Act, 2001 (2 U.S.C.*
21 *1905(a)(1)) is amended by striking “District of Columbia)”*
22 *and inserting the following: “District of Columbia), and*
23 *from any other source in the case of assistance provided*
24 *in connection with an activity that was not sponsored by*
25 *Congress”.*

1 (b) *CONFORMING AMENDMENT.*—Section 2802(a)(2) of
2 such Act (2 U.S.C. 1905(a)(2)) is amended by striking “law
3 enforcement assistance to any Federal, State, or local gov-
4 ernment agency (including any agency of the District of
5 Columbia)” and inserting “any law enforcement assistance
6 for which reimbursement described in paragraph (1) is
7 made”.

8 (c) *EFFECTIVE DATE.*—The amendments made by this
9 section shall only apply with respect to any reimbursement
10 received before, on, or after the date of the enactment of the
11 Act.

12 OFFICE OF COMPLIANCE

13 SALARIES AND EXPENSES

14 For salaries and expenses of the Office of Compliance,
15 as authorized by section 305 of the Congressional Account-
16 ability Act of 1995 (2 U.S.C. 1385), \$3,959,000, of which
17 \$450,000 shall remain available until September 30, 2017:
18 Provided, That not more than \$500 may be expended on
19 the certification of the Executive Director of the Office of
20 Compliance in connection with official representation and
21 reception expenses.

22 CONGRESSIONAL BUDGET OFFICE

23 SALARIES AND EXPENSES

24 For salaries and expenses necessary for operation of
25 the Congressional Budget Office, including not more than

1 \$6,000 to be expended on the certification of the Director
2 of the Congressional Budget Office in connection with offi-
3 cial representation and reception expenses, \$46,500,000.

4 *ARCHITECT OF THE CAPITOL*

5 *CAPITAL CONSTRUCTION AND OPERATIONS*

6 *For salaries for the Architect of the Capitol, and other*
7 *personal services, at rates of pay provided by law; for all*
8 *necessary expenses for surveys and studies, construction, op-*
9 *eration, and general and administrative support in connec-*
10 *tion with facilities and activities under the care of the Ar-*
11 *chitect of the Capitol including the Botanic Garden; elec-*
12 *trical substations of the Capitol, Senate and House office*
13 *buildings, and other facilities under the jurisdiction of the*
14 *Architect of the Capitol; including furnishings and office*
15 *equipment; including not more than \$5,000 for official re-*
16 *ception and representation expenses, to be expended as the*
17 *Architect of the Capitol may approve; for purchase or ex-*
18 *change, maintenance, and operation of a passenger motor*
19 *vehicle, \$91,589,000.*

20 *CAPITOL BUILDING*

21 *For all necessary expenses for the maintenance, care*
22 *and operation of the Capitol, \$46,737,000, of which*
23 *\$22,737,000 shall remain available until September 30,*
24 *2020.*

CAPITOL POWER PLANT

1
2 *For all necessary expenses for the maintenance, care*
3 *and operation of the Capitol Power Plant; lighting, heating,*
4 *power (including the purchase of electrical energy) and*
5 *water and sewer services for the Capitol, Senate and House*
6 *office buildings, Library of Congress buildings, and the*
7 *grounds about the same, Botanic Garden, Senate garage,*
8 *and air conditioning refrigeration not supplied from plants*
9 *in any of such buildings; heating the Government Pub-*
10 *lishing Office and Washington City Post Office, and heating*
11 *and chilled water for air conditioning for the Supreme*
12 *Court Building, the Union Station complex, the Thurgood*
13 *Marshall Federal Judiciary Building and the Folger Shake-*
14 *speare Library, expenses for which shall be advanced or re-*
15 *imbursed upon request of the Architect of the Capitol and*
16 *amounts so received shall be deposited into the Treasury*
17 *to the credit of this appropriation, \$94,722,499, of which*
18 *\$17,581,499 shall remain available until September 30,*
19 *2020: Provided, That not more than \$9,000,000 of the funds*
20 *credited or to be reimbursed to this appropriation as herein*
21 *provided shall be available for obligation during fiscal year*
22 *2016.*

LIBRARY BUILDINGS AND GROUNDS

23
24 *For all necessary expenses for the mechanical and*
25 *structural maintenance, care and operation of the Library*

1 *buildings and grounds, \$40,689,000, of which \$15,746,000*
2 *shall remain available until September 30, 2020.*

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 Computer Facility, and AOC security oper-*
8 *ations, \$25,434,000, of which \$7,901,000 shall remain*
9 *available until September 30, 2020.*

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, \$12,113,000, of which \$2,100,000*
17 *shall remain available until September 30, 2020: 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. 1101. 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. 1102. 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 *ACQUISITION OF PARCEL AT FORT MEADE*

22 *SEC. 1103. (a) ACQUISITION.—The Architect of the*
23 *Capitol is authorized to acquire from the Maryland State*
24 *Highway Administration, at no cost to the United States,*
25 *a parcel of real property (including improvements thereon)*

1 *consisting of approximately 7.34 acres located within the*
2 *portion of Fort George G. Meade in Anne Arundel County,*
3 *Maryland, that was transferred to the Architect of the Cap-*
4 *itol by the Secretary of the Army pursuant to section 122*
5 *of the Military Construction Appropriations Act, 1994 (2*
6 *U.S.C. 141 note).*

7 **(b) TERMS AND CONDITIONS.**—*The terms and condi-*
8 *tions applicable under subsections (b) and (d) of section 122*
9 *of the Military Construction Appropriations Act, 1994 (2*
10 *U.S.C. 141 note) to the property acquired by the Architect*
11 *of the Capitol pursuant to such section shall apply to the*
12 *real property acquired by the Architect pursuant to the au-*
13 *thority of this section.*

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, \$425,971,000,*
3 *of which not more than \$6,000,000 shall be derived from*
4 *collections credited to this appropriation during fiscal year*
5 *2016, 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 2016 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, \$8,231,000*
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*

1 *remain available until expended for upgrade of the Legisla-*
2 *tive Branch Financial Management System.*

3 *COPYRIGHT OFFICE*

4 *SALARIES AND EXPENSES*

5 *For all necessary expenses of the Copyright Office,*
6 *\$58,875,000, of which not more than \$30,000,000, to re-*
7 *main available until expended, shall be derived from collec-*
8 *tions credited to this appropriation during fiscal year 2016*
9 *under section 708(d) of title 17, United States Code: Pro-*
10 *vided, That the Copyright Office may not obligate or expend*
11 *any funds derived from collections under such section, in*
12 *excess of the amount authorized for obligation or expendi-*
13 *ture in appropriations Acts: Provided further, That not*
14 *more than \$5,777,000 shall be derived from collections dur-*
15 *ing fiscal year 2016 under sections 111(d)(2), 119(b)(3),*
16 *803(e), 1005, and 1316 of such title: Provided further, That*
17 *the total amount available for obligation shall be reduced*
18 *by the amount by which collections are less than*
19 *\$35,777,000: Provided further, That not more than*
20 *\$100,000 of the amount appropriated is available for the*
21 *maintenance of an “International Copyright Institute” in*
22 *the Copyright Office of the Library of Congress for the pur-*
23 *pose of training nationals of developing countries in intel-*
24 *lectual property laws and policies: Provided further, That*
25 *not more than \$6,500 may be expended, on the certification*

1 *of the Librarian of Congress, in connection with official*
2 *representation and reception expenses for activities of the*
3 *International Copyright Institute and for copyright delega-*
4 *tions, visitors, and seminars: Provided further, That, not-*
5 *withstanding any provision of chapter 8 of title 17, United*
6 *States Code, any amounts made available under this head-*
7 *ing which are attributable to royalty fees and payments re-*
8 *ceived by the Copyright Office pursuant to sections 111,*
9 *119, and chapter 10 of such title may be used for the costs*
10 *incurred in the administration of the Copyright Royalty*
11 *Judges program, with the exception of the costs of salaries*
12 *and benefits for the Copyright Royalty Judges and staff*
13 *under section 802(e).*

14 *CONGRESSIONAL RESEARCH SERVICE*

15 *SALARIES AND EXPENSES*

16 *For all necessary expenses to carry out the provisions*
17 *of section 203 of the Legislative Reorganization Act of 1946*
18 *(2 U.S.C. 166) and to revise and extend the Annotated Con-*
19 *stitution of the United States of America, \$106,945,000:*
20 *Provided, That no part of such amount may be used to pay*
21 *any salary or expense in connection with any publication,*
22 *or preparation of material therefor (except the Digest of*
23 *Public General Bills), to be issued by the Library of Con-*
24 *gress unless such publication has obtained prior approval*
25 *of either the Committee on House Administration of the*

1 *House of Representatives or the Committee on Rules and*
2 *Administration of the Senate.*

3 *BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED*

4 *SALARIES AND EXPENSES*

5 *For all necessary expenses to carry out the Act of*
6 *March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a),*
7 *\$50,248,000: Provided, That of the total amount appro-*
8 *priated, \$650,000 shall be available to contract to provide*
9 *newspapers to blind and physically handicapped residents*
10 *at no cost to the individual.*

11 *ADMINISTRATIVE PROVISIONS*

12 *REIMBURSABLE AND REVOLVING FUND ACTIVITIES*

13 *SEC. 1201. (a) IN GENERAL.—For fiscal year 2016,*
14 *the obligational authority of the Library of Congress for the*
15 *activities described in subsection (b) may not exceed*
16 *\$186,015,000.*

17 *(b) ACTIVITIES.—The activities referred to in sub-*
18 *section (a) are reimbursable and revolving fund activities*
19 *that are funded from sources other than appropriations to*
20 *the Library in appropriations Acts for the legislative*
21 *branch.*

22 *LIBRARIAN OF CONGRESS EMERITUS*

23 *SEC. 1202. (a) DESIGNATION OF JAMES BILLINGTON*
24 *AS LIBRARIAN OF CONGRESS EMERITUS.—As an honorary*
25 *designation, James H. Billington, upon leaving service as*

1 *the Librarian of Congress, may be known as the Librarian*
2 *of Congress Emeritus.*

3 (b) *NO APPOINTMENT TO GOVERNMENT SERVICE;*
4 *AVAILABILITY OF INCIDENTAL SUPPORT.*—*The honorary*
5 *designation under this section does not constitute an ap-*
6 *pointment to a position in the Federal Government under*
7 *title 5, United States Code. Notwithstanding the previous*
8 *sentence, in connection with his activities as Librarian of*
9 *Congress Emeritus, James H. Billington may receive inci-*
10 *idental administrative and clerical support through the Li-*
11 *brary of Congress.*

12 **GOVERNMENT PUBLISHING OFFICE**

13 **CONGRESSIONAL PUBLISHING**

14 **(INCLUDING TRANSFER OF FUNDS)**

15 *For authorized publishing of congressional informa-*
16 *tion and the distribution of congressional information in*
17 *any format; expenses necessary for preparing the semi-*
18 *monthly and session index to the Congressional Record, as*
19 *authorized by law (section 902 of title 44, United States*
20 *Code); publishing of Government publications authorized by*
21 *law to be distributed to Members of Congress; and pub-*
22 *lishing, and distribution of Government publications au-*
23 *thorized by law to be distributed without charge to the re-*
24 *cipient, \$79,736,000: Provided, That this appropriation*
25 *shall not be available for paper copies of the permanent edi-*

1 *tion of the Congressional Record for individual Representa-*
2 *tives, Resident Commissioners or Delegates authorized*
3 *under section 906 of title 44, United States Code: Provided*
4 *further, That this appropriation shall be available for the*
5 *payment of obligations incurred under the appropriations*
6 *for similar purposes for preceding fiscal years: Provided*
7 *further, That notwithstanding the 2-year limitation under*
8 *section 718 of title 44, United States Code, none of the funds*
9 *appropriated or made available under this Act or any other*
10 *Act for printing and binding and related services provided*
11 *to Congress under chapter 7 of title 44, United States Code,*
12 *may be expended to print a document, report, or publica-*
13 *tion after the 27-month period beginning on the date that*
14 *such document, report, or publication is authorized by Con-*
15 *gress to be printed, unless Congress reauthorizes such print-*
16 *ing in accordance with section 718 of title 44, United States*
17 *Code: Provided further, That any unobligated or unex-*
18 *pended balances in this account or accounts for similar*
19 *purposes for preceding fiscal years may be transferred to*
20 *the Government Publishing Office Business Operations Re-*
21 *volving Fund for carrying out the purposes of this heading,*
22 *subject to the approval of the Committees on Appropriations*
23 *of the House of Representatives and Senate: Provided fur-*
24 *ther, That notwithstanding sections 901, 902, and 906 of*
25 *title 44, United States Code, this appropriation may be*

1 *used to prepare indexes to the Congressional Record on only*
2 *a monthly and session basis.*

3 *PUBLIC INFORMATION PROGRAMS OF THE*
4 *SUPERINTENDENT OF DOCUMENTS*
5 *SALARIES AND EXPENSES*
6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For expenses of the public information programs of the*
8 *Office of Superintendent of Documents necessary to provide*
9 *for the cataloging and indexing of Government publications*
10 *and their distribution to the public, Members of Congress,*
11 *other Government agencies, and designated depository and*
12 *international exchange libraries as authorized by law,*
13 *\$30,500,000: Provided, That amounts of not more than*
14 *\$2,000,000 from current year appropriations are author-*
15 *ized for producing and disseminating Congressional serial*
16 *sets and other related publications for fiscal years 2014 and*
17 *2015 to depository and other designated libraries: Provided*
18 *further, That any unobligated or unexpended balances in*
19 *this account or accounts for similar purposes for preceding*
20 *fiscal years may be transferred to the Government Pub-*
21 *lishing Office Business Operations Revolving Fund for car-*
22 *rying out the purposes of this heading, subject to the ap-*
23 *proval of the Committees on Appropriations of the House*
24 *of Representatives and Senate.*

1 *GOVERNMENT PUBLISHING OFFICE BUSINESS*2 *OPERATIONS REVOLVING FUND*

3 *For payment to the Government Publishing Office*
4 *Business Operations Revolving Fund, \$6,832,000, to re-*
5 *main available until expended, for information technology*
6 *development and facilities repair: Provided, That the Gov-*
7 *ernment Publishing Office is hereby authorized to make*
8 *such expenditures, within the limits of funds available and*
9 *in accordance with law, and to make such contracts and*
10 *commitments without regard to fiscal year limitations as*
11 *provided by section 9104 of title 31, United States Code,*
12 *as may be necessary in carrying out the programs and pur-*
13 *poses set forth in the budget for the current fiscal year for*
14 *the Government Publishing Office Business Operations Re-*
15 *volving Fund: Provided further, That not more than \$7,500*
16 *may be expended on the certification of the Director of the*
17 *Government Publishing Office in connection with official*
18 *representation and reception expenses: Provided further,*
19 *That the business operations revolving fund shall be avail-*
20 *able for the hire or purchase of not more than 12 passenger*
21 *motor vehicles: Provided further, That expenditures in con-*
22 *nection with travel expenses of the advisory councils to the*
23 *Director of the Government Publishing Office shall be*
24 *deemed necessary to carry out the provisions of title 44,*
25 *United States Code: Provided further, That the business op-*

1 *erations revolving fund shall be available for temporary or*
2 *intermittent services under section 3109(b) of title 5, United*
3 *States Code, but at rates for individuals not more than the*
4 *daily equivalent of the annual rate of basic pay for level*
5 *V of the Executive Schedule under section 5316 of such title:*
6 *Provided further, That activities financed through the busi-*
7 *ness operations revolving fund may provide information in*
8 *any format: Provided further, That the business operations*
9 *revolving fund and the funds provided under the heading*
10 *“Public Information Programs of the Superintendent of*
11 *Documents” may not be used for contracted security serv-*
12 *ices at GPO’s passport facility in the District of Columbia.*

13 **GOVERNMENT ACCOUNTABILITY OFFICE**

14 **SALARIES AND EXPENSES**

15 *For necessary expenses of the Government Account-*
16 *ability Office, including not more than \$12,500 to be ex-*
17 *pendent on the certification of the Comptroller General of*
18 *the United States in connection with official representation*
19 *and reception expenses; temporary or intermittent services*
20 *under section 3109(b) of title 5, United States Code, but*
21 *at rates for individuals not more than the daily equivalent*
22 *of the annual rate of basic pay for level IV of the Executive*
23 *Schedule under section 5315 of such title; hire of one pas-*
24 *senger motor vehicle; advance payments in foreign countries*
25 *in accordance with section 3324 of title 31, United States*

1 *Code; benefits comparable to those payable under sections*
2 *901(5), (6), and (8) of the Foreign Service Act of 1980 (22*
3 *U.S.C. 4081(5), (6), and (8)); and under regulations pre-*
4 *scribed by the Comptroller General of the United States,*
5 *rental of living quarters in foreign countries, \$531,000,000:*
6 *Provided, That, in addition, \$25,450,000 of payments re-*
7 *ceived under sections 782, 791, 3521, and 9105 of title 31,*
8 *United States Code, shall be available without fiscal year*
9 *limitation: Provided further, That this appropriation and*
10 *appropriations for administrative expenses of any other de-*
11 *partment or agency which is a member of the National*
12 *Intergovernmental Audit Forum or a Regional Intergovern-*
13 *mental Audit Forum shall be available to finance an appro-*
14 *priate share of either Forum's costs as determined by the*
15 *respective Forum, including necessary travel expenses of*
16 *non-Federal participants: Provided further, That payments*
17 *hereunder to the Forum may be credited as reimbursements*
18 *to any appropriation from which costs involved are ini-*
19 *tially financed.*

20 *ADMINISTRATIVE PROVISION*

21 *FEDERAL GOVERNMENT DETAILS*

22 *SEC. 1301. (a) PERMITTING DETAILS FROM OTHER*
23 *FEDERAL OFFICES.—Section 731 of title 31, United States*
24 *Code, is amended by adding at the end the following new*
25 *subsection:*

1 “(k) *FEDERAL GOVERNMENT DETAILS.*—*The activities*
2 *of the Government Accountability Office may, in the reason-*
3 *able discretion of the Comptroller General, be carried out*
4 *by receiving details of personnel from other offices of the*
5 *Federal Government on a reimbursable, partially-reimburs-*
6 *able, or nonreimbursable basis.*”.

7 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
8 *section (a) shall apply with respect to fiscal year 2016 and*
9 *each succeeding fiscal year.*

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 *2016 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 *lated reasons to the same extent as guided tours of the*
2 *United States Capitol which are led by the Architect of the*
3 *Capitol.*

4 *BATTERY RECHARGING STATIONS FOR PRIVATELY OWNED*
5 *VEHICLES IN PARKING AREAS UNDER THE JURISDIC-*
6 *TION OF THE LIBRARIAN OF CONGRESS AT NO NET*
7 *COST TO THE FEDERAL GOVERNMENT*

8 *SEC. 209. (a) DEFINITION.—In this section, the term*
9 *“covered employee” means—*

10 *(1) an employee of the Library of Congress; or*

11 *(2) any other individual who is authorized to*
12 *park in any parking area under the jurisdiction of*
13 *the Library of Congress on the Library of Congress*
14 *buildings and grounds.*

15 *(b) AUTHORITY.—*

16 *(1) IN GENERAL.—Subject to paragraph (3),*
17 *funds appropriated to the Architect of the Capitol*
18 *under the heading “Capitol Power Plant” under the*
19 *heading “ARCHITECT OF THE CAPITOL” in any*
20 *fiscal year are available to construct, operate, and*
21 *maintain on a reimbursable basis battery recharging*
22 *stations in parking areas under the jurisdiction of the*
23 *Library of Congress on Library of Congress buildings*
24 *and grounds for use by privately owned vehicles used*
25 *by covered employees.*

1 (2) *VENDORS AUTHORIZED.*—*In carrying out*
2 *paragraph (1), the Architect of the Capitol may use*
3 *one or more vendors on a commission basis.*

4 (3) *APPROVAL OF CONSTRUCTION.*—*The Archi-*
5 *tect of the Capitol may construct or direct the con-*
6 *struction of battery recharging stations described*
7 *under paragraph (1) after—*

8 (A) *submission of written notice detailing*
9 *the numbers and locations of the battery re-*
10 *charging stations to the Joint Committee on the*
11 *Library; and*

12 (B) *approval by that Committee.*

13 (c) *FEES AND CHARGES.*—

14 (1) *IN GENERAL.*—*Subject to paragraph (2), the*
15 *Architect of the Capitol shall charge fees or charges*
16 *for electricity provided to covered employees sufficient*
17 *to cover the costs to the Architect of the Capitol to*
18 *carry out this section, including costs to any vendors*
19 *or other costs associated with maintaining the battery*
20 *charging stations.*

21 (2) *APPROVAL OF FEES OR CHARGES.*—*The Ar-*
22 *chitect of the Capitol may establish and adjust fees or*
23 *charges under paragraph (1) after—*

24 (A) *submission of written notice detailing*
25 *the amount of the fee or charge to be established*

1 *or adjusted to the Joint Committee on the Li-*
2 *brary; and*

3 *(B) approval by that Committee.*

4 *(d) DEPOSIT AND AVAILABILITY OF FEES, CHARGES,*
5 *AND COMMISSIONS.—Any fees, charges, or commissions col-*
6 *lected by the Architect of the Capitol under this section shall*
7 *be—*

8 *(1) deposited in the Treasury to the credit of the*
9 *appropriations account described under subsection*
10 *(b); and*

11 *(2) available for obligation without further ap-*
12 *propriation during the fiscal year collected.*

13 *(e) REPORTS.—*

14 *(1) IN GENERAL.—Not later than 30 days after*
15 *the end of each fiscal year, the Architect of the Capitol*
16 *shall submit a report on the financial administration*
17 *and cost recovery of activities under this section with*
18 *respect to that fiscal year to the Joint Committee on*
19 *the Library and the Committees on Appropriations of*
20 *the House of Representatives and Senate.*

21 *(2) AVOIDING SUBSIDY.—*

22 *(A) DETERMINATION.—Not later than 3*
23 *years after the date of enactment of this Act and*
24 *every 3 years thereafter, the Architect of the Cap-*
25 *itol shall submit a report to the Joint Committee*

1 *on the Library determining whether covered em-*
2 *ployees using battery charging stations as au-*
3 *thorized by this section are receiving a subsidy*
4 *from the taxpayers.*

5 *(B) MODIFICATION OF RATES AND FEES.—*
6 *If a determination is made under subparagraph*
7 *(A) that a subsidy is being received, the Architect*
8 *of the Capitol shall submit a plan to the Joint*
9 *Committee on the Library on how to update the*
10 *program to ensure no subsidy is being received.*
11 *If the Joint Committee does not act on the plan*
12 *within 60 days, the Architect of the Capitol shall*
13 *take appropriate steps to increase rates or fees to*
14 *ensure reimbursement for the cost of the program*
15 *consistent with an appropriate schedule for am-*
16 *ortization, to be charged to those using the charg-*
17 *ing stations.*

18 *(f) EFFECTIVE DATE.—This section shall apply with*
19 *respect to fiscal year 2016 and each fiscal year thereafter.*

20 *SELF-CERTIFICATION OF PERFORMANCE APPRAISAL*

21 *SYSTEMS FOR SENIOR-LEVEL EMPLOYEES*

22 *SEC. 210. (a) SELF-CERTIFICATION BY LIBRARIAN OF*
23 *CONGRESS, ARCHITECT OF THE CAPITOL, AND DIRECTOR*
24 *OF GOVERNMENT PUBLISHING OFFICE.—Section 5307(d) of*
25 *title 5, United States Code, is amended—*

1 (1) *in paragraph (1)(A), by striking “this title*
2 *or section 332(f), 603, or 604 of title 28” and insert-*
3 *ing “this title, section 332(f), 603, or 604 of title 28,*
4 *or section 108 of the Legislative Branch Appropria-*
5 *tions Act, 1991 (2 U.S.C. 1849)”;* and

6 (2) *by adding at the end the following new para-*
7 *graph:*

8 “(5)(A) *Notwithstanding any provision of para-*
9 *graph (3), any regulations, certifications, or other*
10 *measures necessary to carry out this subsection—*

11 “(i) *with respect to employees of the Li-*
12 *brary of Congress shall be the responsibility of*
13 *the Librarian of Congress;*

14 “(ii) *with respect to employees of the Office*
15 *of the Architect of the Capitol shall be the re-*
16 *sponsibility of the Architect of the Capitol; and*

17 “(iii) *with respect to employees of the Gov-*
18 *ernment Publishing Office shall be the responsi-*
19 *bility of the Director of the Government Pub-*
20 *lishing Office.*

21 “(B) *The regulations under this paragraph shall*
22 *be consistent with those promulgated under para-*
23 *graph (3).”.*

1 *tions are necessary for such purposes and notifies the Com-*
2 *mittees on Appropriations of both Houses of Congress of the*
3 *determination and the reasons therefor.*

4 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

5 *For acquisition, construction, installation, and equip-*
6 *ment of temporary or permanent public works, naval in-*
7 *stallations, facilities, and real property for the Navy and*
8 *Marine Corps as currently authorized by law, including*
9 *personnel in the Naval Facilities Engineering Command*
10 *and other personal services necessary for the purposes of this*
11 *appropriation, \$1,669,239,000, to remain available until*
12 *September 30, 2020: Provided, That, of this amount, not*
13 *to exceed \$91,649,000 shall be available for study, planning,*
14 *design, and architect and engineer services, as authorized*
15 *by law, unless the Secretary of the Navy determines that*
16 *additional obligations are necessary for such purposes and*
17 *notifies the Committees on Appropriations of both Houses*
18 *of Congress of the determination and the reasons therefor:*
19 *Provided further, That none of the funds made available*
20 *under this heading may be obligated for the Townsend*
21 *Bombing Range Expansion, Phase 2, until the Secretary*
22 *of the Navy enters into an agreement with local stakeholders*
23 *that addresses the disposition and management of the tim-*
24 *ber and forest resources in the proposed areas of expansion.*

1 *MILITARY CONSTRUCTION, AIR FORCE*

2 *For acquisition, construction, installation, and equip-*
3 *ment of temporary or permanent public works, military in-*
4 *stallations, facilities, and real property for the Air Force*
5 *as currently authorized by law, \$1,389,185,000, to remain*
6 *available until September 30, 2020: Provided, That of this*
7 *amount, not to exceed \$89,164,000 shall be available for*
8 *study, planning, design, and architect and engineer serv-*
9 *ices, as authorized by law, unless the Secretary of the Air*
10 *Force determines that additional obligations are necessary*
11 *for such purposes and notifies the Committees on Appro-*
12 *priations of both Houses of Congress of the determination*
13 *and the reasons therefor.*

14 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For acquisition, construction, installation, and equip-*
17 *ment of temporary or permanent public works, installa-*
18 *tions, facilities, and real property for activities and agen-*
19 *cies of the Department of Defense (other than the military*
20 *departments), as currently authorized by law,*
21 *\$2,242,867,000, to remain available until September 30,*
22 *2020: Provided, That such amounts of this appropriation*
23 *as may be determined by the Secretary of Defense may be*
24 *transferred to such appropriations of the Department of De-*
25 *fense available for military construction or family housing*

1 *as the Secretary may designate, to be merged with and to*
2 *be available for the same purposes, and for the same time*
3 *period, as the appropriation or fund to which transferred:*
4 *Provided further, That of the amount appropriated, not to*
5 *exceed \$175,404,000 shall be available for study, planning,*
6 *design, and architect and engineer services, as authorized*
7 *by law, unless the Secretary of Defense determines that ad-*
8 *ditional obligations are necessary for such purposes and no-*
9 *tifies the Committees on Appropriations of both Houses of*
10 *Congress of the determination and the reasons therefor: Pro-*
11 *vided further, That of the funds made available by this title*
12 *to construct fiscal year 2016 Special Operations Command*
13 *military construction projects, not to exceed 75 percent shall*
14 *be available until the Commander of the Special Operations*
15 *Command has complied with the certification and reporting*
16 *requirements in the last proviso under the heading “Depart-*
17 *ment of Defense—Military Construction, Defense-Wide” in*
18 *title I of H.R. 2029, as passed by the House of Representa-*
19 *tives on April 30, 2015.*

20 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

21 *For construction, acquisition, expansion, rehabilita-*
22 *tion, and conversion of facilities for the training and ad-*
23 *ministration of the Army National Guard, and contribu-*
24 *tions therefor, as authorized by chapter 1803 of title 10,*
25 *United States Code, and Military Construction Authoriza-*

1 *tion Acts, \$197,237,000, to remain available until Sep-*
2 *tember 30, 2020: Provided, That, of the amount appro-*
3 *priated, not to exceed \$20,337,000 shall be available for*
4 *study, planning, design, and architect and engineer serv-*
5 *ices, as authorized by law, unless the Director of the Army*
6 *National Guard determines that additional obligations are*
7 *necessary for such purposes and notifies the Committees on*
8 *Appropriations of both Houses of Congress of the determina-*
9 *tion and the reasons therefor.*

10 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

11 *For construction, acquisition, expansion, rehabilita-*
12 *tion, and conversion of facilities for the training and ad-*
13 *ministration of the Air National Guard, and contributions*
14 *therefor, as authorized by chapter 1803 of title 10, United*
15 *States Code, and Military Construction Authorization Acts,*
16 *\$138,738,000, to remain available until September 30,*
17 *2020: Provided, That, of the amount appropriated, not to*
18 *exceed \$5,104,000 shall be available for study, planning, de-*
19 *sign, and architect and engineer services, as authorized by*
20 *law, unless the Director of the Air National Guard deter-*
21 *mines that additional obligations are necessary for such*
22 *purposes and notifies the Committees on Appropriations of*
23 *both Houses of Congress of the determination and the rea-*
24 *sons therefor.*

1 *MILITARY CONSTRUCTION, ARMY RESERVE*

2 *For construction, acquisition, expansion, rehabilita-*
3 *tion, and conversion of facilities for the training and ad-*
4 *ministration of the Army Reserve as authorized by chapter*
5 *1803 of title 10, United States Code, and Military Con-*
6 *struction Authorization Acts, \$113,595,000, to remain*
7 *available until September 30, 2020: Provided, That, of the*
8 *amount appropriated, not to exceed \$9,318,000 shall be*
9 *available for study, planning, design, and architect and en-*
10 *gineer services, as authorized by law, unless the Chief of*
11 *the Army Reserve determines that additional obligations*
12 *are necessary for such purposes and notifies the Committees*
13 *on Appropriations of both Houses of Congress of the deter-*
14 *mination and the reasons therefor.*

15 *MILITARY CONSTRUCTION, NAVY RESERVE*

16 *For construction, acquisition, expansion, rehabilita-*
17 *tion, and conversion of facilities for the training and ad-*
18 *ministration of the reserve components of the Navy and Ma-*
19 *rine Corps as authorized by chapter 1803 of title 10, United*
20 *States Code, and Military Construction Authorization Acts,*
21 *\$36,078,000, to remain available until September 30, 2020:*
22 *Provided, That, of the amount appropriated, not to exceed*
23 *\$2,208,000 shall be available for study, planning, design,*
24 *and architect and engineer services, as authorized by law,*
25 *unless the Secretary of the Navy determines that additional*

1 *obligations are necessary for such purposes and notifies the*
2 *Committees on Appropriations of both Houses of Congress*
3 *of the determination and the reasons therefor.*

4 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

5 *For construction, acquisition, expansion, rehabilita-*
6 *tion, and conversion of facilities for the training and ad-*
7 *ministration of the Air Force Reserve as authorized by*
8 *chapter 1803 of title 10, United States Code, and Military*
9 *Construction Authorization Acts, \$65,021,000, to remain*
10 *available until September 30, 2020: Provided, That, of the*
11 *amount appropriated, not to exceed \$13,400,000 shall be*
12 *available for study, planning, design, and architect and en-*
13 *gineer services, as authorized by law, unless the Chief of*
14 *the Air Force Reserve determines that additional obliga-*
15 *tions are necessary for such purposes and notifies the Com-*
16 *mittees on Appropriations of both Houses of Congress of the*
17 *determination and the reasons therefor.*

18 *NORTH ATLANTIC TREATY ORGANIZATION*

19 *SECURITY INVESTMENT PROGRAM*

20 *For the United States share of the cost of the North*
21 *Atlantic Treaty Organization Security Investment Pro-*
22 *gram for the acquisition and construction of military facili-*
23 *ties and installations (including international military*
24 *headquarters) and for related expenses for the collective de-*
25 *fense of the North Atlantic Treaty Area as authorized by*

1 *section 2806 of title 10, United States Code, and Military*
2 *Construction Authorization Acts, \$135,000,000, to remain*
3 *available until expended.*

4 *FAMILY HOUSING CONSTRUCTION, ARMY*

5 *For expenses of family housing for the Army for con-*
6 *struction, including acquisition, replacement, addition, ex-*
7 *pansion, extension, and alteration, as authorized by law,*
8 *\$108,695,000, to remain available until September 30,*
9 *2020.*

10 *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

11 *For expenses of family housing for the Army for oper-*
12 *ation and maintenance, including debt payment, leasing,*
13 *minor construction, principal and interest charges, and in-*
14 *surance premiums, as authorized by law, \$375,611,000.*

15 *FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE*

16 *CORPS*

17 *For expenses of family housing for the Navy and Ma-*
18 *rine Corps for construction, including acquisition, replace-*
19 *ment, addition, expansion, extension, and alteration, as au-*
20 *thorized by law, \$16,541,000, to remain available until*
21 *September 30, 2020.*

22 *FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY*

23 *AND MARINE CORPS*

24 *For expenses of family housing for the Navy and Ma-*
25 *rine Corps for operation and maintenance, including debt*

1 *payment, leasing, minor construction, principal and inter-*
2 *est charges, and insurance premiums, as authorized by law,*
3 *\$353,036,000.*

4 *FAMILY HOUSING CONSTRUCTION, AIR FORCE*

5 *For expenses of family housing for the Air Force for*
6 *construction, including acquisition, replacement, addition,*
7 *expansion, extension, and alteration, as authorized by law,*
8 *\$160,498,000, to remain available until September 30,*
9 *2020.*

10 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*
11 *FORCE*

12 *For expenses of family housing for the Air Force for*
13 *operation and maintenance, including debt payment, leas-*
14 *ing, minor construction, principal and interest charges,*
15 *and insurance premiums, as authorized by law,*
16 *\$331,232,000.*

17 *FAMILY HOUSING OPERATION AND MAINTENANCE,*
18 *DEFENSE-WIDE*

19 *For expenses of family housing for the activities and*
20 *agencies of the Department of Defense (other than the mili-*
21 *tary departments) for operation and maintenance, leasing,*
22 *and minor construction, as authorized by law, \$58,668,000.*

23 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT*

24 *For deposit into the Department of Defense Base Clo-*
25 *sure Account, established by section 2906(a) of the Defense*

1 *Base Closure and Realignment Act of 1990 (10 U.S.C. 2687*
2 *note), \$266,334,000, to remain available until expended.*

3 *ADMINISTRATIVE PROVISIONS*

4 *SEC. 101. None of the funds made available in this*
5 *title shall be expended for payments under a cost-plus-a-*
6 *fixed-fee contract for construction, where cost estimates ex-*
7 *ceed \$25,000, to be performed within the United States, ex-*
8 *cept Alaska, without the specific approval in writing of the*
9 *Secretary of Defense setting forth the reasons therefor.*

10 *SEC. 102. Funds made available in this title for con-*
11 *struction shall be available for hire of passenger motor vehi-*
12 *cles.*

13 *SEC. 103. Funds made available in this title for con-*
14 *struction may be used for advances to the Federal Highway*
15 *Administration, Department of Transportation, for the con-*
16 *struction of access roads as authorized by section 210 of*
17 *title 23, United States Code, when projects authorized there-*
18 *in are certified as important to the national defense by the*
19 *Secretary of Defense.*

20 *SEC. 104. None of the funds made available in this*
21 *title may be used to begin construction of new bases in the*
22 *United States for which specific appropriations have not*
23 *been made.*

24 *SEC. 105. None of the funds made available in this*
25 *title shall be used for purchase of land or land easements*

1 *in excess of 100 percent of the value as determined by the*
2 *Army Corps of Engineers or the Naval Facilities Engineer-*
3 *ing Command, except: (1) where there is a determination*
4 *of value by a Federal court; (2) purchases negotiated by*
5 *the Attorney General or the designee of the Attorney Gen-*
6 *eral; (3) where the estimated value is less than \$25,000; or*
7 *(4) as otherwise determined by the Secretary of Defense to*
8 *be in the public interest.*

9 *SEC. 106. None of the funds made available in this*
10 *title shall be used to: (1) acquire land; (2) provide for site*
11 *preparation; or (3) install utilities for any family housing,*
12 *except housing for which funds have been made available*
13 *in annual Acts making appropriations for military con-*
14 *struction.*

15 *SEC. 107. None of the funds made available in this*
16 *title for minor construction may be used to transfer or relo-*
17 *cate any activity from one base or installation to another,*
18 *without prior notification to the Committees on Appropria-*
19 *tions of both Houses of Congress.*

20 *SEC. 108. None of the funds made available in this*
21 *title may be used for the procurement of steel for any con-*
22 *struction project or activity for which American steel pro-*
23 *ducers, fabricators, and manufacturers have been denied the*
24 *opportunity to compete for such steel procurement.*

1 *SEC. 109. None of the funds available to the Depart-*
2 *ment of Defense for military construction or family housing*
3 *during the current fiscal year may be used to pay real prop-*
4 *erty taxes in any foreign nation.*

5 *SEC. 110. None of the funds made available in this*
6 *title may be used to initiate a new installation overseas*
7 *without prior notification to the Committees on Appropria-*
8 *tions of both Houses of Congress.*

9 *SEC. 111. None of the funds made available in this*
10 *title may be obligated for architect and engineer contracts*
11 *estimated by the Government to exceed \$500,000 for projects*
12 *to be accomplished in Japan, in any North Atlantic Treaty*
13 *Organization member country, or in countries bordering the*
14 *Arabian Gulf, unless such contracts are awarded to United*
15 *States firms or United States firms in joint venture with*
16 *host nation firms.*

17 *SEC. 112. None of the funds made available in this*
18 *title for military construction in the United States terri-*
19 *ories and possessions in the Pacific and on Kwajalein*
20 *Atoll, or in countries bordering the Arabian Gulf, may be*
21 *used to award any contract estimated by the Government*
22 *to exceed \$1,000,000 to a foreign contractor: Provided, That*
23 *this section shall not be applicable to contract awards for*
24 *which the lowest responsive and responsible bid of a United*
25 *States contractor exceeds the lowest responsive and respon-*

1 sible bid of a foreign contractor by greater than 20 percent:
2 Provided further, That this section shall not apply to con-
3 tract awards for military construction on Kwajalein Atoll
4 for which the lowest responsive and responsible bid is sub-
5 mitted by a Marshallese contractor.

6 SEC. 113. The Secretary of Defense shall inform the
7 appropriate committees of both Houses of Congress, includ-
8 ing the Committees on Appropriations, of plans and scope
9 of any proposed military exercise involving United States
10 personnel 30 days prior to its occurring, if amounts ex-
11 pended for construction, either temporary or permanent,
12 are anticipated to exceed \$100,000.

13 SEC. 114. Funds appropriated to the Department of
14 Defense for construction in prior years shall be available
15 for construction authorized for each such military depart-
16 ment by the authorizations enacted into law during the cur-
17 rent session of Congress.

18 SEC. 115. For military construction or family housing
19 projects that are being completed with funds otherwise ex-
20 pired or lapsed for obligation, expired or lapsed funds may
21 be used to pay the cost of associated supervision, inspection,
22 overhead, engineering and design on those projects and on
23 subsequent claims, if any.

24 SEC. 116. Notwithstanding any other provision of law,
25 any funds made available to a military department or de-

1 *fense agency for the construction of military projects may*
2 *be obligated for a military construction project or contract,*
3 *or for any portion of such a project or contract, at any*
4 *time before the end of the fourth fiscal year after the fiscal*
5 *year for which funds for such project were made available,*
6 *if the funds obligated for such project: (1) are obligated from*
7 *funds available for military construction projects; and (2)*
8 *do not exceed the amount appropriated for such project,*
9 *plus any amount by which the cost of such project is in-*
10 *creased pursuant to law.*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *SEC. 117. Subject to 30 days prior notification, or 14*
13 *days for a notification provided in an electronic medium*
14 *pursuant to sections 480 and 2883 of title 10, United States*
15 *Code, to the Committees on Appropriations of both Houses*
16 *of Congress, such additional amounts as may be determined*
17 *by the Secretary of Defense may be transferred to: (1) the*
18 *Department of Defense Family Housing Improvement Fund*
19 *from amounts appropriated for construction in “Family*
20 *Housing” accounts, to be merged with and to be available*
21 *for the same purposes and for the same period of time as*
22 *amounts appropriated directly to the Fund; or (2) the De-*
23 *partment of Defense Military Unaccompanied Housing Im-*
24 *provement Fund from amounts appropriated for construc-*
25 *tion of military unaccompanied housing in “Military Con-*

1 *struction” accounts, to be merged with and to be available*
2 *for the same purposes and for the same period of time as*
3 *amounts appropriated directly to the Fund: Provided, That*
4 *appropriations made available to the Funds shall be avail-*
5 *able to cover the costs, as defined in section 502(5) of the*
6 *Congressional Budget Act of 1974, of direct loans or loan*
7 *guarantees issued by the Department of Defense pursuant*
8 *to the provisions of subchapter IV of chapter 169 of title*
9 *10, United States Code, pertaining to alternative means of*
10 *acquiring and improving military family housing, military*
11 *unaccompanied housing, and supporting facilities.*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *SEC. 118. In addition to any other transfer authority*
14 *available to the Department of Defense, amounts may be*
15 *transferred from the Department of Defense Base Closure*
16 *Account to the fund established by section 1013(d) of the*
17 *Demonstration Cities and Metropolitan Development Act of*
18 *1966 (42 U.S.C. 3374) to pay for expenses associated with*
19 *the Homeowners Assistance Program incurred under 42*
20 *U.S.C. 3374(a)(1)(A). Any amounts transferred shall be*
21 *merged with and be available for the same purposes and*
22 *for the same time period as the fund to which transferred.*

23 *SEC. 119. Notwithstanding any other provision of law,*
24 *funds made available in this title for operation and mainte-*
25 *nance of family housing shall be the exclusive source of*

1 *funds for repair and maintenance of all family housing*
2 *units, including general or flag officer quarters: Provided,*
3 *That not more than \$35,000 per unit may be spent annu-*
4 *ally for the maintenance and repair of any general or flag*
5 *officer quarters without 30 days prior notification, or 14*
6 *days for a notification provided in an electronic medium*
7 *pursuant to sections 480 and 2883 of title 10, United States*
8 *Code, to the Committees on Appropriations of both Houses*
9 *of Congress, except that an after-the-fact notification shall*
10 *be submitted if the limitation is exceeded solely due to costs*
11 *associated with environmental remediation that could not*
12 *be reasonably anticipated at the time of the budget submis-*
13 *sion: Provided further, That the Under Secretary of Defense*
14 *(Comptroller) is to report annually to the Committees on*
15 *Appropriations of both Houses of Congress all operation*
16 *and maintenance expenditures for each individual general*
17 *or flag officer quarters for the prior fiscal year.*

18 *SEC. 120. Amounts contained in the Ford Island Im-*
19 *provement Account established by subsection (h) of section*
20 *2814 of title 10, United States Code, are appropriated and*
21 *shall be available until expended for the purposes specified*
22 *in subsection (i)(1) of such section or until transferred pur-*
23 *suant to subsection (i)(3) of such section.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 121. During the 5-year period after appropria-
3 tions available in this Act to the Department of Defense
4 for military construction and family housing operation and
5 maintenance and construction have expired for obligation,
6 upon a determination that such appropriations will not be
7 necessary for the liquidation of obligations or for making
8 authorized adjustments to such appropriations for obliga-
9 tions incurred during the period of availability of such ap-
10 propriations, unobligated balances of such appropriations
11 may be transferred into the appropriation “Foreign Cur-
12 rency Fluctuations, Construction, Defense”, to be merged
13 with and to be available for the same time period and for
14 the same purposes as the appropriation to which trans-
15 ferred.

16 SEC. 122. (a) Except as provided in subsection (b),
17 none of the funds made available in this Act may be used
18 by the Secretary of the Army to relocate a unit in the Army
19 that—

20 (1) performs a testing mission or function that
21 is not performed by any other unit in the Army and
22 is specifically stipulated in title 10, United States
23 Code; and

24 (2) is located at a military installation at which
25 the total number of civilian employees of the Depart-

1 *ment of the Army and Army contractor personnel em-*
2 *ployed exceeds 10 percent of the total number of mem-*
3 *bers of the regular and reserve components of the*
4 *Army assigned to the installation.*

5 *(b) EXCEPTION.—Subsection (a) shall not apply if the*
6 *Secretary of the Army certifies to the congressional defense*
7 *committees that in proposing the relocation of the unit of*
8 *the Army, the Secretary complied with Army Regulation*
9 *5–10 relating to the policy, procedures, and responsibilities*
10 *for Army stationing actions.*

11 *SEC. 123. Amounts appropriated or otherwise made*
12 *available in an account funded under the headings in this*
13 *title may be transferred among projects and activities with-*
14 *in the account in accordance with the reprogramming*
15 *guidelines for military construction and family housing*
16 *construction contained in Department of Defense Financial*
17 *Management Regulation 7000.14–R, Volume 3, Chapter 7,*
18 *of February 2009, as in effect on the date of enactment of*
19 *this Act.*

20 *SEC. 124. None of the funds made available in this*
21 *title may be obligated or expended for planning and design*
22 *and construction of projects at Arlington National Ceme-*
23 *tery.*

1 (RESCISSION OF FUNDS)

2 *SEC. 125. Of the unobligated balances available for*
3 *“Military Construction, Army” and “Family Housing Con-*
4 *struction, Army”, from prior appropriation Acts (other*
5 *than appropriations designated by law as being for contin-*
6 *gency operations directly related to the global war on ter-*
7 *rorism or as an emergency requirement), \$86,420,000 are*
8 *hereby rescinded.*

9 (RESCISSION OF FUNDS)

10 *SEC. 126. Of the unobligated balances available for*
11 *“Military Construction, Air Force”, from prior appropria-*
12 *tion Acts (other than appropriations designated by law as*
13 *being for contingency operations directly related to the glob-*
14 *al war on terrorism or as an emergency requirement),*
15 *\$46,400,000 are hereby rescinded.*

16 (RESCISSION OF FUNDS)

17 *SEC. 127. Of the unobligated balances available for*
18 *“Military Construction, Defense-Wide”, from prior appropria-*
19 *tion Acts (other than appropriations designated by law*
20 *as being for contingency operations directly related to the*
21 *global war on terrorism or as an emergency requirement),*
22 *\$134,000,000 are hereby rescinded.*

23 *SEC. 128. For an additional amount for “Military*
24 *Construction, Army”, \$34,500,000, to remain available*
25 *until September 30, 2020: Provided, That such funds may*

1 *only be obligated to carry out construction projects identi-*
2 *fied in the Department of the Army's Unfunded Priority*
3 *List for Fiscal Year 2016 submitted to Congress: Provided*
4 *further, That such funding is for projects as authorized in*
5 *the National Defense Authorization Act for Fiscal Year*
6 *2016: Provided further, That, not later than 30 days after*
7 *enactment of this Act, the Secretary of the Army shall sub-*
8 *mit to the Committees on Appropriations of both Houses*
9 *of Congress an expenditure plan for funds provided under*
10 *this section.*

11 *SEC. 129. For an additional amount for "Military*
12 *Construction, Navy and Marine Corps", \$34,500,000, to re-*
13 *main available until September 30, 2020: Provided, That*
14 *such funds may only be obligated to carry out construction*
15 *projects identified in the Department of the Navy's Un-*
16 *funded Priority List for Fiscal Year 2016: Provided further,*
17 *That such funding is for projects as authorized in the Na-*
18 *tional Defense Authorization Act for Fiscal Year 2016: Pro-*
19 *vided further, That, not later than 30 days after enactment*
20 *of this Act, the Secretary of the Navy shall submit to the*
21 *Committees on Appropriations of both Houses of Congress*
22 *an expenditure plan for funds provided under this section.*

23 *SEC. 130. For an additional amount for "Military*
24 *Construction, Army National Guard", \$51,300,000, to re-*
25 *main available until September 30, 2020: Provided, That*

1 *such funds may only be obligated to carry out construction*
2 *projects identified in the Department of the Army’s Un-*
3 *funded Priority List for Fiscal Year 2016 submitted to Con-*
4 *gress: Provided further, That such funding is for projects*
5 *as authorized in the National Defense Authorization Act for*
6 *Fiscal Year 2016: Provided further, That, not later than*
7 *30 days after enactment of this Act, the Secretary of the*
8 *Army shall submit to the Committees on Appropriations*
9 *of both Houses of Congress an expenditure plan for funds*
10 *provided under this section.*

11 *SEC. 131. For an additional amount for “Military*
12 *Construction, Army Reserve”, \$34,200,000, to remain*
13 *available until September 30, 2020: Provided, That such*
14 *funds may only be obligated to carry out construction*
15 *projects identified in the Department of the Army’s Un-*
16 *funded Priority List for Fiscal Year 2016 submitted to Con-*
17 *gress: Provided further, That such funding is for projects*
18 *as authorized in the National Defense Authorization Act for*
19 *Fiscal Year 2016: Provided further, That, not later than*
20 *30 days after enactment of this Act, the Secretary of the*
21 *Army shall submit to the Committees on Appropriations*
22 *of both Houses of Congress an expenditure plan for funds*
23 *provided under this section.*

24 *SEC. 132. Notwithstanding section 124, for an addi-*
25 *tional amount for “Military Construction, Army” in this*

1 *title, \$30,000,000 is provided for advances to the Federal*
2 *Highway Administration, Department of Transportation,*
3 *for construction of access roads as authorized by section 210*
4 *of title 23, United States Code.*

5 *SEC. 133. For an additional amount for “Military*
6 *Construction, Air Force”, \$21,000,000, to remain available*
7 *until September 30, 2020: Provided, That such funds may*
8 *only be obligated to carry out construction projects identi-*
9 *fied in the Department of the Air Force’s Unfunded Pri-*
10 *ority List for Fiscal Year 2016 submitted to Congress: Pro-*
11 *vided further, That such funding is for projects as author-*
12 *ized in the National Defense Authorization Act for Fiscal*
13 *Year 2016: Provided further, That not later than 30 days*
14 *after enactment of this Act, the Secretary of the Air Force*
15 *shall submit to the Committees on Appropriations of both*
16 *Houses of Congress an expenditure plan for funds provided*
17 *under this section.*

18 *SEC. 134. For an additional amount for “Military*
19 *Construction, Air National Guard”, \$6,100,000, to remain*
20 *available until September 30, 2020: Provided, That such*
21 *funds may only be obligated to carry out construction*
22 *projects identified in the Department of the Air Force’s Un-*
23 *funded Priority List for Fiscal Year 2016 submitted to Con-*
24 *gress: Provided further, That such funding is for projects*
25 *as authorized in the National Defense Authorization Act for*

1 *funds may only be obligated to carry out construction*
2 *projects identified in the Department of the Air Force’s Un-*
3 *funded Priority List for Fiscal Year 2016 submitted to Con-*
4 *gress: Provided further, That such funding is for projects*
5 *as authorized in the National Defense Authorization Act for*
6 *Fiscal Year 2016: Provided further, That not later than 30*
7 *days after enactment of this Act, the Secretary of the Air*
8 *Force shall submit to the Committees on Appropriations of*
9 *both Houses of Congress an expenditure plan for funds pro-*
10 *vided under this section.*

11 *SEC. 138. Notwithstanding any other provision of law,*
12 *none of the funds appropriated or otherwise made available*
13 *by this or any other Act may be used to consolidate or relo-*
14 *cate any element of a United States Air Force Rapid Engi-*
15 *neer Deployable Heavy Operational Repair Squadron En-*
16 *gineer (RED HORSE) outside of the United States until*
17 *the Secretary of the Air Force (1) completes an analysis*
18 *and comparison of the cost and infrastructure investment*
19 *required to consolidate or relocate a RED HORSE squad-*
20 *ron outside of the United States versus within the United*
21 *States; (2) provides to the Committees on Appropriations*
22 *of both Houses of Congress (“the Committees”) a report de-*
23 *tailing the findings of the cost analysis; and (3) certifies*
24 *in writing to the Committees that the preferred site for the*
25 *consolidation or relocation yields the greatest savings for*

1 *the Air Force: Provided, That the term “United States” in*
2 *this section does not include any territory or possession of*
3 *the United States.*

4 *SEC. 139. None of the funds made available by this*
5 *Act may be used to carry out the closure or transfer of the*
6 *United States Naval Station, Guantánamo Bay, Cuba.*

7 *TITLE II*

8 *DEPARTMENT OF VETERANS AFFAIRS*

9 *VETERANS BENEFITS ADMINISTRATION*

10 *COMPENSATION AND PENSIONS*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For the payment of compensation benefits to or on be-*
13 *half of veterans and a pilot program for disability examina-*
14 *tions as authorized by section 107 and chapters 11, 13, 18,*
15 *51, 53, 55, and 61 of title 38, United States Code; pension*
16 *benefits to or on behalf of veterans as authorized by chapters*
17 *15, 51, 53, 55, and 61 of title 38, United States Code; and*
18 *burial benefits, the Reinstated Entitlement Program for*
19 *Survivors, emergency and other officers’ retirement pay, ad-*
20 *justed-service credits and certificates, payment of premiums*
21 *due on commercial life insurance policies guaranteed under*
22 *the provisions of title IV of the Servicemembers Civil Relief*
23 *Act (50 U.S.C. App. 541 et seq.) and for other benefits as*
24 *authorized by sections 107, 1312, 1977, and 2106, and*
25 *chapters 23, 51, 53, 55, and 61 of title 38, United States*

1 Code, \$162,948,673,000, to remain available until ex-
2 pended, of which \$86,083,128,000 shall become available on
3 October 1, 2016: Provided, That not to exceed \$15,562,000
4 of the amount made available for fiscal year 2016 and
5 \$16,021,000 of the amount made available for fiscal year
6 2017 under this heading shall be reimbursed to “General
7 Operating Expenses, Veterans Benefits Administration”,
8 and “Information Technology Systems” for necessary ex-
9 penses in implementing the provisions of chapters 51, 53,
10 and 55 of title 38, United States Code, the funding source
11 for which is specifically provided as the “Compensation and
12 Pensions” appropriation: Provided further, That such sums
13 as may be earned on an actual qualifying patient basis,
14 shall be reimbursed to “Medical Care Collections Fund” to
15 augment the funding of individual medical facilities for
16 nursing home care provided to pensioners as authorized.

17 *READJUSTMENT BENEFITS*

18 *For the payment of readjustment and rehabilitation*
19 *benefits to or on behalf of veterans as authorized by chapters*
20 *21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of*
21 *title 38, United States Code, \$30,654,185,000, to remain*
22 *available until expended, of which \$16,340,828,000 shall be-*
23 *come available on October 1, 2016: Provided, That expenses*
24 *for rehabilitation program services and assistance which the*
25 *Secretary is authorized to provide under subsection (a) of*

1 *section 3104 of title 38, United States Code, other than*
2 *under paragraphs (1), (2), (5), and (11) of that subsection,*
3 *shall be charged to this account.*

4 *VETERANS INSURANCE AND INDEMNITIES*

5 *For military and naval insurance, national service life*
6 *insurance, servicemen's indemnities, service-disabled vet-*
7 *erans insurance, and veterans mortgage life insurance as*
8 *authorized by chapters 19 and 21, title 38, United States*
9 *Code, \$169,080,000, to remain available until expended, of*
10 *which \$91,920,000 shall become available on October 1,*
11 *2016.*

12 *VETERANS HOUSING BENEFIT PROGRAM FUND*

13 *For the cost of direct and guaranteed loans, such sums*
14 *as may be necessary to carry out the program, as authorized*
15 *by subchapters I through III of chapter 37 of title 38,*
16 *United States Code: Provided, That such costs, including*
17 *the cost of modifying such loans, shall be as defined in sec-*
18 *tion 502 of the Congressional Budget Act of 1974: Provided*
19 *further, That, during fiscal year 2016, within the resources*
20 *available, not to exceed \$500,000 in gross obligations for*
21 *direct loans are authorized for specially adapted housing*
22 *loans.*

23 *In addition, for administrative expenses to carry out*
24 *the direct and guaranteed loan programs, \$164,558,000.*

1 *VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT*

2 *For the cost of direct loans, \$31,000, as authorized by*
3 *chapter 31 of title 38, United States Code: Provided, That*
4 *such costs, including the cost of modifying such loans, shall*
5 *be as defined in section 502 of the Congressional Budget*
6 *Act of 1974: Provided further, That funds made available*
7 *under this heading are available to subsidize gross obliga-*
8 *tions for the principal amount of direct loans not to exceed*
9 *\$2,952,000.*

10 *In addition, for administrative expenses necessary to*
11 *carry out the direct loan program, \$367,000, which may*
12 *be paid to the appropriation for “General Operating Ex-*
13 *penses, Veterans Benefits Administration”.*

14 *NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM*15 *ACCOUNT*

16 *For administrative expenses to carry out the direct*
17 *loan program authorized by subchapter V of chapter 37 of*
18 *title 38, United States Code, \$1,134,000.*

19 *VETERANS HEALTH ADMINISTRATION*20 *MEDICAL SERVICES*

21 *For necessary expenses for furnishing, as authorized*
22 *by law, inpatient and outpatient care and treatment to*
23 *beneficiaries of the Department of Veterans Affairs and vet-*
24 *erans described in section 1705(a) of title 38, United States*
25 *Code, including care and treatment in facilities not under*

1 *the jurisdiction of the Department, and including medical*
2 *supplies and equipment, bioengineering services, food serv-*
3 *ices, and salaries and expenses of healthcare employees*
4 *hired under title 38, United States Code, aid to State homes*
5 *as authorized by section 1741 of title 38, United States*
6 *Code, assistance and support services for caregivers as au-*
7 *thorized by section 1720G of title 38, United States Code,*
8 *loan repayments authorized by section 604 of the Caregivers*
9 *and Veterans Omnibus Health Services Act of 2010 (Public*
10 *Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and*
11 *hospital care and medical services authorized by section*
12 *1787 of title 38, United States Code; \$2,369,158,000, which*
13 *shall be in addition to funds previously appropriated under*
14 *this heading that became available on October 1, 2015; and,*
15 *in addition, \$51,673,000,000, plus reimbursements, shall*
16 *become available on October 1, 2016, and shall remain*
17 *available until September 30, 2017: Provided, That, of the*
18 *amount made available on October 1, 2016, under this*
19 *heading, \$1,400,000,000 shall remain available until Sep-*
20 *tember 30, 2018: Provided further, That, notwithstanding*
21 *any other provision of law, the Secretary of Veterans Affairs*
22 *shall establish a priority for the provision of medical treat-*
23 *ment for veterans who have service-connected disabilities,*
24 *lower income, or have special needs: Provided further, That,*
25 *notwithstanding any other provision of law, the Secretary*

1 *of Veterans Affairs shall give priority funding for the provi-*
2 *sion of basic medical benefits to veterans in enrollment pri-*
3 *ority groups 1 through 6: Provided further, That, notwith-*
4 *standing any other provision of law, the Secretary of Vet-*
5 *erans Affairs may authorize the dispensing of prescription*
6 *drugs from Veterans Health Administration facilities to en-*
7 *rolled veterans with privately written prescriptions based*
8 *on requirements established by the Secretary: Provided fur-*
9 *ther, That the implementation of the program described in*
10 *the previous proviso shall incur no additional cost to the*
11 *Department of Veterans Affairs: Provided further, That, of*
12 *the amount made available on October 1, 2016, under this*
13 *heading, not less than \$1,500,000,000 shall be available for*
14 *Hepatitis C Virus (HCV) clinical treatments, including*
15 *clinical treatments with modern medications that have sig-*
16 *nificantly higher cure rates than older medications, are*
17 *easier to prescribe, and have fewer and milder side effects:*
18 *Provided further, That the Secretary of Veterans Affairs*
19 *shall ensure that sufficient amounts appropriated under*
20 *this heading for medical supplies and equipment are avail-*
21 *able for the acquisition of gender appropriate prosthetics.*

22 *MEDICAL SUPPORT AND COMPLIANCE*

23 *For necessary expenses in the administration of the*
24 *medical, hospital, nursing home, domiciliary, construction,*
25 *supply, and research activities, as authorized by law; ad-*

1 *ministrative expenses in support of capital policy activities;*
2 *and administrative and legal expenses of the Department*
3 *for collecting and recovering amounts owed the Department*
4 *as authorized under chapter 17 of title 38, United States*
5 *Code, and the Federal Medical Care Recovery Act (42*
6 *U.S.C. 2651 et seq.), \$6,524,000,000, plus reimbursements,*
7 *shall become available on October 1, 2016, and shall remain*
8 *available until September 30, 2017: Provided, That, of the*
9 *amount made available on October 1, 2016, under this*
10 *heading, \$100,000,000 shall remain available until Sep-*
11 *tember 30, 2018.*

12 *MEDICAL FACILITIES*

13 *For necessary expenses for the maintenance and oper-*
14 *ation of hospitals, nursing homes, domiciliary facilities,*
15 *and other necessary facilities of the Veterans Health Admin-*
16 *istration; for administrative expenses in support of plan-*
17 *ning, design, project management, real property acquisition*
18 *and disposition, construction, and renovation of any facil-*
19 *ity under the jurisdiction or for the use of the Department;*
20 *for oversight, engineering, and architectural activities not*
21 *charged to project costs; for repairing, altering, improving,*
22 *or providing facilities in the several hospitals and homes*
23 *under the jurisdiction of the Department, not otherwise pro-*
24 *vided for, either by contract or by the hire of temporary*
25 *employees and purchase of materials; for leases of facilities;*

1 *and for laundry services; \$105,132,000, which shall be in*
2 *addition to funds previously appropriated under this head-*
3 *ing that became available on October 1, 2015; and, in addi-*
4 *tion, \$5,074,000,000, plus reimbursements, shall become*
5 *available on October 1, 2016, and shall remain available*
6 *until September 30, 2017: Provided, That, of the amount*
7 *made available on October 1, 2016, under this heading,*
8 *\$250,000,000 shall remain available until September 30,*
9 *2018.*

10 *MEDICAL AND PROSTHETIC RESEARCH*

11 *For necessary expenses in carrying out programs of*
12 *medical and prosthetic research and development as author-*
13 *ized by chapter 73 of title 38, United States Code,*
14 *\$630,735,000, plus reimbursements, shall remain available*
15 *until September 30, 2017: Provided, That the Secretary of*
16 *Veterans Affairs shall ensure that sufficient amounts appro-*
17 *riated under this heading are available for gender appro-*
18 *priate prosthetic research and toxic exposure research.*

19 *NATIONAL CEMETERY ADMINISTRATION*

20 *For necessary expenses of the National Cemetery Ad-*
21 *ministration for operations and maintenance, not otherwise*
22 *provided for, including uniforms or allowances therefor;*
23 *cemeterial expenses as authorized by law; purchase of one*
24 *passenger motor vehicle for use in cemeterial operations;*
25 *hire of passenger motor vehicles; and repair, alteration or*

1 *improvement of facilities under the jurisdiction of the Na-*
2 *tional Cemetery Administration, \$271,220,000, of which*
3 *not to exceed \$26,600,000 shall remain available until Sep-*
4 *tember 30, 2017.*

5 *DEPARTMENTAL ADMINISTRATION*

6 *GENERAL ADMINISTRATION*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For necessary operating expenses of the Department of*
9 *Veterans Affairs, not otherwise provided for, including ad-*
10 *ministrative expenses in support of Department-wide cap-*
11 *ital planning, management and policy activities, uniforms,*
12 *or allowances therefor; not to exceed \$25,000 for official re-*
13 *ception and representation expenses; hire of passenger*
14 *motor vehicles; and reimbursement of the General Services*
15 *Administration for security guard services, \$336,659,000,*
16 *of which not to exceed \$10,000,000 shall remain available*
17 *until September 30, 2017: Provided, That funds provided*
18 *under this heading may be transferred to “General Oper-*
19 *ating Expenses, Veterans Benefits Administration”.*

20 *BOARD OF VETERANS APPEALS*

21 *For necessary operating expenses of the Board of Vet-*
22 *erans Appeals, \$109,884,000, of which not to exceed*
23 *\$10,788,000 shall remain available until September 30,*
24 *2017.*

1 *asset acquisition of information technology systems, includ-*
2 *ing management and related contractual costs of said ac-*
3 *quisitions, including contractual costs associated with oper-*
4 *ations authorized by section 3109 of title 5, United States*
5 *Code, \$4,133,363,000, plus reimbursements: Provided, That*
6 *\$1,115,757,000 shall be for pay and associated costs, of*
7 *which not to exceed \$34,800,000 shall remain available*
8 *until September 30, 2017: Provided further, That*
9 *\$2,512,863,000 shall be for operations and maintenance, of*
10 *which not to exceed \$175,000,000 shall remain available*
11 *until September 30, 2017: Provided further, That*
12 *\$504,743,000 shall be for information technology systems*
13 *development, modernization, and enhancement, and shall*
14 *remain available until September 30, 2017: Provided fur-*
15 *ther, That amounts made available for information tech-*
16 *nology systems development, modernization, and enhance-*
17 *ment may not be obligated or expended until the Secretary*
18 *of Veterans Affairs or the Chief Information Officer of the*
19 *Department of Veterans Affairs submits to the Committees*
20 *on Appropriations of both Houses of Congress a certifi-*
21 *cation of the amounts, in parts or in full, to be obligated*
22 *and expended for each development project: Provided fur-*
23 *ther, That amounts made available for salaries and ex-*
24 *penses, operations and maintenance, and information tech-*
25 *nology systems development, modernization, and enhance-*

1 *ment may be transferred among the three subaccounts after*
2 *the Secretary of Veterans Affairs requests from the Commit-*
3 *tees on Appropriations of both Houses of Congress the au-*
4 *thority to make the transfer and an approval is issued: Pro-*
5 *vided further, That amounts made available for the “Infor-*
6 *mation Technology Systems” account for development, mod-*
7 *ernization, and enhancement may be transferred among*
8 *projects or to newly defined projects: Provided further, That*
9 *no project may be increased or decreased by more than*
10 *\$1,000,000 of cost prior to submitting a request to the Com-*
11 *mittees on Appropriations of both Houses of Congress to*
12 *make the transfer and an approval is issued, or absent a*
13 *response, a period of 30 days has elapsed: Provided further,*
14 *That funds under this heading may be used by the Inter-*
15 *agency Program Office through the Department of Veterans*
16 *Affairs to define data standards, code sets, and value sets*
17 *used to enable interoperability: Provided further, That, of*
18 *the funds made available for information technology sys-*
19 *tems development, modernization, and enhancement for*
20 *VistA Evolution, not more than 25 percent may be obligated*
21 *or expended until the Secretary of Veterans Affairs submits*
22 *to the Committees on Appropriations of both Houses of Con-*
23 *gress, and such Committees approve, a report that describes:*
24 *(1) the status of and changes to the VistA Evolution pro-*
25 *gram plan dated March 24, 2014 (hereinafter referred to*

1 as the “Plan”), the VistA 4 product roadmap dated Feb-
2 ruary 26, 2015 (“Roadmap”), and the VistA 4 Incremental
3 Life Cycle Cost Estimate, dated October 26, 2014; (2) any
4 changes to the scope or functionality of projects within the
5 VistA Evolution program as established in the Plan; (3)
6 actual program costs incurred to date; (4) progress in meet-
7 ing the schedule milestones that have been established in the
8 Plan; (5) a Project Management Accountability System
9 (PMAS) Dashboard Progress report that identifies each
10 VistA Evolution project being tracked through PMAS, what
11 functionality it is intended to provide, and what evaluation
12 scores it has received throughout development; (6) the defi-
13 nition being used for interoperability between the electronic
14 health record systems of the Department of Defense and the
15 Department of Veterans Affairs, the metrics to measure the
16 extent of interoperability, the milestones and timeline asso-
17 ciated with achieving interoperability, and the baseline
18 measurements associated with interoperability; (7) progress
19 toward developing and implementing all components and
20 levels of interoperability, including semantic interoper-
21 ability; (8) the change management tools in place to facili-
22 tate the implementation of VistA Evolution and interoper-
23 ability; and (9) any changes to the governance structure
24 for the VistA Evolution program and its chain of decision-
25 making authority: Provided further, That the funds made

1 *available under this heading for information technology*
2 *systems development, modernization, and enhancement,*
3 *shall be for the projects, and in the amounts, specified under*
4 *this heading in the explanatory statement described in sec-*
5 *tion 4 (in the matter preceding division A of this consoli-*
6 *dated Act).*

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-*
9 *eral, to include information technology, in carrying out the*
10 *provisions of the Inspector General Act of 1978 (5 U.S.C.*
11 *App.), \$136,766,000, of which not to exceed \$12,676,000*
12 *shall remain available until September 30, 2017.*

13 *CONSTRUCTION, MAJOR PROJECTS*

14 *For constructing, altering, extending, and improving*
15 *any of the facilities, including parking projects, under the*
16 *jurisdiction or for the use of the Department of Veterans*
17 *Affairs, or for any of the purposes set forth in sections 316,*
18 *2404, 2406 and chapter 81 of title 38, United States Code,*
19 *not otherwise provided for, including planning, architec-*
20 *tural and engineering services, construction management*
21 *services, maintenance or guarantee period services costs as-*
22 *sociated with equipment guarantees provided under the*
23 *project, services of claims analysts, offsite utility and storm*
24 *drainage system construction costs, and site acquisition,*
25 *where the estimated cost of a project is more than the*

1 amount set forth in section 8104(a)(3)(A) of title 38, United
2 States Code, or where funds for a project were made avail-
3 able in a previous major project appropriation,
4 \$1,243,800,000, of which \$1,163,800,000 shall remain
5 available until September 30, 2020, and of which
6 \$80,000,000 shall remain available until expended: Pro-
7 vided, That except for advance planning activities, includ-
8 ing needs assessments which may or may not lead to capital
9 investments, and other capital asset management related
10 activities, including portfolio development and management
11 activities, and investment strategy studies funded through
12 the advance planning fund and the planning and design
13 activities funded through the design fund, including needs
14 assessments which may or may not lead to capital invest-
15 ments, and salaries and associated costs of the resident engi-
16 neers who oversee those capital investments funded through
17 this account, and funds provided for the purchase of land
18 for the National Cemetery Administration through the land
19 acquisition line item, none of the funds made available
20 under this heading shall be used for any project which has
21 not been approved by the Congress in the budgetary process:
22 Provided further, That funds made available under this
23 heading for fiscal year 2016, for each approved project shall
24 be obligated: (1) by the awarding of a construction docu-
25 ments contract by September 30, 2016; and (2) by the

1 *awarding of a construction contract by September 30, 2017:*
2 *Provided further, That the Secretary of Veterans Affairs*
3 *shall promptly submit to the Committees on Appropriations*
4 *of both Houses of Congress a written report on any ap-*
5 *proved major construction project for which obligations are*
6 *not incurred within the time limitations established above:*
7 *Provided further, That, of the amount made available under*
8 *this heading, \$649,000,000 for Veterans Health Administra-*
9 *tion major construction projects shall not be available until*
10 *the Department of Veterans Affairs—*

11 (1) *enters into an agreement with an appro-*
12 *priate non-Department of Veterans Affairs Federal*
13 *entity to serve as the design and/or construction agent*
14 *for any Veterans Health Administration major con-*
15 *struction project with a Total Estimated Cost of*
16 *\$100,000,000 or above by providing full project man-*
17 *agement services, including management of the project*
18 *design, acquisition, construction, and contract*
19 *changes, consistent with section 502 of Public Law*
20 *114–58; and*

21 (2) *certifies in writing that such an agreement*
22 *is executed and intended to minimize or prevent sub-*
23 *sequent major construction project cost overruns and*
24 *provides a copy of the agreement entered into and*

1 *which are necessary because of loss or damage caused by*
2 *any natural disaster or catastrophe; and (2) temporary*
3 *measures necessary to prevent or to minimize further loss*
4 *by such causes.*

5 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*
6 *FACILITIES*

7 *For grants to assist States to acquire or construct*
8 *State nursing home and domiciliary facilities and to re-*
9 *model, modify, or alter existing hospital, nursing home, and*
10 *domiciliary facilities in State homes, for furnishing care*
11 *to veterans as authorized by sections 8131 through 8137 of*
12 *title 38, United States Code, \$120,000,000, to remain avail-*
13 *able until expended.*

14 *GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES*

15 *For grants to assist States and tribal organizations*
16 *in establishing, expanding, or improving veterans ceme-*
17 *teries as authorized by section 2408 of title 38, United*
18 *States Code, \$46,000,000, to remain available until ex-*
19 *pended.*

20 *ADMINISTRATIVE PROVISIONS*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *SEC. 201. Any appropriation for fiscal year 2016 for*
23 *“Compensation and Pensions”, “Readjustment Benefits”,*
24 *and “Veterans Insurance and Indemnities” may be trans-*
25 *ferred as necessary to any other of the mentioned appro-*

1 *priations: Provided, That, before a transfer may take place,*
2 *the Secretary of Veterans Affairs shall request from the*
3 *Committees on Appropriations of both Houses of Congress*
4 *the authority to make the transfer and such Committees*
5 *issue an approval, or absent a response, a period of 30 days*
6 *has elapsed.*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *SEC. 202. Amounts made available for the Department*
9 *of Veterans Affairs for fiscal year 2016, in this or any other*
10 *Act, under the “Medical Services”, “Medical Support and*
11 *Compliance”, and “Medical Facilities” accounts may be*
12 *transferred among the accounts: Provided, That any trans-*
13 *fers between the “Medical Services” and “Medical Support*
14 *and Compliance” accounts of 1 percent or less of the total*
15 *amount appropriated to the account in this or any other*
16 *Act may take place subject to notification from the Sec-*
17 *retary of Veterans Affairs to the Committees on Appropria-*
18 *tions of both Houses of Congress of the amount and purpose*
19 *of the transfer: Provided further, That any transfers be-*
20 *tween the “Medical Services” and “Medical Support and*
21 *Compliance” accounts in excess of 1 percent, or exceeding*
22 *the cumulative 1 percent for the fiscal year, may take place*
23 *only after the Secretary requests from the Committees on*
24 *Appropriations of both Houses of Congress the authority to*
25 *make the transfer and an approval is issued: Provided fur-*

1 *ther, That any transfers to or from the “Medical Facilities”*
2 *account may take place only after the Secretary requests*
3 *from the Committees on Appropriations of both Houses of*
4 *Congress the authority to make the transfer and an ap-*
5 *proval is issued.*

6 *SEC. 203. Appropriations available in this title for sal-*
7 *aries and expenses shall be available for services authorized*
8 *by section 3109 of title 5, United States Code; hire of pas-*
9 *senger motor vehicles; lease of a facility or land or both;*
10 *and uniforms or allowances therefore, as authorized by sec-*
11 *tions 5901 through 5902 of title 5, United States Code.*

12 *SEC. 204. No appropriations in this title (except the*
13 *appropriations for “Construction, Major Projects”, and*
14 *“Construction, Minor Projects”) shall be available for the*
15 *purchase of any site for or toward the construction of any*
16 *new hospital or home.*

17 *SEC. 205. No appropriations in this title shall be*
18 *available for hospitalization or examination of any persons*
19 *(except beneficiaries entitled to such hospitalization or ex-*
20 *amination under the laws providing such benefits to vet-*
21 *erans, and persons receiving such treatment under sections*
22 *7901 through 7904 of title 5, United States Code, or the*
23 *Robert T. Stafford Disaster Relief and Emergency Assist-*
24 *ance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*
25 *of the cost of such hospitalization or examination is made*

1 *nology Systems” accounts for the cost of administration of*
2 *the insurance programs financed through those accounts:*
3 *Provided, That reimbursement shall be made only from the*
4 *surplus earnings accumulated in such an insurance pro-*
5 *gram during fiscal year 2016 that are available for divi-*
6 *dends in that program after claims have been paid and ac-*
7 *tuarily determined reserves have been set aside: Provided*
8 *further, That if the cost of administration of such an insur-*
9 *ance program exceeds the amount of surplus earnings accu-*
10 *mulated in that program, reimbursement shall be made*
11 *only to the extent of such surplus earnings: Provided fur-*
12 *ther, That the Secretary shall determine the cost of adminis-*
13 *tration for fiscal year 2016 which is properly allocable to*
14 *the provision of each such insurance program and to the*
15 *provision of any total disability income insurance included*
16 *in that insurance program.*

17 *SEC. 209. Amounts deducted from enhanced-use lease*
18 *proceeds to reimburse an account for expenses incurred by*
19 *that account during a prior fiscal year for providing en-*
20 *hanced-use lease services, may be obligated during the fiscal*
21 *year in which the proceeds are received.*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *SEC. 210. Funds available in this title or funds for*
24 *salaries and other administrative expenses shall also be*
25 *available to reimburse the Office of Resolution Management*

1 *of the Department of Veterans Affairs and the Office of Em-*
2 *ployment Discrimination Complaint Adjudication under*
3 *section 319 of title 38, United States Code, for all services*
4 *provided at rates which will recover actual costs but not*
5 *to exceed \$43,700,000 for the Office of Resolution Manage-*
6 *ment and \$3,400,000 for the Office of Employment Dis-*
7 *crimination Complaint Adjudication: Provided, That pay-*
8 *ments may be made in advance for services to be furnished*
9 *based on estimated costs: Provided further, That amounts*
10 *received shall be credited to the “General Administration”*
11 *and “Information Technology Systems” accounts for use by*
12 *the office that provided the service.*

13 *(TRANSFER OF FUNDS)*

14 *SEC. 211. Of the amounts made available to the De-*
15 *partment of Veterans Affairs for fiscal year 2016 for the*
16 *Office of Rural Health under the heading “Medical Serv-*
17 *ices”, including any advance appropriation for fiscal year*
18 *2016 provided in prior appropriation Acts, up to*
19 *\$20,000,000 may be transferred to and merged with funds*
20 *appropriated under the heading “Grants for Construction*
21 *of State Extended Care Facilities”.*

22 *SEC. 212. No funds of the Department of Veterans Af-*
23 *fairs shall be available for hospital care, nursing home care,*
24 *or medical services provided to any person under chapter*
25 *17 of title 38, United States Code, for a non-service-con-*

1 *nected disability described in section 1729(a)(2) of such*
2 *title, unless that person has disclosed to the Secretary of*
3 *Veterans Affairs, in such form as the Secretary may require,*
4 *current, accurate third-party reimbursement information*
5 *for purposes of section 1729 of such title: Provided, That*
6 *the Secretary may recover, in the same manner as any other*
7 *debt due the United States, the reasonable charges for such*
8 *care or services from any person who does not make such*
9 *disclosure as required: Provided further, That any amounts*
10 *so recovered for care or services provided in a prior fiscal*
11 *year may be obligated by the Secretary during the fiscal*
12 *year in which amounts are received.*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 213. Notwithstanding any other provision of law,*
15 *proceeds or revenues derived from enhanced-use leasing ac-*
16 *tivities (including disposal) may be deposited into the*
17 *“Construction, Major Projects” and “Construction, Minor*
18 *Projects” accounts and be used for construction (including*
19 *site acquisition and disposition), alterations, and improve-*
20 *ments of any medical facility under the jurisdiction or for*
21 *the use of the Department of Veterans Affairs. Such sums*
22 *as realized are in addition to the amount provided for in*
23 *“Construction, Major Projects” and “Construction, Minor*
24 *Projects”.*

1 *SEC. 214. Amounts made available under “Medical*
2 *Services” are available—*

3 *(1) for furnishing recreational facilities, sup-*
4 *plies, and equipment; and*

5 *(2) for funeral expenses, burial expenses, and*
6 *other expenses incidental to funerals and burials for*
7 *beneficiaries receiving care in the Department.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 215. Such sums as may be deposited to the Med-*
10 *ical Care Collections Fund pursuant to section 1729A of*
11 *title 38, United States Code, may be transferred to “Medical*
12 *Services”, to remain available until expended for the pur-*
13 *poses of that account.*

14 *SEC. 216. The Secretary of Veterans Affairs may enter*
15 *into agreements with Indian tribes and tribal organizations*
16 *which are party to the Alaska Native Health Compact with*
17 *the Indian Health Service, and Indian tribes and tribal*
18 *organizations serving rural Alaska which have entered into*
19 *contracts with the Indian Health Service under the Indian*
20 *Self Determination and Educational Assistance Act, to pro-*
21 *vide healthcare, including behavioral health and dental*
22 *care. The Secretary shall require participating veterans and*
23 *facilities to comply with all appropriate rules and regula-*
24 *tions, as established by the Secretary. The term “rural Alas-*
25 *ka” shall mean those lands sited within the external bound-*

1 aries of the Alaska Native regions specified in sections
2 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Set-
3 tlement Act, as amended (43 U.S.C. 1606), and those lands
4 within the Alaska Native regions specified in sections
5 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement
6 Act, as amended (43 U.S.C. 1606), which are not within
7 the boundaries of the municipality of Anchorage, the Fair-
8 banks North Star Borough, the Kenai Peninsula Borough
9 or the Matanuska Susitna Borough.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 217. Such sums as may be deposited to the De-
12 partment of Veterans Affairs Capital Asset Fund pursuant
13 to section 8118 of title 38, United States Code, may be
14 transferred to the “Construction, Major Projects” and “Con-
15 struction, Minor Projects” accounts, to remain available
16 until expended for the purposes of these accounts.

17 SEC. 218. None of the funds made available in this
18 title may be used to implement any policy prohibiting the
19 Directors of the Veterans Integrated Services Networks from
20 conducting outreach or marketing to enroll new veterans
21 within their respective Networks.

22 SEC. 219. Not later than 30 days after the end of each
23 fiscal quarter, the Secretary of Veterans Affairs shall submit
24 to the Committees on Appropriations of both Houses of Con-
25 gress a report on the financial status of the Department

1 of Veterans Affairs for the preceding quarter: Provided,
2 That, at a minimum, the report shall include the direction
3 contained in the explanatory statement described in section
4 4 (in the matter preceding division A of this consolidated
5 Act) in the paragraph entitled “Quarterly Report”, under
6 the heading “General Administration”.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 220. Amounts made available under the “Medical
9 Services”, “Medical Support and Compliance”, “Medical
10 Facilities”, “General Operating Expenses, Veterans Bene-
11 fits Administration”, “General Administration”, and “Na-
12 tional Cemetery Administration” accounts for fiscal year
13 2016 may be transferred to or from the “Information Tech-
14 nology Systems” account: Provided, That such transfers
15 may not result in a more than 10 percent aggregate increase
16 in the total amount made available by this Act for the “In-
17 formation Technology Systems” account: Provided further,
18 That, before a transfer may take place, the Secretary of Vet-
19 erans Affairs shall request from the Committees on Appro-
20 priations of both Houses of Congress the authority to make
21 the transfer and an approval is issued.

22 SEC. 221. None of the funds appropriated or otherwise
23 made available by this Act or any other Act for the Depart-
24 ment of Veterans Affairs may be used in a manner that
25 is inconsistent with: (1) section 842 of the Transportation,

1 *Treasury, Housing and Urban Development, the Judiciary,*
2 *the District of Columbia, and Independent Agencies Appro-*
3 *priations Act, 2006 (Public Law 109–115; 119 Stat. 2506);*
4 *or (2) section 8110(a)(5) of title 38, United States Code.*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *SEC. 222. Of the amounts appropriated to the Depart-*
7 *ment of Veterans Affairs for fiscal year 2016 for “Medical*
8 *Services”, “Medical Support and Compliance”, “Medical*
9 *Facilities”, “Construction, Minor Projects”, and “Informa-*
10 *tion Technology Systems”, up to \$267,521,000, plus reim-*
11 *bursements, may be transferred to the Joint Department of*
12 *Defense-Department of Veterans Affairs Medical Facility*
13 *Demonstration Fund, established by section 1704 of the Na-*
14 *tional Defense Authorization Act for Fiscal Year 2010 (Pub-*
15 *lic Law 111–84; 123 Stat. 3571) and may be used for oper-*
16 *ation of the facilities designated as combined Federal med-*
17 *ical facilities as described by section 706 of the Duncan*
18 *Hunter National Defense Authorization Act for Fiscal Year*
19 *2009 (Public Law 110–417; 122 Stat. 4500): Provided,*
20 *That additional funds may be transferred from accounts*
21 *designated in this section to the Joint Department of De-*
22 *fense-Department of Veterans Affairs Medical Facility*
23 *Demonstration Fund upon written notification by the Sec-*
24 *retary of Veterans Affairs to the Committees on Appropria-*
25 *tions of both Houses of Congress: Provided further, That sec-*

1 *tion 223 of Title II of Division I of Public Law 113–235*
2 *is repealed.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 223. Of the amounts appropriated to the Depart-*
5 *ment of Veterans Affairs which become available on October*
6 *1, 2016, for “Medical Services”, “Medical Support and*
7 *Compliance”, and “Medical Facilities”, up to*
8 *\$265,675,000, plus reimbursements, may be transferred to*
9 *the Joint Department of Defense-Department of Veterans*
10 *Affairs Medical Facility Demonstration Fund, established*
11 *by section 1704 of the National Defense Authorization Act*
12 *for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)*
13 *and may be used for operation of the facilities designated*
14 *as combined Federal medical facilities as described by sec-*
15 *tion 706 of the Duncan Hunter National Defense Author-*
16 *ization Act for Fiscal Year 2009 (Public Law 110–417; 122*
17 *Stat. 4500): Provided, That additional funds may be trans-*
18 *ferred from accounts designated in this section to the Joint*
19 *Department of Defense-Department of Veterans Affairs*
20 *Medical Facility Demonstration Fund upon written notifi-*
21 *cation by the Secretary of Veterans Affairs to the Commit-*
22 *tees on Appropriations of both Houses of Congress.*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *SEC. 224. Such sums as may be deposited to the Med-*
25 *ical Care Collections Fund pursuant to section 1729A of*

1 *title 38, United States Code, for healthcare provided at fa-*
2 *cilities designated as combined Federal medical facilities as*
3 *described by section 706 of the Duncan Hunter National*
4 *Defense Authorization Act for Fiscal Year 2009 (Public*
5 *Law 110–417; 122 Stat. 4500) shall also be available: (1)*
6 *for transfer to the Joint Department of Defense-Department*
7 *of Veterans Affairs Medical Facility Demonstration Fund,*
8 *established by section 1704 of the National Defense Author-*
9 *ization Act for Fiscal Year 2010 (Public Law 111–84; 123*
10 *Stat. 3571); and (2) for operations of the facilities des-*
11 *ignated as combined Federal medical facilities as described*
12 *by section 706 of the Duncan Hunter National Defense Au-*
13 *thorization Act for Fiscal Year 2009 (Public Law 110–417;*
14 *122 Stat. 4500).*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *SEC. 225. Of the amounts available in this title for*
17 *“Medical Services”, “Medical Support and Compliance”,*
18 *and “Medical Facilities”, a minimum of \$15,000,000 shall*
19 *be transferred to the DOD–VA Health Care Sharing Incen-*
20 *tive Fund, as authorized by section 8111(d) of title 38,*
21 *United States Code, to remain available until expended, for*
22 *any purpose authorized by section 8111 of title 38, United*
23 *States Code.*

1 *(INCLUDING RESCISSIONS OF FUNDS)*

2 *SEC. 226. (a) Of the funds appropriated in title II*
3 *of division I of Public Law 113–235, the following amounts*
4 *which became available on October 1, 2015, are hereby re-*
5 *scinded from the following accounts in the amounts speci-*
6 *fied:*

7 (1) *“Department of Veterans Affairs, Medical*
8 *Services”, \$1,400,000,000.*

9 (2) *“Department of Veterans Affairs, Medical*
10 *Support and Compliance”, \$100,000,000.*

11 (3) *“Department of Veterans Affairs, Medical*
12 *Facilities”, \$250,000,000.*

13 (b) *In addition to amounts provided elsewhere in this*
14 *Act, an additional amount is appropriated to the following*
15 *accounts in the amounts specified to remain available until*
16 *September 30, 2017:*

17 (1) *“Department of Veterans Affairs, Medical*
18 *Services”, \$1,400,000,000.*

19 (2) *“Department of Veterans Affairs, Medical*
20 *Support and Compliance”, \$100,000,000.*

21 (3) *“Department of Veterans Affairs, Medical*
22 *Facilities”, \$250,000,000.*

23 *SEC. 227. The Secretary of Veterans Affairs shall no-*
24 *tify the Committees on Appropriations of both Houses of*
25 *Congress of all bid savings in a major construction project*

1 *that total at least \$5,000,000, or 5 percent of the pro-*
2 *grammed amount of the project, whichever is less: Provided,*
3 *That such notification shall occur within 14 days of a con-*
4 *tract identifying the programmed amount: Provided fur-*
5 *ther, That the Secretary shall notify the Committees on Ap-*
6 *propriations of both Houses of Congress 14 days prior to*
7 *the obligation of such bid savings and shall describe the an-*
8 *ticipated use of such savings.*

9 *SEC. 228. None of the funds made available for “Con-*
10 *struction, Major Projects” may be used for a project in ex-*
11 *cess of the scope specified for that project in the original*
12 *justification data provided to the Congress as part of the*
13 *request for appropriations unless the Secretary of Veterans*
14 *Affairs receives approval from the Committees on Appro-*
15 *priations of both Houses of Congress.*

16 *SEC. 229. The Secretary of Veterans Affairs shall sub-*
17 *mit to the Committees on Appropriations of both Houses*
18 *of Congress a quarterly report that contains the following*
19 *information from each Veterans Benefits Administration*
20 *Regional Office: (1) the average time to complete a dis-*
21 *ability compensation claim; (2) the number of claims pend-*
22 *ing more than 125 days, disaggregated by initial and sup-*
23 *plemental claims; (3) error rates; (4) the number of claims*
24 *personnel; (5) any corrective action taken within the quar-*
25 *ter to address poor performance; (6) training programs un-*

1 *dertaken; and (7) the number and results of Quality Review*
2 *Team audits: Provided, That each quarterly report shall be*
3 *submitted no later than 30 days after the end of the respec-*
4 *tive quarter.*

5 *SEC. 230. Of the funds provided to the Department of*
6 *Veterans Affairs for fiscal year 2016 for “Medical Services”*
7 *and “Medical Support and Compliance”, a maximum of*
8 *\$5,000,000 may be obligated from the “Medical Services”*
9 *account and a maximum of \$154,596,000 may be obligated*
10 *from the “Medical Support and Compliance” account for*
11 *the VistA Evolution and electronic health record interoper-*
12 *ability projects: Provided, That funds in addition to these*
13 *amounts may be obligated for the VistA Evolution and elec-*
14 *tronic health record interoperability projects upon written*
15 *notification by the Secretary of Veterans Affairs to the Com-*
16 *mittees on Appropriations of both Houses of Congress.*

17 *SEC. 231. The Secretary of Veterans Affairs shall pro-*
18 *vide written notification to the Committees on Appropria-*
19 *tions of both Houses of Congress 15 days prior to organiza-*
20 *tional changes which result in the transfer of 25 or more*
21 *full-time equivalents from one organizational unit of the*
22 *Department of Veterans Affairs to another.*

23 *SEC. 232. The Secretary of Veterans Affairs shall pro-*
24 *vide on a quarterly basis to the Committees on Appropria-*
25 *tions of both Houses of Congress notification of any single*

1 *national outreach and awareness marketing campaign in*
2 *which obligations exceed \$2,000,000.*

3 *SEC. 233. None of the funds available to the Depart-*
4 *ment of Veterans Affairs, in this or any other Act, may*
5 *be used to replace the current system by which the Veterans*
6 *Integrated Service Networks select and contract for diabetes*
7 *monitoring supplies and equipment.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 234. The Secretary of Veterans Affairs, upon de-*
10 *termination that such action is necessary to address needs*
11 *of the Veterans Health Administration, may transfer to the*
12 *“Medical Services” account any discretionary appropri-*
13 *ations made available for fiscal year 2016 in this title (except*
14 *appropriations made to the “General Operating Expenses,*
15 *Veterans Benefits Administration” account) or any discre-*
16 *tionary unobligated balances within the Department of Vet-*
17 *erans Affairs, including those appropriated for fiscal year*
18 *2016, that were provided in advance by appropriations*
19 *Acts: Provided, That transfers shall be made only with the*
20 *approval of the Office of Management and Budget: Provided*
21 *further, That the transfer authority provided in this section*
22 *is in addition to any other transfer authority provided by*
23 *law: Provided further, That no amounts may be transferred*
24 *from amounts that were designated by Congress as an emer-*
25 *gency requirement pursuant to a concurrent resolution on*

1 *the budget or the Balanced Budget and Emergency Deficit*
2 *Control Act of 1985: Provided further, That such authority*
3 *to transfer may not be used unless for higher priority items,*
4 *based on emergent healthcare requirements, than those for*
5 *which originally appropriated and in no case where the*
6 *item for which funds are requested has been denied by Con-*
7 *gress: Provided further, That, upon determination that all*
8 *or part of the funds transferred from an appropriation are*
9 *not necessary, such amounts may be transferred back to that*
10 *appropriation and shall be available for the same purposes*
11 *as originally appropriated: Provided further, That before*
12 *a transfer may take place, the Secretary of Veterans Affairs*
13 *shall request from the Committees on Appropriations of*
14 *both Houses of Congress the authority to make the transfer*
15 *and receive approval of that request.*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *SEC. 235. Amounts made available for the Department*
18 *of Veterans Affairs for fiscal year 2016, under the “Board*
19 *of Veterans Appeals” and the “General Operating Expenses,*
20 *Veterans Benefits Administration” accounts may be trans-*
21 *ferred between such accounts: Provided, That before a trans-*
22 *fer may take place, the Secretary of Veterans Affairs shall*
23 *request from the Committees on Appropriations of both*
24 *Houses of Congress the authority to make the transfer and*
25 *receive approval from such Committees for such request.*

(RESCISSION OF FUNDS)

1
2 *SEC. 236. Of the unobligated balances available within*
3 *the “DOD–VA Health Care Sharing Incentive Fund”,*
4 *\$30,000,000 are hereby rescinded.*

5 *SEC. 237. The Secretary of Veterans Affairs may not*
6 *reprogram funds among major construction projects or pro-*
7 *grams if such instance of reprogramming will exceed*
8 *\$5,000,000, unless such reprogramming is approved by the*
9 *Committees on Appropriations of both Houses of Congress.*

10 *SEC. 238. Section 2302(a)(2)(A)(viii) of title 5, United*
11 *States Code, is amended by inserting “or under title 38”*
12 *after “of this title”.*

13 *SEC. 239. Section 312 of title 38, United States Code,*
14 *is amended by adding at the end the following new sub-*
15 *section:*

16 *“(c)(1) Whenever the Inspector General, in carrying*
17 *out the duties and responsibilities established under the In-*
18 *spector General Act of 1978 (5 U.S.C. App.), issues a work*
19 *product that makes a recommendation or otherwise suggests*
20 *corrective action, the Inspector General shall—*

21 *“(A) submit the work product to—*

22 *“(i) the Secretary;*

23 *“(ii) the Committee on Veterans’ Af-*
24 *fairs, the Committee on Homeland Security*

1 *and Governmental Affairs, and the Com-*
2 *mittee on Appropriations of the Senate;*

3 *“(iii) the Committee on Veterans’ Af-*
4 *fairs, the Committee on Oversight and Gov-*
5 *ernment Reform, and the Committee on Ap-*
6 *propriations of the House of Representa-*
7 *tives;*

8 *“(iv) if the work product was initiated*
9 *upon request by an individual or entity*
10 *other than the Inspector General, that indi-*
11 *vidual or entity; and*

12 *“(v) any Member of Congress upon re-*
13 *quest; and*

14 *“(B) the Inspector General shall submit all*
15 *final work products to—*

16 *“(i) if the work product was initiated*
17 *upon request by an individual or entity*
18 *other than the Inspector General, that indi-*
19 *vidual or entity; and*

20 *“(ii) any Member of Congress upon re-*
21 *quest; and*

22 *“(C) not later than 3 days after the work*
23 *product is submitted in final form to the Sec-*
24 *retary, post the work product on the Internet*
25 *website of the Inspector General.*

1 “(2) *Nothing in this subsection shall be construed*
2 *to authorize the public disclosure of information that*
3 *is specifically prohibited from disclosure by any other*
4 *provision of law.*”.

5 *SEC. 240. None of the funds provided in this Act may*
6 *be used to pay the salary of any individual who (a) was*
7 *the Executive Director of the Office of Acquisition, Logistics*
8 *and Construction, and (b) who retired from Federal service*
9 *in the midst of an investigation, initiated by the Depart-*
10 *ment of Veterans Affairs, into delays and cost overruns as-*
11 *sociated with the design and construction of the new med-*
12 *ical center in Aurora, Colorado.*

13 *SEC. 241. None of the funds appropriated in this or*
14 *prior appropriations Acts or otherwise made available to*
15 *the Department of Veterans Affairs may be used to transfer*
16 *any amounts from the Filipino Veterans Equity Compensa-*
17 *tion Fund to any other account within the Department of*
18 *Veterans Affairs.*

19 *SEC. 242. None of the amounts appropriated or other-*
20 *wise made available by title II may be used to carry out*
21 *the Home Marketing Incentive Program of the Department*
22 *of Veterans Affairs or to carry out the Appraisal Value*
23 *Offer Program of the Department with respect to an em-*
24 *ployee of the Department in a senior executive position (as*
25 *defined in section 713(g) of title 38, United States Code):*

1 *Provided, That the Secretary may waive this prohibition*
2 *with respect to the use of the Home Marketing Incentive*
3 *Program and Appraisal Value Offer Program to recruit for*
4 *a position for which recruitment or retention of qualified*
5 *personnel is likely to be difficult in the absence of the use*
6 *of these incentives: Provided further, That within 15 days*
7 *of a determination by the Secretary to waive this prohibi-*
8 *tion, the Secretary shall submit written notification thereof*
9 *to the Committees on Appropriations of both Houses of Con-*
10 *gress containing the reasons and identifying the position*
11 *title for which the waiver has been issued.*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *SEC. 243. There is hereby established in the Treasury*
14 *of the United States a fund to be known as the “Recurring*
15 *Expenses Transformational Fund” (the Fund): Provided,*
16 *That unobligated balances of expired discretionary funds*
17 *appropriated in this or any succeeding fiscal year from the*
18 *General Fund of the Treasury to the Department of Vet-*
19 *erans Affairs by this or any other Act may be transferred*
20 *(at the end of the fifth fiscal year after the last fiscal year*
21 *for which such funds are available for the purposes for*
22 *which appropriated) into the Fund: Provided further, That*
23 *amounts deposited in the Fund shall be available until ex-*
24 *pendent, and in addition to such other funds as may be*
25 *available for such purposes, for facilities infrastructure im-*

1 *provements, including nonrecurring maintenance, at exist-*
2 *ing hospitals and clinics of the Veterans Health Adminis-*
3 *tration, and information technology systems improvements*
4 *and sustainment, subject to approval by the Office of Man-*
5 *agement and Budget: Provided further, That prior to obli-*
6 *gation of any amounts in the Fund, the Secretary of Vet-*
7 *erans Affairs shall request from the Committees on Appro-*
8 *priations of both Houses of Congress the authority to make*
9 *such obligation and such Committees issue an approval, or*
10 *absent a response, a period of 30 days has elapsed.*

11 *TITLE III*

12 *RELATED AGENCIES*

13 *AMERICAN BATTLE MONUMENTS COMMISSION*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses, not otherwise provided for, of*
16 *the American Battle Monuments Commission, including the*
17 *acquisition of land or interest in land in foreign countries;*
18 *purchases and repair of uniforms for caretakers of national*
19 *cemeteries and monuments outside of the United States and*
20 *its territories and possessions; rent of office and garage*
21 *space in foreign countries; purchase (one-for-one replace-*
22 *ment basis only) and hire of passenger motor vehicles; not*
23 *to exceed \$7,500 for official reception and representation*
24 *expenses; and insurance of official motor vehicles in foreign*

1 *countries, when required by law of such countries,*
2 *\$105,100,000, to remain available until expended.*

3 *FOREIGN CURRENCY FLUCTUATIONS ACCOUNT*

4 *For necessary expenses, not otherwise provided for, of*
5 *the American Battle Monuments Commission, such sums as*
6 *may be necessary, to remain available until expended, for*
7 *purposes authorized by section 2109 of title 36, United*
8 *States Code.*

9 *UNITED STATES COURT OF APPEALS FOR VETERANS*

10 *CLAIMS*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses for the operation of the United*
13 *States Court of Appeals for Veterans Claims as authorized*
14 *by sections 7251 through 7298 of title 38, United States*
15 *Code, \$32,141,000: Provided, That \$2,500,000 shall be*
16 *available for the purpose of providing financial assistance*
17 *as described, and in accordance with the process and report-*
18 *ing procedures set forth, under this heading in Public Law*
19 *102-229.*

20 *DEPARTMENT OF DEFENSE—CIVIL*

21 *CEMETERIAL EXPENSES, ARMY*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses for maintenance, operation,*
24 *and improvement of Arlington National Cemetery and Sol-*
25 *diers' and Airmen's Home National Cemetery, including*

1 *the purchase or lease of passenger motor vehicles for replace-*
2 *ment on a one-for-one basis only, and not to exceed \$1,000*
3 *for official reception and representation expenses,*
4 *\$79,516,000, of which not to exceed \$15,000,000 shall re-*
5 *main available until September 30, 2018. In addition, such*
6 *sums as may be necessary for parking maintenance, repairs*
7 *and replacement, to be derived from the “Lease of Depart-*
8 *ment of Defense Real Property for Defense Agencies” ac-*
9 *count.*

10 *ARMED FORCES RETIREMENT HOME*

11 *TRUST FUND*

12 *For expenses necessary for the Armed Forces Retire-*
13 *ment Home to operate and maintain the Armed Forces Re-*
14 *tirement Home—Washington, District of Columbia, and the*
15 *Armed Forces Retirement Home—Gulfport, Mississippi, to*
16 *be paid from funds available in the Armed Forces Retire-*
17 *ment Home Trust Fund, \$64,300,000, of which \$1,000,000*
18 *shall remain available until expended for construction and*
19 *renovation of the physical plants at the Armed Forces Re-*
20 *tirement Home—Washington, District of Columbia, and the*
21 *Armed Forces Retirement Home—Gulfport, Mississippi:*
22 *Provided, That of the amounts made available under this*
23 *heading from funds available in the Armed Forces Retire-*
24 *ment Home Trust Fund, \$20,000,000 shall be paid from*
25 *the general fund of the Treasury to the Trust Fund.*

ADMINISTRATIVE PROVISIONS

1
2 *SEC. 301. Funds appropriated in this Act under the*
3 *heading “Department of Defense—Civil, Cemeterial Ex-*
4 *penses, Army”, may be provided to Arlington County, Vir-*
5 *ginia, for the relocation of the federally owned water main*
6 *at Arlington National Cemetery, making additional land*
7 *available for ground burials.*

8 *SEC. 302. Amounts deposited into the special account*
9 *established under 10 U.S.C. 4727 are appropriated and*
10 *shall be available until expended to support activities at*
11 *the Army National Military Cemeteries.*

TITLE IV

GENERAL PROVISIONS

12
13
14 *SEC. 401. No part of any appropriation contained in*
15 *this Act shall remain available for obligation beyond the*
16 *current fiscal year unless expressly so provided herein.*

17 *SEC. 402. None of the funds made available in this*
18 *Act may be used for any program, project, or activity, when*
19 *it is made known to the Federal entity or official to which*
20 *the funds are made available that the program, project, or*
21 *activity is not in compliance with any Federal law relating*
22 *to risk assessment, the protection of private property rights,*
23 *or unfunded mandates.*

24 *SEC. 403. All departments and agencies funded under*
25 *this Act are encouraged, within the limits of the existing*

1 *statutory authorities and funding, to expand their use of*
2 *“E-Commerce” technologies and procedures in the conduct*
3 *of their business practices and public service activities.*

4 *SEC. 404. Unless stated otherwise, all reports and noti-*
5 *fications required by this Act shall be submitted to the Sub-*
6 *committee on Military Construction and Veterans Affairs,*
7 *and Related Agencies of the Committee on Appropriations*
8 *of the House of Representatives and the Subcommittee on*
9 *Military Construction and Veterans Affairs, and Related*
10 *Agencies of the Committee on Appropriations of the Senate.*

11 *SEC. 405. None of the funds made available in this*
12 *Act may be transferred to any department, agency, or in-*
13 *strumentality of the United States Government except pur-*
14 *suant to a transfer made by, or transfer authority provided*
15 *in, this or any other appropriations Act.*

16 *SEC. 406. None of the funds made available in this*
17 *Act may be used for a project or program named for an*
18 *individual serving as a Member, Delegate, or Resident Com-*
19 *missioner of the United States House of Representatives.*

20 *SEC. 407. (a) Any agency receiving funds made avail-*
21 *able in this Act, shall, subject to subsections (b) and (c),*
22 *post on the public Web site of that agency any report re-*
23 *quired to be submitted by the Congress in this or any other*
24 *Act, upon the determination by the head of the agency that*
25 *it shall serve the national interest.*

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

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

4 **(2)** *the report contains confidential or propri-*
5 *etary information.*

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

10 **SEC. 408.** *(a) None of the funds made available in this*
11 *Act may be used to maintain or establish a computer net-*
12 *work unless such network blocks the viewing, downloading,*
13 *and exchanging of pornography.*

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

18 **SEC. 409.** *None of the funds made available in this*
19 *Act may be used by an agency of the executive branch to*
20 *pay for first-class travel by an employee of the agency in*
21 *contravention of sections 301–10.122 through 301–10.124 of*
22 *title 41, Code of Federal Regulations.*

23 **SEC. 410.** *None of the funds made available in this*
24 *Act may be used to execute a contract for goods or services,*

1 *including construction services, where the contractor has*
2 *not complied with Executive Order No. 12989.*

3 *SEC. 411. None of the funds made available by this*
4 *Act may be used by the Department of Defense or the De-*
5 *partment of Veterans Affairs to lease or purchase new light*
6 *duty vehicles for any executive fleet, or for an agency's fleet*
7 *inventory, except in accordance with Presidential Memo-*
8 *randum—Federal Fleet Performance, dated May 24, 2011.*

9 *SEC. 412. (a) IN GENERAL.—None of the funds appro-*
10 *priated or otherwise made available to the Department of*
11 *Defense in this Act may be used to construct, renovate, or*
12 *expand any facility in the United States, its territories, or*
13 *possessions to house any individual detained at United*
14 *States Naval Station, Guantánamo Bay, Cuba, for the pur-*
15 *poses of detention or imprisonment in the custody or under*
16 *the control of the Department of Defense.*

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

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

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

25 *(2) is—*

1 (1) *HUMAN RESOURCES.*—*For necessary ex-*
2 *penditures for training, human resources management,*
3 *and salaries, including employment without regard to*
4 *civil service and classification laws of persons on a*
5 *temporary basis (not to exceed \$700,000), as author-*
6 *ized by section 801 of the United States Information*
7 *and Educational Exchange Act of 1948,*
8 *\$2,181,622,000, of which up to \$358,833,000 is for*
9 *Worldwide Security Protection.*

10 (2) *OVERSEAS PROGRAMS.*—*For necessary ex-*
11 *penditures for the regional bureaus of the Department of*
12 *State and overseas activities as authorized by law,*
13 *\$1,561,840,000.*

14 (3) *DIPLOMATIC POLICY AND SUPPORT.*—*For*
15 *necessary expenditures for the functional bureaus of the*
16 *Department of State, including representation to cer-*
17 *tain international organizations in which the United*
18 *States participates pursuant to treaties ratified pur-*
19 *suant to the advice and consent of the Senate or spe-*
20 *cific Acts of Congress, general administration, and*
21 *arms control, nonproliferation and disarmament ac-*
22 *tivities as authorized, \$791,121,000.*

23 (4) *SECURITY PROGRAMS.*—*For necessary ex-*
24 *penditures for security activities, \$1,087,587,000, of which*

1 up to \$1,069,635,000 is for Worldwide Security Pro-
2 tection.

3 (5) FEES AND PAYMENTS COLLECTED.—In addi-
4 tion to amounts otherwise made available under this
5 heading—

6 (A) not to exceed \$1,840,900 shall be derived
7 from fees collected from other executive agencies
8 for lease or use of facilities located at the Inter-
9 national Center in accordance with section 4 of
10 the International Center Act, and, in addition,
11 as authorized by section 5 of such Act, \$743,000,
12 to be derived from the reserve authorized by that
13 section, to be used for the purposes set out in
14 that section;

15 (B) as authorized by section 810 of the
16 United States Information and Educational Ex-
17 change Act, not to exceed \$5,000,000, to remain
18 available until expended, may be credited to this
19 appropriation from fees or other payments re-
20 ceived from English teaching, library, motion
21 pictures, and publication programs and from
22 fees from educational advising and counseling
23 and exchange visitor programs; and

1 (C) *not to exceed \$15,000, which shall be de-*
2 *ived from reimbursements, surcharges, and fees*
3 *for use of Blair House facilities.*

4 (6) *TRANSFER, REPROGRAMMING, AND OTHER*
5 *MATTERS.—*

6 (A) *Notwithstanding any other provision of*
7 *this Act, funds may be reprogrammed within*
8 *and between paragraphs (1) through (4) under*
9 *this heading subject to section 7015 of this Act.*

10 (B) *Of the amount made available under*
11 *this heading, not to exceed \$10,000,000 may be*
12 *transferred to, and merged with, funds made*
13 *available by this Act under the heading “Emer-*
14 *gencies in the Diplomatic and Consular Serv-*
15 *ice”, to be available only for emergency evacu-*
16 *ations and rewards, as authorized.*

17 (C) *Funds appropriated under this heading*
18 *are available for acquisition by exchange or pur-*
19 *chase of passenger motor vehicles as authorized*
20 *by law and, pursuant to section 1108(g) of title*
21 *31, United States Code, for the field examination*
22 *of programs and activities in the United States*
23 *funded from any account contained in this title.*

24 (D) *Funds appropriated under this heading*
25 *may be made available for Conflict Stabilization*

1 *Operations and for related reconstruction and*
2 *stabilization assistance to prevent or respond to*
3 *conflict or civil strife in foreign countries or re-*
4 *gions, or to enable transition from such strife.*

5 *(E) Funds appropriated under this heading*
6 *in this Act that are designated for Worldwide Se-*
7 *curity Protection shall continue to be made*
8 *available for support of security-related training*
9 *at sites in existence prior to the enactment of*
10 *this Act: Provided, That in addition to such*
11 *funds, up to \$99,113,000 of the funds made*
12 *available under this heading in this Act may be*
13 *obligated for a Foreign Affairs Security Train-*
14 *ing Center (FASTC) only after the Secretary of*
15 *State—*

16 *(i) submits to the appropriate congres-*
17 *sional committees a comprehensive analysis*
18 *of a minimum of three different locations*
19 *for FASTC assessing the feasibility and*
20 *comparing the costs and benefits of deliv-*
21 *ering training at each such location; and*

22 *(ii) notifies the appropriate congres-*
23 *sional committees at least 15 days in ad-*
24 *vance of such obligation: Provided, That*
25 *such notification shall also include a jus-*

1 *tification for any decision made by the De-*
2 *partment of State to obligate funds for*
3 *FASTC.*

4 *(F) None of the funds appropriated under*
5 *this heading may be used for the preservation of*
6 *religious sites unless the Secretary of State deter-*
7 *mines and reports to the Committees on Appro-*
8 *priations that such sites are historically, artis-*
9 *tically, or culturally significant, that the purpose*
10 *of the project is neither to advance nor to inhibit*
11 *the free exercise of religion, and that the project*
12 *is in the national interest of the United States.*

13 *CAPITAL INVESTMENT FUND*

14 *For necessary expenses of the Capital Investment*
15 *Fund, \$66,400,000, to remain available until expended, as*
16 *authorized.*

17 *OFFICE OF INSPECTOR GENERAL*

18 *For necessary expenses of the Office of Inspector Gen-*
19 *eral, \$72,700,000, notwithstanding section 209(a)(1) of the*
20 *Foreign Service Act of 1980 (Public Law 96-465), as it*
21 *relates to post inspections: Provided, That of the funds ap-*
22 *propriated under this heading, \$10,905,000 may remain*
23 *available until September 30, 2017.*

1 *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

2 *For expenses of educational and cultural exchange pro-*
3 *grams, as authorized, \$590,900,000, to remain available*
4 *until expended, of which not less than \$236,000,000 shall*
5 *be for the Fulbright Program and not less than*
6 *\$102,000,000 shall be for Citizen Exchange Program, in-*
7 *cluding \$4,000,000 for the Congress-Bundestag Youth Ex-*
8 *change: Provided, That fees or other payments received*
9 *from, or in connection with, English teaching, educational*
10 *advising and counseling programs, and exchange visitor*
11 *programs as authorized may be credited to this account,*
12 *to remain available until expended: Provided further, That*
13 *not later than 45 days after enactment of this Act, the Sec-*
14 *retary of State shall submit a report to the Committees on*
15 *Appropriations detailing modifications made to existing*
16 *educational and cultural exchange programs since calendar*
17 *year 2014, including for special academic and special pro-*
18 *fessional and cultural exchanges: Provided further, That a*
19 *portion of the Fulbright awards from the Eurasia and Cen-*
20 *tral Asia regions shall be designated as Edmund S. Muskie*
21 *Fellowships, following consultation with the Committees on*
22 *Appropriations: Provided further, That Department of*
23 *State-designated sponsors may not issue a Form DS-2019*
24 *(Certificate of Eligibility for Exchange Visitor (J-1) Sta-*
25 *tus) to place student participants in seafood product prepa-*

1 *ration or packaging positions in the Summer Work Travel*
2 *program in fiscal year 2016 unless prior to issuing such*
3 *Form the sponsor provides to the Secretary of State a de-*
4 *scription of such program and verifies in writing to the*
5 *Secretary that such program fully complies with part 62*
6 *of title 22 of the Code of Federal Regulations, notwith-*
7 *standing subsection 62.32(h)(16) of such part, and with the*
8 *requirements specified under this heading in the explana-*
9 *tory statement described in section 4 (in the matter pre-*
10 *ceding division A of this Consolidated Act): Provided fur-*
11 *ther, That any substantive modifications from the prior fis-*
12 *cal year to programs funded by this Act under this heading*
13 *shall be subject to prior consultation with, and the regular*
14 *notification procedures of, the Committees on Appropria-*
15 *tions.*

16 *REPRESENTATION EXPENSES*

17 *For representation expenses as authorized, \$8,030,000.*

18 *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

19 *For expenses, not otherwise provided, to enable the Sec-*
20 *retary of State to provide for extraordinary protective serv-*
21 *ices, as authorized, \$30,036,000, to remain available until*
22 *September 30, 2017.*

23 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

24 *For necessary expenses for carrying out the Foreign*
25 *Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), pre-*

1 *servicing, maintaining, repairing, and planning for build-*
2 *ings that are owned or directly leased by the Department*
3 *of State, renovating, in addition to funds otherwise avail-*
4 *able, the Harry S Truman Building, and carrying out the*
5 *Diplomatic Security Construction Program as authorized,*
6 *\$785,097,000, to remain available until expended as au-*
7 *thorized, of which not to exceed \$25,000 may be used for*
8 *domestic and overseas representation expenses as author-*
9 *ized: Provided, That none of the funds appropriated in this*
10 *paragraph shall be available for acquisition of furniture,*
11 *furnishings, or generators for other departments and agen-*
12 *cies.*

13 *In addition, for the costs of worldwide security up-*
14 *grades, acquisition, and construction as authorized,*
15 *\$688,799,000, to remain available until expended: Pro-*
16 *vided, That not later than 45 days after enactment of this*
17 *Act, the Secretary of State shall submit to the Committees*
18 *on Appropriations the proposed allocation of funds made*
19 *available under this heading and the actual and antici-*
20 *pated proceeds of sales for all projects in fiscal year 2016.*

21 *EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*

22 *SERVICE*

23 *For necessary expenses to enable the Secretary of State*
24 *to meet unforeseen emergencies arising in the Diplomatic*
25 *and Consular Service, \$7,900,000, to remain available until*

1 *expended as authorized, of which not to exceed \$1,000,000*
2 *may be transferred to, and merged with, funds appro-*
3 *priated by this Act under the heading “Repatriation Loans*
4 *Program Account”, subject to the same terms and condi-*
5 *tions.*

6 *REPATRIATION LOANS PROGRAM ACCOUNT*

7 *For the cost of direct loans, \$1,300,000, as authorized:*
8 *Provided, That such costs, including the cost of modifying*
9 *such loans, shall be as defined in section 502 of the Congres-*
10 *sional Budget Act of 1974: Provided further, That such*
11 *funds are available to subsidize gross obligations for the*
12 *principal amount of direct loans not to exceed \$2,444,528.*

13 *PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN*

14 *For necessary expenses to carry out the Taiwan Rela-*
15 *tions Act (Public Law 96–8), \$30,000,000.*

16 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*

17 *DISABILITY FUND*

18 *For payment to the Foreign Service Retirement and*
19 *Disability Fund, as authorized, \$158,900,000.*

20 *INTERNATIONAL ORGANIZATIONS*

21 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

22 *For necessary expenses, not otherwise provided for, to*
23 *meet annual obligations of membership in international*
24 *multilateral organizations, pursuant to treaties ratified*
25 *pursuant to the advice and consent of the Senate, conven-*

1 *tions or specific Acts of Congress, \$1,344,458,000: Provided,*
2 *That the Secretary of State shall, at the time of the submis-*
3 *sion of the President's budget to Congress under section*
4 *1105(a) of title 31, United States Code, transmit to the*
5 *Committees on Appropriations the most recent biennial*
6 *budget prepared by the United Nations for the operations*
7 *of the United Nations: Provided further, That the Secretary*
8 *of State shall notify the Committees on Appropriations at*
9 *least 15 days in advance (or in an emergency, as far in*
10 *advance as is practicable) of any United Nations action*
11 *to increase funding for any United Nations program with-*
12 *out identifying an offsetting decrease elsewhere in the*
13 *United Nations budget: Provided further, That not later*
14 *than May 1, 2016, and 30 days after the end of fiscal year*
15 *2016, the Secretary of State shall report to the Committees*
16 *on Appropriations any credits available to the United*
17 *States, including from the United Nations Tax Equali-*
18 *zation Fund, and provide updated fiscal year 2016 and fis-*
19 *cal year 2017 assessment costs including offsets from avail-*
20 *able credits and updated foreign currency exchange rates:*
21 *Provided further, That any such credits shall only be avail-*
22 *able for United States assessed contributions to the United*
23 *Nations and the Committees on Appropriations shall be no-*
24 *tified when such credits are applied to any assessed con-*
25 *tribution, including any payment of arrearages: Provided*

1 *further, That any notification regarding funds appro-*
2 *priated or otherwise made available under this heading in*
3 *this Act or prior Acts making appropriations for the De-*
4 *partment of State, foreign operations, and related programs*
5 *submitted pursuant to section 7015 of this Act, section 34*
6 *of the State Department Basic Authorities Act of 1956 (22*
7 *U.S.C. 2706), or any operating plan submitted pursuant*
8 *to section 7076 of this Act, shall include an estimate of all*
9 *known credits currently available to the United States and*
10 *provide updated assessment costs including offsets from*
11 *available credits and updated foreign currency exchange*
12 *rates: Provided further, That any payment of arrearages*
13 *under this heading shall be directed to activities that are*
14 *mutually agreed upon by the United States and the respec-*
15 *tive international organization and shall be subject to the*
16 *regular notification procedures of the Committees on Appro-*
17 *priations: Provided further, That none of the funds appro-*
18 *priated under this heading shall be available for a United*
19 *States contribution to an international organization for the*
20 *United States share of interest costs made known to the*
21 *United States Government by such organization for loans*
22 *incurred on or after October 1, 1984, through external bor-*
23 *rowings: Provided further, That the Secretary of State shall*
24 *review the budgetary and personnel procedures of the*
25 *United Nations and affiliated agencies funded under this*

1 *heading and, not later than 180 days after enactment of*
2 *this Act, submit a report to the Committees on Appropria-*
3 *tions on steps taken at each agency to eliminate unneces-*
4 *sary administrative costs and duplicative activities and en-*
5 *sure that personnel practices are transparent and merit-*
6 *based.*

7 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

8 *ACTIVITIES*

9 *For necessary expenses to pay assessed and other ex-*
10 *penses of international peacekeeping activities directed to*
11 *the maintenance or restoration of international peace and*
12 *security, \$666,574,000, of which 15 percent shall remain*
13 *available until September 30, 2017: Provided, That none*
14 *of the funds made available by this Act shall be obligated*
15 *or expended for any new or expanded United Nations peace-*
16 *keeping mission unless, at least 15 days in advance of vot-*
17 *ing for such mission in the United Nations Security Coun-*
18 *cil (or in an emergency as far in advance as is practicable),*
19 *the Committees on Appropriations are notified of: (1) the*
20 *estimated cost and duration of the mission, the objectives*
21 *of the mission, the national interest that will be served, and*
22 *the exit strategy; and (2) the sources of funds, including*
23 *any reprogrammings and transfers, that will be used to pay*
24 *the cost of the new or expanded mission, and the estimated*
25 *cost in future fiscal years: Provided further, That none of*

1 *the funds appropriated under this heading may be made*
2 *available for obligation unless the Secretary of State cer-*
3 *tifies and reports to the Committees on Appropriations on*
4 *a peacekeeping mission-by-mission basis that the United*
5 *Nations is implementing effective policies and procedures*
6 *to prevent United Nations employees, contractor personnel,*
7 *and peacekeeping troops serving in such mission from traf-*
8 *ficking in persons, exploiting victims of trafficking, or com-*
9 *mitting acts of illegal sexual exploitation or other violations*
10 *of human rights, and to bring to justice individuals who*
11 *engage in such acts while participating in such mission,*
12 *including prosecution in their home countries and making*
13 *information about such prosecutions publicly available on*
14 *the Web site of the United Nations: Provided further, That*
15 *funds shall be available for peacekeeping expenses unless the*
16 *Secretary of State determines that American manufacturers*
17 *and suppliers are not being given opportunities to provide*
18 *equipment, services, and material for United Nations peace-*
19 *keeping activities equal to those being given to foreign man-*
20 *ufacturers and suppliers: Provided further, That the Sec-*
21 *retary of State shall work with the United Nations and for-*
22 *eign governments contributing peacekeeping troops to im-*
23 *plement effective vetting procedures to ensure that such*
24 *troops have not violated human rights: Provided further,*
25 *That none of the funds appropriated or otherwise made*

1 *available under this heading may be used for any United*
2 *Nations peacekeeping mission that will involve United*
3 *States Armed Forces under the command or operational*
4 *control of a foreign national, unless the President's military*
5 *advisors have submitted to the President a recommendation*
6 *that such involvement is in the national interest of the*
7 *United States and the President has submitted to Congress*
8 *such a recommendation: Provided further, That not later*
9 *than May 1, 2016, and 30 days after the end of fiscal year*
10 *2016, the Secretary of State shall report to the Committees*
11 *on Appropriations any credits available to the United*
12 *States, including those resulting from United Nations*
13 *peacekeeping missions or the United Nations Tax Equali-*
14 *zation Fund, and provide updated fiscal year 2016 and fis-*
15 *cal year 2017 assessment costs including offsets from avail-*
16 *able credits: Provided further, That any such credits shall*
17 *only be available for United States assessed contributions*
18 *to the United Nations, 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 available to the United*
5 *States and provide updated assessment costs including off-*
6 *sets from available credits: Provided further, That any pay-*
7 *ment of arrearages with funds appropriated by this Act*
8 *shall be subject to the regular notification procedures of the*
9 *Committees on Appropriations: Provided further, That the*
10 *Secretary of State shall work with the United Nations and*
11 *members of the United Nations Security Council to evaluate*
12 *and prioritize peacekeeping missions, and to consider a*
13 *draw down when mission goals have been substantially*
14 *achieved: Provided further, That notwithstanding any other*
15 *provision of law, funds appropriated or otherwise made*
16 *available under this heading shall be available for United*
17 *States assessed contributions up to the amount specified in*
18 *Annex IV accompanying United Nations General Assembly*
19 *Resolution 64/220: Provided further, That such funds may*
20 *be made available above the amount authorized in section*
21 *404(b)(2)(B) of the Foreign Relations Authorization Act,*
22 *Fiscal Years 1994 and 1995 (22 U.S.C. 287e note) only if*
23 *the Secretary of State determines and reports to the appro-*
24 *priate congressional committees that it is important to the*
25 *national interest of the United States.*

1 *INTERNATIONAL COMMISSIONS*

2 *For necessary expenses, not otherwise provided for, to*
3 *meet obligations of the United States arising under treaties,*
4 *or specific Acts of Congress, as follows:*

5 *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*6 *UNITED STATES AND MEXICO*

7 *For necessary expenses for the United States Section*
8 *of the International Boundary and Water Commission,*
9 *United States and Mexico, and to comply with laws appli-*
10 *cable to the United States Section, including not to exceed*
11 *\$6,000 for representation expenses; as follows:*

12 *SALARIES AND EXPENSES*

13 *For salaries and expenses, not otherwise provided for,*
14 *\$45,307,000.*

15 *CONSTRUCTION*

16 *For detailed plan preparation and construction of au-*
17 *thorized projects, \$28,400,000, to remain available until ex-*
18 *pendent, as authorized.*

19 *AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS*

20 *For necessary expenses, not otherwise provided, for the*
21 *International Joint Commission and the International*
22 *Boundary Commission, United States and Canada, as au-*
23 *thorized by treaties between the United States and Canada*
24 *or Great Britain, and the Border Environment Cooperation*
25 *Commission as authorized by the North American Free*

1 *Trade Agreement Implementation Act (Public Law 103–*
2 *182), \$12,330,000: Provided, That of the amount provided*
3 *under this heading for the International Joint Commission,*
4 *up to \$500,000 may remain available until September 30,*
5 *2017, and \$9,000 may be made available for representation*
6 *expenses.*

7 *INTERNATIONAL FISHERIES COMMISSIONS*

8 *For necessary expenses for international fisheries com-*
9 *missions, not otherwise provided for, as authorized by law,*
10 *\$36,681,000: Provided, That the United States share of such*
11 *expenses may be advanced to the respective commissions*
12 *pursuant to section 3324 of title 31, United States Code.*

13 *RELATED AGENCY*

14 *BROADCASTING BOARD OF GOVERNORS*

15 *INTERNATIONAL BROADCASTING OPERATIONS*

16 *For necessary expenses to enable the Broadcasting*
17 *Board of Governors (BBG), as authorized, to carry out*
18 *international communication activities, and to make and*
19 *supervise grants for radio, Internet, and television broad-*
20 *casting to the Middle East, \$734,087,000: Provided, That*
21 *in addition to amounts otherwise available for such pur-*
22 *poses, up to \$31,135,000 of the amount appropriated under*
23 *this heading may remain available until expended for sat-*
24 *ellite transmissions and Internet freedom programs, of*
25 *which not less than \$15,000,000 shall be for Internet free-*

1 *dom programs: Provided further, That of the total amount*
2 *appropriated under this heading, not to exceed \$35,000*
3 *may be used for representation expenses, of which \$10,000*
4 *may be used for such expenses within the United States as*
5 *authorized, and not to exceed \$30,000 may be used for rep-*
6 *resentation expenses of Radio Free Europe/Radio Liberty:*
7 *Provided further, That the authority provided by section*
8 *504(c) of the Foreign Relations Authorization Act, Fiscal*
9 *Year 2003 (Public Law 107–228; 22 U.S.C. 6206 note) shall*
10 *remain in effect through September 30, 2016: Provided fur-*
11 *ther, That the BBG shall notify the Committees on Appro-*
12 *priations within 15 days of any determination by the*
13 *Board that any of its broadcast entities, including its*
14 *grantee organizations, provides an open platform for inter-*
15 *national terrorists or those who support international ter-*
16 *rorism, or is in violation of the principles and standards*
17 *set forth in subsections (a) and (b) of section 303 of the*
18 *United States International Broadcasting Act of 1994 (22*
19 *U.S.C. 6202) or the entity’s journalistic code of ethics: Pro-*
20 *vided further, That significant modifications to BBG*
21 *broadcast hours previously justified to Congress, including*
22 *changes to transmission platforms (shortwave, medium*
23 *wave, satellite, Internet, and television), for all BBG lan-*
24 *guage services shall be subject to the regular notification*
25 *procedures of the Committees on Appropriations: Provided*

1 *further, That in addition to funds made available under*
2 *this heading, and notwithstanding any other provision of*
3 *law, up to \$5,000,000 in receipts from advertising and rev-*
4 *enue from business ventures, up to \$500,000 in receipts*
5 *from cooperating international organizations, and up to*
6 *\$1,000,000 in receipts from privatization efforts of the Voice*
7 *of America and the International Broadcasting Bureau,*
8 *shall remain available until expended for carrying out au-*
9 *thorized purposes.*

10 *BROADCASTING CAPITAL IMPROVEMENTS*

11 *For the purchase, rent, construction, repair, preserva-*
12 *tion, and improvement of facilities for radio, television, and*
13 *digital transmission and reception; the purchase, rent, and*
14 *installation of necessary equipment for radio, television,*
15 *and digital transmission and reception, including to Cuba,*
16 *as authorized; and physical security worldwide, in addition*
17 *to amounts otherwise available for such purposes,*
18 *\$4,800,000, to remain available until expended, as author-*
19 *ized.*

20 *RELATED PROGRAMS*

21 *THE ASIA FOUNDATION*

22 *For a grant to The Asia Foundation, as authorized*
23 *by The Asia Foundation Act (22 U.S.C. 4402), \$17,000,000,*
24 *to remain available until expended.*

1 *UNITED STATES INSTITUTE OF PEACE*

2 *For necessary expenses of the United States Institute*
3 *of Peace, as authorized by the United States Institute of*
4 *Peace Act (22 U.S.C. 4601 et seq.), \$35,300,000, to remain*
5 *available until September 30, 2017, which shall not be used*
6 *for construction activities.*

7 *CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE*8 *TRUST FUND*

9 *For necessary expenses of the Center for Middle East-*
10 *ern-Western Dialogue Trust Fund, as authorized by section*
11 *633 of the Departments of Commerce, Justice, and State,*
12 *the Judiciary, and Related Agencies Appropriations Act,*
13 *2004 (22 U.S.C. 2078), the total amount of the interest and*
14 *earnings accruing to such Fund on or before September 30,*
15 *2016, to remain available until expended.*

16 *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM*

17 *For necessary expenses of Eisenhower Exchange Fel-*
18 *lowships, Incorporated, as authorized by sections 4 and 5*
19 *of the Eisenhower Exchange Fellowship Act of 1990 (20*
20 *U.S.C. 5204–5205), all interest and earnings accruing to*
21 *the Eisenhower Exchange Fellowship Program Trust Fund*
22 *on or before September 30, 2016, to remain available until*
23 *expended: Provided, That none of the funds appropriated*
24 *herein shall be used to pay any salary or other compensa-*
25 *tion, or to enter into any contract providing for the pay-*

1 *ment thereof, in excess of the rate authorized by section 5376*
2 *of title 5, United States Code; or for purposes which are*
3 *not in accordance with section 200 of title 2 of the Code*
4 *of Federal Regulations, including the restrictions on com-*
5 *penensation for personal services.*

6 *ISRAELI ARAB SCHOLARSHIP PROGRAM*

7 *For necessary expenses of the Israeli Arab Scholarship*
8 *Program, as authorized by section 214 of the Foreign Rela-*
9 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*
10 *U.S.C. 2452), all interest and earnings accruing to the*
11 *Israeli Arab Scholarship Fund on or before September 30,*
12 *2016, to remain available until expended.*

13 *EAST-WEST CENTER*

14 *To enable the Secretary of State to provide for car-*
15 *rying out the provisions of the Center for Cultural and*
16 *Technical Interchange Between East and West Act of 1960,*
17 *by grant to the Center for Cultural and Technical Inter-*
18 *change Between East and West in the State of Hawaii,*
19 *\$16,700,000.*

20 *NATIONAL ENDOWMENT FOR DEMOCRACY*

21 *For grants made by the Department of State to the*
22 *National Endowment for Democracy, as authorized by the*
23 *National Endowment for Democracy Act (22 U.S.C. 4412),*
24 *\$170,000,000, to remain available until expended, of which*
25 *\$117,500,000 shall be allocated in the traditional and cus-*

1 *tomary manner, including for the core institutes, and*
2 *\$52,500,000 shall be for democracy programs.*

3 **OTHER COMMISSIONS**

4 *COMMISSION FOR THE PRESERVATION OF AMERICA'S*
5 *HERITAGE ABROAD*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses for the Commission for the*
8 *Preservation of America's Heritage Abroad, \$676,000, as*
9 *authorized by chapter 3123 of title 54, United States Code:*
10 *Provided, That the Commission may procure temporary,*
11 *intermittent, and other services notwithstanding paragraph*
12 *(3) of section 312304(b) of such chapter: Provided further,*
13 *That such authority shall terminate on October 1, 2016:*
14 *Provided further, That the Commission shall notify the*
15 *Committees on Appropriations prior to exercising such au-*
16 *thority.*

17 *UNITED STATES COMMISSION ON INTERNATIONAL*

18 *RELIGIOUS FREEDOM*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses for the United States Commis-*
21 *sion on International Religious Freedom, as authorized by*
22 *title II of the International Religious Freedom Act of 1998*
23 *(22 U.S.C. 6431 et seq.), \$3,500,000, to remain available*
24 *until September 30, 2017, including not more than \$4,000*
25 *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, 2017.*

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, 2017.*

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 *2017: 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 2016 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 *\$1,143,614,000, of which up to \$171,542,000 may remain*
17 *available until September 30, 2017: 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 (USAID), unless the USAID Admin-*
24 *istrator has identified such proposed use of funds in a re-*
25 *port submitted to the Committees on Appropriations at*

1 *least 15 days prior to the obligation of funds for such pur-*
2 *poses: Provided further, That contracts or agreements en-*
3 *tered into with funds appropriated under this heading may*
4 *entail commitments for the expenditure of such funds*
5 *through the following fiscal year: Provided further, That the*
6 *authority of sections 610 and 109 of the Foreign Assistance*
7 *Act of 1961 may be exercised by the Secretary of State to*
8 *transfer funds appropriated to carry out chapter 1 of part*
9 *I of such Act to “Operating Expenses” in accordance with*
10 *the provisions of those sections: Provided further, That of*
11 *the funds appropriated or made available under this head-*
12 *ing, not to exceed \$250,000 may be available for representa-*
13 *tion and entertainment expenses, of which not to exceed*
14 *\$5,000 may be available for entertainment expenses, and*
15 *not to exceed \$100,500 shall be for official residence ex-*
16 *penses, for USAID 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, \$168,300,000, 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 *\$66,000,000, of which up to \$9,900,000 may remain avail-*
7 *able until September 30, 2017, 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, \$2,833,450,000, to re-*
21 *main available until September 30, 2017, and which shall*
22 *be apportioned directly to the United States Agency for*
23 *International Development (USAID): Provided, That this*
24 *amount shall be made available for training, equipment,*
25 *and technical assistance to build the capacity of public*

1 *health institutions and organizations in developing coun-*
2 *tries, and for such activities as: (1) child survival and ma-*
3 *ternal health programs; (2) immunization and oral re-*
4 *hydration programs; (3) other health, nutrition, water and*
5 *sanitation programs which directly address the needs of*
6 *mothers and children, and related education programs; (4)*
7 *assistance for children displaced or orphaned by causes*
8 *other than AIDS; (5) programs for the prevention, treat-*
9 *ment, control of, and research on HIV/AIDS, tuberculosis,*
10 *polio, malaria, and other infectious diseases including ne-*
11 *glected tropical diseases, and for assistance to communities*
12 *severely affected by HIV/AIDS, including children infected*
13 *or affected by AIDS; (6) disaster preparedness training for*
14 *health crises; and (7) family planning/reproductive health:*
15 *Provided further, That funds appropriated under this para-*
16 *graph may be made available for a United States contribu-*
17 *tion to the GAVI Alliance: Provided further, That none of*
18 *the funds made available in this Act nor any unobligated*
19 *balances from prior appropriations Acts may be made*
20 *available to any organization or program which, as deter-*
21 *mined by the President of the United States, supports or*
22 *participates in the management of a program of coercive*
23 *abortion or involuntary sterilization: Provided further,*
24 *That any determination made under the previous proviso*
25 *must be made not later than 6 months after the date of*

1 *enactment of this Act, and must be accompanied by the evi-*
2 *dence and criteria utilized to make the determination: Pro-*
3 *vided further, That none of the funds made available under*
4 *this Act may be used to pay for the performance of abortion*
5 *as a method of family planning or to motivate or coerce*
6 *any person to practice abortions: Provided further, That*
7 *nothing in this paragraph shall be construed to alter any*
8 *existing statutory prohibitions against abortion under sec-*
9 *tion 104 of the Foreign Assistance Act of 1961: Provided*
10 *further, That none of the funds made available under this*
11 *Act may be used to lobby for or against abortion: Provided*
12 *further, That in order to reduce reliance on abortion in de-*
13 *veloping nations, funds shall be available only to voluntary*
14 *family planning projects which offer, either directly or*
15 *through referral to, or information about access to, a broad*
16 *range of family planning methods and services, and that*
17 *any such voluntary family planning project shall meet the*
18 *following requirements: (1) service providers or referral*
19 *agents in the project shall not implement or be subject to*
20 *quotas, or other numerical targets, of total number of births,*
21 *number of family planning acceptors, or acceptors of a par-*
22 *ticular method of family planning (this provision shall not*
23 *be construed to include the use of quantitative estimates or*
24 *indicators for budgeting and planning purposes); (2) the*
25 *project shall not include payment of incentives, bribes, gra-*

1 *tuities, or financial reward to: (A) an individual in ex-*
2 *change for becoming a family planning acceptor; or (B)*
3 *program personnel for achieving a numerical target or*
4 *quota of total number of births, number of family planning*
5 *acceptors, or acceptors of a particular method of family*
6 *planning; (3) the project shall not deny any right or benefit,*
7 *including the right of access to participate in any program*
8 *of general welfare or the right of access to health care, as*
9 *a consequence of any individual's decision not to accept*
10 *family planning services; (4) the project shall provide fam-*
11 *ily planning acceptors comprehensible information on the*
12 *health benefits and risks of the method chosen, including*
13 *those conditions that might render the use of the method*
14 *inadvisable and those adverse side effects known to be con-*
15 *sequent to the use of the method; and (5) the project shall*
16 *ensure that experimental contraceptive drugs and devices*
17 *and medical procedures are provided only in the context*
18 *of a scientific study in which participants are advised of*
19 *potential risks and benefits; and, not less than 60 days after*
20 *the date on which the USAID Administrator determines*
21 *that there has been a violation of the requirements con-*
22 *tained in paragraph (1), (2), (3), or (5) of this proviso,*
23 *or a pattern or practice of violations of the requirements*
24 *contained in paragraph (4) of this proviso, the Adminis-*
25 *trator shall submit to the Committees on Appropriations*

1 *a report containing a description of such violation and the*
2 *corrective action taken by the Agency: Provided further,*
3 *That in awarding grants for natural family planning*
4 *under section 104 of the Foreign Assistance Act of 1961 no*
5 *applicant shall be discriminated against because of such ap-*
6 *plicant's religious or conscientious commitment to offer*
7 *only natural family planning; and, additionally, all such*
8 *applicants shall comply with the requirements of the pre-*
9 *vious proviso: Provided further, That for purposes of this*
10 *or any other Act authorizing or appropriating funds for*
11 *the Department of State, foreign operations, and related*
12 *programs, the term "motivate", as it relates to family plan-*
13 *ning assistance, shall not be construed to prohibit the provi-*
14 *sion, consistent with local law, of information or counseling*
15 *about all pregnancy options: Provided further, That infor-*
16 *mation provided about the use of condoms as part of*
17 *projects or activities that are funded from amounts appro-*
18 *priated by this Act shall be medically accurate and shall*
19 *include the public health benefits and failure rates of such*
20 *use.*

21 *In addition, for necessary expenses to carry out the*
22 *provisions of the Foreign Assistance Act of 1961 for the pre-*
23 *vention, treatment, and control of, and research on, HIV/*
24 *AIDS, \$5,670,000,000, to remain available until September*
25 *30, 2020, which shall be apportioned directly to the Depart-*

1 *ment of State: Provided, That funds appropriated under*
2 *this paragraph may be made available, notwithstanding*
3 *any other provision of law, except for the United States*
4 *Leadership Against HIV/AIDS, Tuberculosis, and Malaria*
5 *Act of 2003 (Public Law 108–25), as amended, for a United*
6 *States contribution to the Global Fund to Fight AIDS, Tu-*
7 *berculosis and Malaria (Global Fund), and shall be ex-*
8 *pended at the minimum rate necessary to make timely pay-*
9 *ment for projects and activities: Provided further, That the*
10 *amount of such contribution should be \$1,350,000,000: Pro-*
11 *vided further, That section 202(d)(4)(A)(i) and (vi) of Pub-*
12 *lic Law 108–25, as amended, shall be applied with respect*
13 *to such funds made available for fiscal years 2015 and 2016*
14 *by substituting “2004” for “2009”:* *Provided further, That*
15 *up to 5 percent of the aggregate amount of funds made*
16 *available to the Global Fund in fiscal year 2016 may be*
17 *made available to USAID for technical assistance related*
18 *to the activities of the Global Fund, subject to the regular*
19 *notification procedures of the Committees on Appropria-*
20 *tions: Provided further, That of the funds appropriated*
21 *under this paragraph, up to \$17,000,000 may be made*
22 *available, in addition to amounts otherwise available for*
23 *such purposes, for administrative expenses of the Office of*
24 *the United States Global AIDS Coordinator.*

1 *tees on Appropriations at least 5 days prior to beginning*
2 *a new program of assistance: Provided further, That if the*
3 *Secretary of State determines that it is important to the*
4 *national 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 made available for such purposes, except*
7 *that such expenses may not exceed 5 percent of the funds*
8 *appropriated under this heading: Provided further, That*
9 *funds appropriated under this heading shall be subject to*
10 *the regular notification procedures of the Committees on*
11 *Appropriations, except that such notifications shall be*
12 *transmitted 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 (USAID), as authorized by sections 256 and 635*
17 *of the Foreign Assistance Act of 1961, up to \$40,000,000*
18 *may be derived by transfer from funds appropriated by this*
19 *Act to carry out part I of such Act and under the heading*
20 *“Assistance for Europe, Eurasia and Central Asia”: Pro-*
21 *vided, That funds provided under this paragraph and funds*
22 *provided as a gift that are used for purposes of this para-*
23 *graph pursuant to section 635(d) of the Foreign Assistance*
24 *Act of 1961 shall be made available only for micro- and*
25 *small enterprise programs, urban programs, and other pro-*

1 *grams which further the purposes of part I of such Act: Pro-*
2 *vided further, That such costs, including the cost of modi-*
3 *fying such direct and guaranteed loans, shall be as defined*
4 *in section 502 of the Congressional Budget Act of 1974, as*
5 *amended: Provided further, That funds made available by*
6 *this paragraph may be used for the cost of modifying any*
7 *such guaranteed loans under this Act or prior Acts making*
8 *appropriations for the Department of State, foreign oper-*
9 *ations, and related programs, and funds used for such costs*
10 *shall be subject to the regular notification procedures of the*
11 *Committees on Appropriations: Provided further, That the*
12 *provisions of section 107A(d) (relating to general provisions*
13 *applicable to the Development Credit Authority) of the For-*
14 *eign Assistance Act of 1961, as contained in section 306*
15 *of H.R. 1486 as reported by the House Committee on Inter-*
16 *national Relations on May 9, 1997, shall be applicable to*
17 *direct loans and loan guarantees provided under this head-*
18 *ing, except that the principal amount of loans made or*
19 *guaranteed under this heading with respect to any single*
20 *country shall not exceed \$300,000,000: Provided further,*
21 *That these funds are available to subsidize total loan prin-*
22 *cipal, any portion of which is to be guaranteed, of up to*
23 *\$1,500,000,000.*

24 *In addition, for administrative expenses to carry out*
25 *credit programs administered by USAID, \$8,120,000,*

1 *which may be transferred to, and merged with, funds made*
2 *available under the heading “Operating Expenses” in title*
3 *II of this Act: Provided, That funds made available under*
4 *this heading shall remain available until September 30,*
5 *2018.*

6 *ECONOMIC SUPPORT FUND*

7 *For necessary expenses to carry out the provisions of*
8 *chapter 4 of part II of the Foreign Assistance Act of 1961,*
9 *\$1,896,315,000, to remain available until September 30,*
10 *2017.*

11 *DEMOCRACY FUND*

12 *For necessary expenses to carry out the provisions of*
13 *the Foreign Assistance Act of 1961 for the promotion of de-*
14 *mocracy globally, \$150,500,000, to remain available until*
15 *September 30, 2017, of which \$88,500,000 shall be made*
16 *available for the Human Rights and Democracy Fund of*
17 *the Bureau of Democracy, Human Rights and Labor, De-*
18 *partment of State, and \$62,000,000 shall be made available*
19 *for the Bureau for Democracy, Conflict, and Humanitarian*
20 *Assistance, United States Agency for International Develop-*
21 *ment.*

22 *ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA*

23 *For necessary expenses to carry out the provisions of*
24 *the Foreign Assistance Act of 1961, the FREEDOM Sup-*
25 *port Act (Public Law 102–511), and the Support for East-*

1 *ern European Democracy (SEED) Act of 1989 (Public Law*
2 *101–179), \$491,119,000, to remain available until Sep-*
3 *tember 30, 2017, which shall be available, notwithstanding*
4 *any other provision of law, except section 7070 of this Act,*
5 *for assistance and related programs for countries identified*
6 *in section 3 of Public Law 102–511 and section 3(c) of Pub-*
7 *lic Law 101–179, in addition to funds otherwise available*
8 *for such purposes: Provided, That funds appropriated by*
9 *this Act under the headings “Global Health Programs” and*
10 *“Economic Support Fund” that are made available for as-*
11 *sistance for such countries shall be administered in accord-*
12 *ance with the responsibilities of the coordinator designated*
13 *pursuant to section 102 of Public Law 102–511 and section*
14 *601 of Public Law 101–179: Provided further, That funds*
15 *appropriated under this heading shall be considered to be*
16 *economic assistance under the Foreign Assistance Act of*
17 *1961 for purposes of making available the administrative*
18 *authorities contained in that Act for the use of economic*
19 *assistance.*

20 *DEPARTMENT OF STATE*

21 *MIGRATION AND REFUGEE ASSISTANCE*

22 *For necessary expenses not otherwise provided for, to*
23 *enable the Secretary of State to carry out the provisions*
24 *of section 2(a) and (b) of the Migration and Refugee Assist-*
25 *ance Act of 1962, and other activities to meet refugee and*

1 *migration needs; salaries and expenses of personnel and de-*
2 *pendents as authorized by the Foreign Service Act of 1980;*
3 *allowances as authorized by sections 5921 through 5925 of*
4 *title 5, United States Code; purchase and hire of passenger*
5 *motor vehicles; and services as authorized by section 3109*
6 *of title 5, United States Code, \$931,886,000, to remain*
7 *available until expended, of which not less than \$35,000,000*
8 *shall be made available to respond to small-scale emergency*
9 *humanitarian requirements, and \$10,000,000 shall be made*
10 *available for refugees resettling in Israel.*

11 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*

12 *ASSISTANCE FUND*

13 *For necessary expenses to carry out the provisions of*
14 *section 2(c) of the Migration and Refugee Assistance Act*
15 *of 1962, as amended (22 U.S.C. 2601(c)), \$50,000,000, to*
16 *remain available until expended.*

17 *INDEPENDENT AGENCIES*

18 *PEACE CORPS*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For necessary expenses to carry out the provisions of*
21 *the Peace Corps Act (22 U.S.C. 2501 et seq.), including the*
22 *purchase of not to exceed five passenger motor vehicles for*
23 *administrative purposes for use outside of the United*
24 *States, \$410,000,000, of which \$5,150,000 is for the Office*
25 *of Inspector General, to remain available until September*

1 30, 2017: *Provided, That the Director of the Peace Corps*
2 *may transfer to the Foreign Currency Fluctuations Ac-*
3 *count, as authorized by section 16 of the Peace Corps Act*
4 *(22 U.S.C. 2515), an amount not to exceed \$5,000,000: Pro-*
5 *vided further, That funds transferred pursuant to the pre-*
6 *vious proviso may not be derived from amounts made avail-*
7 *able for Peace Corps overseas operations: Provided further,*
8 *That of the funds appropriated under this heading, not to*
9 *exceed \$104,000 may be available for representation ex-*
10 *penses, of which not to exceed \$4,000 may be made available*
11 *for entertainment expenses: Provided further, That any de-*
12 *cision to open, close, significantly reduce, or suspend a do-*
13 *mestic or overseas office or country program shall be subject*
14 *to prior consultation with, and the regular notification pro-*
15 *cedures of, the Committees on Appropriations, except that*
16 *prior consultation and regular notification procedures may*
17 *be waived when there is a substantial security risk to volun-*
18 *teers or other Peace Corps personnel, pursuant to section*
19 *7015(e) of this Act: Provided further, That none of the funds*
20 *appropriated under this heading shall be used to pay for*
21 *abortions: Provided further, That notwithstanding the pre-*
22 *vious proviso, section 614 of division E of Public Law 113-*
23 *76 shall apply to funds appropriated under this heading.*

1 MILLENNIUM CHALLENGE CORPORATION

2 *For necessary expenses to carry out the provisions of*
3 *the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et*
4 *seq.) (MCA), \$901,000,000, to remain available until ex-*
5 *pended: Provided, That of the funds appropriated under*
6 *this heading, up to \$105,000,000 may be available for ad-*
7 *ministrative expenses of the Millennium Challenge Corpora-*
8 *tion (the Corporation): Provided further, That up to 5 per-*
9 *cent of the funds appropriated under this heading may be*
10 *made available to carry out the purposes of section 616 of*
11 *the MCA for fiscal year 2016: Provided further, That section*
12 *605(e) of the MCA shall apply to funds appropriated under*
13 *this heading: Provided further, That funds appropriated*
14 *under this heading may be made available for a Millen-*
15 *nium Challenge Compact entered into pursuant to section*
16 *609 of the MCA only if such Compact obligates, or contains*
17 *a commitment to obligate subject to the availability of funds*
18 *and the mutual agreement of the parties to the Compact*
19 *to proceed, the entire amount of the United States Govern-*
20 *ment funding anticipated for the duration of the Compact:*
21 *Provided further, That the Chief Executive Officer of the*
22 *Corporation shall notify the Committees on Appropriations*
23 *not later than 15 days prior to commencing negotiations*
24 *for any country compact or threshold country program;*
25 *signing any such compact or threshold program; or termi-*

1 nating or suspending any such compact or threshold pro-
2 gram: Provided further, That funds appropriated under
3 this heading by this Act and prior Acts making appropria-
4 tions for the Department of State, foreign operations, and
5 related programs that are available to implement section
6 609(g) of the MCA shall be subject to the regular notifica-
7 tion procedures of the Committees on Appropriations: Pro-
8 vided further, That no country should be eligible for a
9 threshold program after such country has completed a coun-
10 try compact: Provided further, That any funds that are
11 deobligated from a Millennium Challenge Compact shall be
12 subject to the regular notification procedures of the Commit-
13 tees on Appropriations prior to re-obligation: Provided fur-
14 ther, That notwithstanding section 606(a)(2) of the MCA,
15 a country shall be a candidate country for purposes of eligi-
16 bility for assistance for the fiscal year if the country has
17 a per capita income equal to or below the World Bank's
18 lower middle income country threshold for the fiscal year
19 and is among the 75 lowest per capita income countries
20 as identified by the World Bank; and the country meets the
21 requirements of section 606(a)(1)(B) of the MCA: Provided
22 further, That notwithstanding section 606(b)(1) of the MCA,
23 in addition to countries described in the preceding proviso,
24 a country shall be a candidate country for purposes of eligi-
25 bility for assistance for the fiscal year if the country has

1 a per capita income equal to or below the World Bank's
2 lower middle income country threshold for the fiscal year
3 and is not among the 75 lowest per capita income countries
4 as identified by the World Bank; and the country meets the
5 requirements of section 606(a)(1)(B) of the MCA: Provided
6 further, That any Millennium Challenge Corporation can-
7 didate country under section 606 of the MCA with a per
8 capita income that changes in the fiscal year such that the
9 country would be reclassified from a low income country
10 to a lower middle income country or from a lower middle
11 income country to a low income country shall retain its
12 candidacy status in its former income classification for the
13 fiscal year and the 2 subsequent fiscal years: Provided fur-
14 ther, That publication in the Federal Register of a notice
15 of availability of a copy of a Compact on the Millennium
16 Challenge Corporation Web site shall be deemed to satisfy
17 the requirements of section 610(b)(2) of the MCA for such
18 Compact: Provided further, That none of the funds made
19 available by this Act or prior Acts making appropriations
20 for the Department of State, foreign operations, and related
21 programs shall be available for a threshold program in a
22 country that is not currently a candidate country: Provided
23 further, That the Comptroller General of the United States
24 shall provide to the appropriate congressional committees
25 a review of authorities that may allow the Millennium

1 *Challenge Corporation to obligate funds that are unobli-*
2 *gated from prior fiscal years for compacts in countries that*
3 *are not eligible for a compact in the current fiscal year:*
4 *Provided further, That such review shall include an assess-*
5 *ment as set forth in the explanatory statement described in*
6 *section 4 (in the matter preceding division A of this Con-*
7 *solidated Act): Provided further, That funds appropriated*
8 *under this heading shall be used on a reimbursable basis*
9 *for such review: Provided further, That of the funds appro-*
10 *riated under this heading, not to exceed \$100,000 may be*
11 *available for representation and entertainment expenses, of*
12 *which not to exceed \$5,000 may be available for entertain-*
13 *ment expenses.*

14 *INTER-AMERICAN FOUNDATION*

15 *For necessary expenses to carry out the functions of*
16 *the Inter-American Foundation in accordance with the pro-*
17 *visions of section 401 of the Foreign Assistance Act of 1969,*
18 *\$22,500,000, to remain available until September 30, 2017:*
19 *Provided, That of the funds appropriated under this head-*
20 *ing, not to exceed \$2,000 may be available for representa-*
21 *tion expenses.*

22 *UNITED STATES AFRICAN DEVELOPMENT FOUNDATION*

23 *For necessary expenses to carry out title V of the Inter-*
24 *national Security and Development Cooperation Act of*
25 *1980 (Public Law 96-533), \$30,000,000, to remain avail-*

1 able until September 30, 2017, of which not to exceed \$2,000
2 may be available for representation expenses: Provided,
3 That funds made available to grantees may be invested
4 pending expenditure for project purposes when authorized
5 by the Board of Directors of the United States African De-
6 velopment Foundation (USADF): Provided further, That
7 interest earned shall be used only for the purposes for which
8 the grant was made: Provided further, That notwith-
9 standing section 505(a)(2) of the African Development
10 Foundation Act, in exceptional circumstances the Board of
11 Directors of the USADF may waive the \$250,000 limitation
12 contained in that section with respect to a project and a
13 project may exceed the limitation by up to 10 percent if
14 the increase is due solely to foreign currency fluctuation:
15 Provided further, That the USADF shall submit a report
16 to the Committees on Appropriations after each time such
17 waiver authority is exercised: Provided further, That the
18 USADF may make rent or lease payments in advance from
19 appropriations available for such purpose for offices, build-
20 ings, grounds, and quarters in Africa as may be necessary
21 to carry out its functions: Provided further, That the
22 USADF may maintain bank accounts outside the United
23 States Treasury and retain any interest earned on such ac-
24 counts, in furtherance of the purposes of the African Foun-
25 dation Development Act: Provided further, That the

1 *USADF may not withdraw any appropriation from the*
2 *Treasury prior to the need of spending such funds for pro-*
3 *gram purposes.*

4 *DEPARTMENT OF THE TREASURY*

5 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

6 *For necessary expenses to carry out the provisions of*
7 *section 129 of the Foreign Assistance Act of 1961,*
8 *\$23,500,000, to remain available until September 30, 2018,*
9 *which shall be available notwithstanding any other provi-*
10 *sion of law.*

11 *TITLE IV*

12 *INTERNATIONAL SECURITY ASSISTANCE*

13 *DEPARTMENT OF STATE*

14 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

15 *ENFORCEMENT*

16 *For necessary expenses to carry out section 481 of the*
17 *Foreign Assistance Act of 1961, \$894,821,000, to remain*
18 *available until September 30, 2017: Provided, That the pro-*
19 *vision of assistance by any other United States Government*
20 *department or agency which is comparable to assistance*
21 *that may be made available under this heading, but which*
22 *is provided under any other provision of law, should be pro-*
23 *vided only with the concurrence of the Secretary of State*
24 *and in accordance with the provisions of sections 481(b)*
25 *and 622(c) of the Foreign Assistance Act of 1961: Provided*

1 *further, That the Department of State may use the author-*
2 *ity of section 608 of the Foreign Assistance Act of 1961,*
3 *without regard to its restrictions, to receive excess property*
4 *from an agency of the United States Government for the*
5 *purpose of providing such property to a foreign country or*
6 *international organization under chapter 8 of part I of that*
7 *Act, subject to the regular notification procedures of the*
8 *Committees on Appropriations: Provided further, That sec-*
9 *tion 482(b) of the Foreign Assistance Act of 1961 shall not*
10 *apply to funds appropriated under this heading, except that*
11 *any funds made available notwithstanding such section*
12 *shall be subject to the regular notification procedures of the*
13 *Committees on Appropriations: Provided further, That*
14 *funds appropriated under this heading shall be made avail-*
15 *able to support training and technical assistance for foreign*
16 *law enforcement, corrections, and other judicial authorities,*
17 *utilizing regional partners: Provided further, That not less*
18 *than \$54,975,000 of the funds appropriated under this*
19 *heading shall be transferred to, and merged with, funds ap-*
20 *propriated by this Act under the heading “Assistance for*
21 *Europe, Eurasia and Central Asia”, which shall be avail-*
22 *able for the same purposes as funds appropriated under this*
23 *heading: Provided further, That funds made available*
24 *under this heading that are transferred to another depart-*
25 *ment, agency, or instrumentality of the United States Gov-*

1 *ernment pursuant to section 632(b) of the Foreign Assist-*
2 *ance Act of 1961 valued in excess of \$5,000,000, and any*
3 *agreement made pursuant to section 632(a) of such Act,*
4 *shall be subject to the regular notification procedures of the*
5 *Committees on Appropriations.*

6 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*
7 *RELATED PROGRAMS*

8 *For necessary expenses for nonproliferation, anti-ter-*
9 *rorism, demining and related programs and activities,*
10 *\$506,381,000, to remain available until September 30,*
11 *2017, to carry out the provisions of chapter 8 of part II*
12 *of the Foreign Assistance Act of 1961 for anti-terrorism as-*
13 *sistance, chapter 9 of part II of the Foreign Assistance Act*
14 *of 1961, section 504 of the FREEDOM Support Act, section*
15 *23 of the Arms Export Control Act, or the Foreign Assist-*
16 *ance Act of 1961 for demining activities, the clearance of*
17 *unexploded ordnance, the destruction of small arms, and*
18 *related activities, notwithstanding any other provision of*
19 *law, including activities implemented through nongovern-*
20 *mental and international organizations, and section 301 of*
21 *the Foreign Assistance Act of 1961 for a United States con-*
22 *tribution to the Comprehensive Nuclear Test Ban Treaty*
23 *Preparatory Commission, and for a voluntary contribution*
24 *to the International Atomic Energy Agency (IAEA): Pro-*
25 *vided, That the Secretary of State shall inform the appro-*

1 *priate congressional committees of information regarding*
2 *any separate arrangements relating to the “Road-map for*
3 *the Clarification of Past and Present Outstanding Issues*
4 *Regarding Iran’s Nuclear Program” between the IAEA and*
5 *the Islamic Republic of Iran, in classified form if necessary,*
6 *if such information becomes known to the Department of*
7 *State: Provided further, That for the clearance of*
8 *unexploded ordnance, the Secretary of State should*
9 *prioritize those areas where such ordnance was caused by*
10 *the United States: Provided further, That funds made avail-*
11 *able under this heading for the Nonproliferation and Disar-*
12 *mament Fund shall be available notwithstanding any other*
13 *provision of law and subject to prior consultation with, and*
14 *the regular notification procedures of, the Committees on*
15 *Appropriations, to promote bilateral and multilateral ac-*
16 *tivities relating to nonproliferation, disarmament, and*
17 *weapons destruction, and shall remain available until ex-*
18 *pended: Provided further, That such funds may also be used*
19 *for such countries other than the Independent States of the*
20 *former Soviet Union and international organizations when*
21 *it is in the national security interest of the United States*
22 *to do so: Provided further, That funds appropriated under*
23 *this heading may be made available for the IAEA unless*
24 *the Secretary of State determines that Israel is being denied*
25 *its right to participate in the activities of that Agency: Pro-*

1 *vided further, That funds made available under this head-*
2 *ing for the Counterterrorism Partnerships Fund shall be*
3 *subject to the regular notification procedures of the Commit-*
4 *tees on Appropriations: Provided further, That funds made*
5 *available for conventional weapons destruction programs,*
6 *including demining and related activities, in addition to*
7 *funds otherwise available for such purposes, may be used*
8 *for administrative expenses related to the operation and*
9 *management of such programs and activities, subject to the*
10 *regular notification procedures of the Committees on Appro-*
11 *priations.*

12 *PEACEKEEPING OPERATIONS*

13 *For necessary expenses to carry out the provisions of*
14 *section 551 of the Foreign Assistance Act of 1961,*
15 *\$131,361,000: Provided, That funds appropriated under*
16 *this heading may be used, notwithstanding section 660 of*
17 *such Act, to provide assistance to enhance the capacity of*
18 *foreign civilian security forces, including gendarmes, to*
19 *participate in peacekeeping operations: Provided further,*
20 *That of the funds appropriated under this heading, not less*
21 *than \$35,000,000 shall be made available for a United*
22 *States contribution to the Multinational Force and Observ-*
23 *ers mission in the Sinai: Provided further, That none of*
24 *the funds appropriated under this heading shall be obli-*

1 *gated except as provided through the regular notification*
2 *procedures of the Committees on Appropriations.*

3 *FUNDS APPROPRIATED TO THE PRESIDENT*

4 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

5 *For necessary expenses to carry out the provisions of*
6 *section 541 of the Foreign Assistance Act of 1961,*
7 *\$108,115,000, of which up to \$4,000,000 may remain avail-*
8 *able until September 30, 2017: Provided, That the civilian*
9 *personnel for whom military education and training may*
10 *be provided under this heading may include civilians who*
11 *are not members of a government whose participation*
12 *would contribute to improved civil-military relations, civil-*
13 *ian control of the military, or respect for human rights:*
14 *Provided further, That of the funds appropriated under this*
15 *heading, not to exceed \$55,000 may be available for enter-*
16 *tainment expenses.*

17 *FOREIGN MILITARY FINANCING PROGRAM*

18 *For necessary expenses for grants to enable the Presi-*
19 *dent to carry out the provisions of section 23 of the Arms*
20 *Export Control Act, \$4,737,522,000: Provided, That to ex-*
21 *pedite the provision of assistance to foreign countries and*
22 *international organizations, the Secretary of State, fol-*
23 *lowing consultation with the Committees on Appropriations*
24 *and subject to the regular notification procedures of such*
25 *Committees, may use the funds appropriated under this*

1 heading to procure defense articles and services to enhance
2 the capacity of foreign security forces: Provided further,
3 That of the funds appropriated under this heading, not less
4 than \$3,100,000,000 shall be available for grants only for
5 Israel, and funds are available for assistance for Jordan
6 and Egypt subject to section 7041 of this Act: Provided fur-
7 ther, That the funds appropriated under this heading for
8 assistance for Israel shall be disbursed within 30 days of
9 enactment of this Act: Provided further, That to the extent
10 that the Government of Israel requests that funds be used
11 for such purposes, grants made available for Israel under
12 this heading shall, as agreed by the United States and
13 Israel, be available for advanced weapons systems, of which
14 not less than \$815,300,000 shall be available for the pro-
15 curement in Israel of defense articles and defense services,
16 including research and development: Provided further, That
17 none of the funds made available under this heading shall
18 be made available to support or continue any program ini-
19 tially funded under the authority of section 1206 of the Na-
20 tional Defense Authorization Act for Fiscal Year 2006 (Pub-
21 lic Law 109–163; 119 Stat. 3456), or section 2282 of title
22 10, United States Code, unless the Secretary of State, in
23 coordination with the Secretary of Defense, has justified
24 such program to the Committees on Appropriations: Pro-
25 vided further, That funds appropriated or otherwise made

1 *available under this heading shall be nonrepayable notwith-*
2 *standing any requirement in section 23 of the Arms Export*
3 *Control Act: Provided further, That funds made available*
4 *under this heading shall be obligated upon apportionment*
5 *in accordance with paragraph (5)(C) of section 1501(a) of*
6 *title 31, United States Code.*

7 *None of the funds made available under this heading*
8 *shall be available to finance the procurement of defense arti-*
9 *cles, defense services, or design and construction services*
10 *that are not sold by the United States Government under*
11 *the Arms Export Control Act unless the foreign country pro-*
12 *posing to make such procurement has first signed an agree-*
13 *ment with the United States Government specifying the*
14 *conditions under which such procurement may be financed*
15 *with such funds: Provided, That all country and funding*
16 *level increases in allocations shall be submitted through the*
17 *regular notification procedures of section 7015 of this Act:*
18 *Provided further, That funds made available under this*
19 *heading may be used, notwithstanding any other provision*
20 *of law, for demining, the clearance of unexploded ordnance,*
21 *and related activities, and may include activities imple-*
22 *mented through nongovernmental and international organi-*
23 *zations: Provided further, That only those countries for*
24 *which assistance was justified for the “Foreign Military*
25 *Sales Financing Program” in the fiscal year 1989 congres-*

1 sional presentation for security assistance programs may
2 utilize funds made available under this heading for procure-
3 ment of defense articles, defense services, or design and con-
4 struction services that are not sold by the United States
5 Government under the Arms Export Control Act: Provided
6 further, That funds appropriated under this heading shall
7 be expended at the minimum rate necessary to make timely
8 payment for defense articles and services: Provided further,
9 That not more than \$75,000,000 of the funds appropriated
10 under this heading may be obligated for necessary expenses,
11 including the purchase of passenger motor vehicles for re-
12 placement only for use outside of the United States, for the
13 general costs of administering military assistance and sales,
14 except that this limitation may be exceeded only through
15 the regular notification procedures of the Committees on
16 Appropriations: Provided further, That of the funds made
17 available under this heading for general costs of admin-
18 istering military assistance and sales, not to exceed \$4,000
19 may be available for entertainment expenses and not to ex-
20 ceed \$130,000 may be available for representation expenses:
21 Provided further, That not more than \$904,000,000 of funds
22 realized pursuant to section 21(e)(1)(A) of the Arms Export
23 Control Act may be obligated for expenses incurred by the
24 Department of Defense during fiscal year 2016 pursuant
25 to section 43(b) of the Arms Export Control Act, except that

1 *this limitation may be exceeded only through the regular*
2 *notification procedures of the Committees on Appropria-*
3 *tions.*

4 *TITLE V*

5 *MULTILATERAL ASSISTANCE*

6 *FUNDS APPROPRIATED TO THE PRESIDENT*

7 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

8 *For necessary expenses to carry out the provisions of*
9 *section 301 of the Foreign Assistance Act of 1961, and of*
10 *section 2 of the United Nations Environment Program Par-*
11 *ticipation Act of 1973, \$339,000,000, of which up to*
12 *\$10,000,000 may be made available for the Intergovern-*
13 *mental Panel on Climate Change/United Nations Frame-*
14 *work Convention on Climate Change: Provided, That sec-*
15 *tion 307(a) of the Foreign Assistance Act of 1961 shall not*
16 *apply to contributions to the United Nations Democracy*
17 *Fund.*

18 *INTERNATIONAL FINANCIAL INSTITUTIONS*

19 *GLOBAL ENVIRONMENT FACILITY*

20 *For payment to the International Bank for Recon-*
21 *struction and Development as trustee for the Global Envi-*
22 *ronment Facility by the Secretary of the Treasury,*
23 *\$168,263,000, to remain available until expended.*

1 *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*
2 *ASSOCIATION*

3 *For payment to the International Development Asso-*
4 *ciation by the Secretary of the Treasury, \$1,197,128,000,*
5 *to remain available until expended.*

6 *CONTRIBUTION TO THE INTERNATIONAL BANK FOR*
7 *RECONSTRUCTION AND DEVELOPMENT*

8 *For payment to the International Bank for Recon-*
9 *struction and Development by the Secretary of the Treasury*
10 *for the United States share of the paid-in portion of the*
11 *increases in capital stock, \$186,957,000, to remain avail-*
12 *able until expended.*

13 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

14 *The United States Governor of the International Bank*
15 *for Reconstruction and Development may subscribe without*
16 *fiscal year limitation to the callable capital portion of the*
17 *United States share of increases in capital stock in an*
18 *amount not to exceed \$2,928,990,899.*

19 *CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND*

20 *For payment to the International Bank for Recon-*
21 *struction and Development as trustee for the Clean Tech-*
22 *nology Fund by the Secretary of the Treasury,*
23 *\$170,680,000, to remain available until expended.*

1 *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

2 *For payment to the Asian Development Bank's Asian*
3 *Development Fund by the Secretary of the Treasury,*
4 *\$104,977,000, to remain available until expended.*

5 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

6 *For payment to the African Development Bank by the*
7 *Secretary of the Treasury for the United States share of*
8 *the paid-in portion of the increase in capital stock,*
9 *\$34,118,027, to remain available until expended.*

10 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

11 *The United States Governor of the African Develop-*
12 *ment Bank may subscribe without fiscal year limitation to*
13 *the callable capital portion of the United States share of*
14 *such capital stock in an amount not to exceed \$507,860,808.*

15 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

16 *For payment to the African Development Fund by the*
17 *Secretary of the Treasury, \$175,668,000, to remain avail-*
18 *able until expended.*

19 *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*20 *AGRICULTURAL DEVELOPMENT*

21 *For payment to the International Fund for Agricul-*
22 *tural Development by the Secretary of the Treasury,*
23 *\$31,930,000, to remain available until expended.*

1 *GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM*

2 *For payment to the Global Agriculture and Food Secu-*
3 *riety Program by the Secretary of the Treasury,*
4 *\$43,000,000, to remain available until expended.*

5 *CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT*
6 *BANK*

7 *For payment to the North American Development*
8 *Bank by the Secretary of the Treasury for the United States*
9 *share of the paid-in portion of the increase in capital stock,*
10 *\$10,000,000, to remain available until expended.*

11 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

12 *The Secretary of the Treasury may subscribe without*
13 *fiscal year limitation to the callable capital portion of the*
14 *United States share of such capital stock in an amount not*
15 *to exceed \$255,000,000.*

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, \$6,000,000, to remain available*
23 *until September 30, 2017.*

1 \$106,250,000: *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 *neys owed the Bank, repossession or sale of pledged collateral*
11 *or other assets acquired by the Bank in satisfaction of mon-*
12 *neys 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 2016 in excess of obligations, up to*
7 *\$10,000,000 shall become available on September 1, 2016,*
8 *and shall remain available until September 30, 2019.*

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 \$62,787,000: 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 2016, 2017, and 2018: Provided further, That funds*
14 *so obligated in fiscal year 2016 remain available for dis-*
15 *bursement through 2024; funds obligated in fiscal year 2017*
16 *remain available for disbursement through 2025; and funds*
17 *obligated in fiscal year 2018 remain available for disburse-*
18 *ment through 2026: 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 2016 or any previous fiscal*
14 *year, disaggregated by fiscal year: Provided, That the report*
15 *required by this section should specify by account the*
16 *amount of funds obligated pursuant to bilateral agreements*
17 *which have not been further sub-obligated.*

18 *CONSULTING SERVICES*

19 *SEC. 7003. The expenditure of any appropriation*
20 *under title I of this Act for any consulting service through*
21 *procurement contract, pursuant to section 3109 of title 5,*
22 *United States Code, shall be limited to those contracts where*
23 *such expenditures are a matter of public record and avail-*
24 *able for public inspection, except where otherwise provided*

1 *under existing law, or under existing Executive Order*
2 *issued pursuant to existing law.*

3 *DIPLOMATIC FACILITIES*

4 *SEC. 7004. (a) CAPITAL SECURITY COST SHARING.—*
5 *Of funds provided under title I of this Act, except as pro-*
6 *vided in subsection (b), a project to construct a diplomatic*
7 *facility of the United States may not include office space*
8 *or other accommodations for an employee of a Federal agen-*
9 *cy or department if the Secretary of State determines that*
10 *such department or agency has not provided to the Depart-*
11 *ment of State the full amount of funding required by sub-*
12 *section (e) of section 604 of the Secure Embassy Construc-*
13 *tion and Counterterrorism Act of 1999 (as enacted into law*
14 *by section 1000(a)(7) of Public Law 106–113 and contained*
15 *in appendix G of that Act; 113 Stat. 1501A–453), as*
16 *amended by section 629 of the Departments of Commerce,*
17 *Justice, and State, the Judiciary, and Related Agencies Ap-*
18 *propriations Act, 2005.*

19 *(b) EXCEPTION.—Notwithstanding the prohibition in*
20 *subsection (a), a project to construct a diplomatic facility*
21 *of the United States may include office space or other ac-*
22 *commodations for members of the United States Marine*
23 *Corps.*

24 *(c) NEW DIPLOMATIC FACILITIES.—For the purposes*
25 *of calculating the fiscal year 2016 costs of providing new*

1 *United States diplomatic facilities in accordance with sec-*
2 *tion 604(e) of the Secure Embassy Construction and*
3 *Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the*
4 *Secretary of State, in consultation with the Director of the*
5 *Office of Management and Budget, shall determine the an-*
6 *nual program level and agency shares in a manner that*
7 *is proportional to the Department of State’s contribution*
8 *for this purpose.*

9 (d) *CONSULTATION AND NOTIFICATION REQUIRE-*
10 *MENTS.—Funds appropriated by this Act and prior Acts*
11 *making appropriations for the Department of State, foreign*
12 *operations, and related programs, which may be made*
13 *available for the acquisition of property or award of con-*
14 *struction contracts for overseas diplomatic facilities during*
15 *fiscal year 2016, shall be subject to prior consultation with,*
16 *and the regular notification procedures of, the Committees*
17 *on Appropriations: Provided, That notifications pursuant*
18 *to this subsection shall include the information enumerated*
19 *under the heading “Embassy Security, Construction, and*
20 *Maintenance” in House Report 114–154: Provided further,*
21 *That any such notification for a new diplomatic facility*
22 *justified to the Committees on Appropriations in Appendix*
23 *1 of the Congressional Budget Justification, Department of*
24 *State, Diplomatic Engagement, Fiscal Year 2016, or not*
25 *previously justified to such Committees, shall also include*

1 *confirmation that the Department of State has completed*
2 *the requisite value engineering studies required pursuant*
3 *to OMB Circular A-131, Value Engineering December 31,*
4 *2013 and the Bureau of Overseas Building Operations Pol-*
5 *icy and Procedure Directive, P&PD, Cost 02: Value Engi-*
6 *neering.*

7 *(e) REPORTS.—*

8 *(1) None of the funds appropriated under the*
9 *heading “Embassy Security, Construction, and Main-*
10 *tenance” in this Act and prior Acts making appro-*
11 *priations for the Department of State, foreign oper-*
12 *ations, and related programs, made available through*
13 *Federal agency Capital Security Cost Sharing con-*
14 *tributions and reimbursements, or generated from the*
15 *proceeds of real property sales, other than from real*
16 *property sales located in London, United Kingdom,*
17 *may be made available for site acquisition and miti-*
18 *gation, planning, design, or construction of the New*
19 *London Embassy: Provided, That the reporting re-*
20 *quirement contained in section 7004(f)(2) of the De-*
21 *partment of State, Foreign Operations, and Related*
22 *Programs Appropriations Act, 2012 (division I of*
23 *Public Law 112-74) shall remain in effect during fis-*
24 *cal year 2016.*

1 (2) *Within 45 days of enactment of this Act and*
2 *every 4 months thereafter until September 30, 2016,*
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) *cost projections;*

9 (B) *cost containment efforts;*

10 (C) *project schedule and actual project sta-*
11 *tus;*

12 (D) *the impact of currency exchange rate*
13 *fluctuations on project costs;*

14 (E) *revenues derived from, or estimated to*
15 *be derived from, real property sales in Mexico*
16 *City, Mexico for the embassy project in Mexico*
17 *City and in Beirut, Lebanon for the embassy*
18 *project in Beirut; and*

19 (F) *options for modifying the scope of the*
20 *project in the event that costs escalate above*
21 *amounts justified to the Committees on Appro-*
22 *priations in Appendix 1 of the Congressional*
23 *Budget Justification, Department of State Oper-*
24 *ations, Fiscal Year 2015 for the Mexico City*
25 *Embassy project, and in Appendix 1 of the Con-*

1 *gressional Budget Justification, Department of*
2 *State, Diplomatic Engagement, Fiscal Year 2016*
3 *for the Beirut Embassy project.*

4 (f) *INTERIM AND TEMPORARY FACILITIES ABROAD.—*

5 (1) *Funds appropriated by this Act under the*
6 *heading “Embassy Security, Construction, and Main-*
7 *tenance” may be made available to address security*
8 *vulnerabilities at interim and temporary facilities*
9 *abroad, including physical security upgrades and*
10 *local guard staffing, except that the amount of funds*
11 *made available for such purposes from this Act and*
12 *prior Acts making appropriations for the Department*
13 *of State, foreign operations, and related programs*
14 *shall be a minimum of \$25,000,000: Provided, That*
15 *the uses of such funds should be the responsibility of*
16 *the Assistant Secretary of State for the Bureau of*
17 *Diplomatic Security and Foreign Missions, in con-*
18 *sultation with the Director of the Bureau of Overseas*
19 *Buildings Operations: Provided further, That such*
20 *funds shall be subject to prior consultation with the*
21 *Committees on Appropriations.*

22 (2) *Notwithstanding any other provision of law,*
23 *the opening, closure, or any significant modification*
24 *to an interim or temporary diplomatic facility shall*
25 *be subject to prior consultation with the appropriate*

1 *congressional committees and the regular notification*
2 *procedures of the Committees on Appropriations, ex-*
3 *cept that such consultation and notification may be*
4 *waived if there is a security risk to personnel.*

5 *(3) Not later than 60 days after enactment of*
6 *this Act, the Department of State shall document*
7 *standard operating procedures and best practices as-*
8 *sociated with the delivery, construction, and protec-*
9 *tion of temporary structures in high threat and con-*
10 *flict environments: Provided, That the Secretary of*
11 *State shall inform the Committees on Appropriations*
12 *after completing such documentation.*

13 *(g) TRANSFER AUTHORITY.—Funds appropriated*
14 *under the heading “Diplomatic and Consular Programs”,*
15 *including for Worldwide Security Protection, and under the*
16 *heading “Embassy Security, Construction, and Mainte-*
17 *nance” in titles I and VIII of this Act may be transferred*
18 *to, and merged with, funds appropriated by such titles*
19 *under such headings if the Secretary of State determines*
20 *and reports to the Committees on Appropriations that to*
21 *do so is necessary to implement the recommendations of the*
22 *Benghazi Accountability Review Board, or to prevent or re-*
23 *spond to security situations and requirements, following*
24 *consultation with, and subject to the regular notification*
25 *procedures of, such Committees: Provided, That such trans-*

1 *fer authority is in addition to any transfer authority other-*
2 *wise available under any other provision of law.*

3 *PERSONNEL ACTIONS*

4 *SEC. 7005. Any costs incurred by a department or*
5 *agency funded under title I of this Act resulting from per-*
6 *sonnel actions taken in response to funding reductions in-*
7 *cluded in this Act shall be absorbed within the total budg-*
8 *etary resources available under title I to such department*
9 *or agency: Provided, That the authority to transfer funds*
10 *between appropriations accounts as may be necessary to*
11 *carry out this section is provided in addition to authorities*
12 *included elsewhere in this Act: Provided further, That use*
13 *of funds to carry out this section shall be treated as a re-*
14 *programming of funds under section 7015 of this Act and*
15 *shall not be available for obligation or expenditure except*
16 *in compliance with the procedures set forth in that section.*

17 *LOCAL GUARD CONTRACTS*

18 *SEC. 7006. In evaluating proposals for local guard*
19 *contracts, the Secretary of State shall award contracts in*
20 *accordance with section 136 of the Foreign Relations Au-*
21 *thorization Act, Fiscal Years 1990 and 1991 (22 U.S.C.*
22 *4864), except that the Secretary may grant authorization*
23 *to award such contracts on the basis of best value as deter-*
24 *mined by a cost-technical tradeoff analysis (as described in*
25 *Federal Acquisition Regulation part 15.101), notwith-*

1 *d'état or decree or, after the date of enactment of this Act,*
2 *a coup d'état or decree in which the military plays a deci-*
3 *sive role: Provided, That assistance may be resumed to such*
4 *government if the Secretary of State certifies and reports*
5 *to the appropriate congressional committees that subsequent*
6 *to the termination of assistance a democratically elected*
7 *government has taken office: Provided further, That the pro-*
8 *visions of this section shall not apply to assistance to pro-*
9 *mote democratic elections or public participation in demo-*
10 *cratic processes: Provided further, That funds made avail-*
11 *able pursuant to the previous provisos shall be subject to*
12 *the regular notification procedures of the Committees on*
13 *Appropriations.*

14 *TRANSFER AUTHORITY*

15 *SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-*
16 *CASTING BOARD OF GOVERNORS.—*

17 *(1) Not to exceed 5 percent of any appropriation*
18 *made available for the current fiscal year for the De-*
19 *partment of State under title I of this Act may be*
20 *transferred between, and merged with, such appro-*
21 *priations, but no such appropriation, except as other-*
22 *wise specifically provided, shall be increased by more*
23 *than 10 percent by any such transfers, and no such*
24 *transfer may be made to increase the appropriation*
25 *under the heading "Representation Expenses".*

1 (2) *Not to exceed 5 percent of any appropriation*
2 *made available for the current fiscal year for the*
3 *Broadcasting Board of Governors under title I of this*
4 *Act may be transferred between, and merged with,*
5 *such appropriations, but no such appropriation, ex-*
6 *cept as otherwise specifically provided, shall be in-*
7 *creased by more than 10 percent by any such trans-*
8 *fers.*

9 (3) *Any transfer pursuant to this subsection*
10 *shall be treated as a reprogramming of funds under*
11 *section 7015 of this Act and shall not be available for*
12 *obligation or expenditure except in compliance with*
13 *the procedures set forth in that section.*

14 (b) *TITLE VI TRANSFER AUTHORITIES.—Not to exceed*
15 *5 percent of any appropriation other than for administra-*
16 *tive expenses made available for fiscal year 2016, for pro-*
17 *grams under title VI of this Act may be transferred between*
18 *such appropriations for use for any of the purposes, pro-*
19 *grams, and activities for which the funds in such receiving*
20 *account may be used, but no such appropriation, except as*
21 *otherwise specifically provided, shall be increased by more*
22 *than 25 percent by any such transfer: Provided, That the*
23 *exercise of such authority shall be subject to the regular no-*
24 *tification procedures of the Committees on Appropriations.*

1 (c) *LIMITATION ON TRANSFERS BETWEEN AGEN-*
2 *CIES.—*

3 (1) *None of the funds made available under titles*
4 *II through V of this Act may be transferred to any*
5 *department, agency, or instrumentality of the United*
6 *States Government, except pursuant to a transfer*
7 *made by, or transfer authority provided in, this Act*
8 *or any other appropriations Act.*

9 (2) *Notwithstanding paragraph (1), in addition*
10 *to transfers made by, or authorized elsewhere in, this*
11 *Act, funds appropriated by this Act to carry out the*
12 *purposes of the Foreign Assistance Act of 1961 may*
13 *be allocated or transferred to agencies of the United*
14 *States Government pursuant to the provisions of sec-*
15 *tions 109, 610, and 632 of the Foreign Assistance Act*
16 *of 1961.*

17 (3) *Any agreement entered into by the United*
18 *States Agency for International Development*
19 *(USAID) or the Department of State with any de-*
20 *partment, agency, or instrumentality of the United*
21 *States Government pursuant to section 632(b) of the*
22 *Foreign Assistance Act of 1961 valued in excess of*
23 *\$1,000,000 and any agreement made pursuant to sec-*
24 *tion 632(a) of such Act, with funds appropriated by*
25 *this Act and prior Acts making appropriations for*

1 *the Department of State, foreign operations, and re-*
2 *lated programs under the headings “Global Health*
3 *Programs”, “Development Assistance”, “Economic*
4 *Support Fund”, and “Assistance for Europe, Eurasia*
5 *and Central Asia” shall be subject to the regular noti-*
6 *fication procedures of the Committees on Appropria-*
7 *tions: Provided, That the requirement in the previous*
8 *sentence shall not apply to agreements entered into*
9 *between USAID and the Department of State.*

10 *(d) TRANSFERS BETWEEN ACCOUNTS.—None of the*
11 *funds made available under titles II through V of this Act*
12 *may be obligated under an appropriation account to which*
13 *such funds were not appropriated, except for transfers spe-*
14 *cifically provided for in this Act, unless the President, not*
15 *less than 5 days prior to the exercise of any authority con-*
16 *tained in the Foreign Assistance Act of 1961 to transfer*
17 *funds, consults with and provides a written policy justifica-*
18 *tion to the Committees on Appropriations.*

19 *(e) AUDIT OF INTER-AGENCY TRANSFERS.—Any agree-*
20 *ment for the transfer or allocation of funds appropriated*
21 *by this Act, or prior Acts, entered into between the Depart-*
22 *ment of State or USAID and another agency of the United*
23 *States Government under the authority of section 632(a)*
24 *of the Foreign Assistance Act of 1961 or any comparable*
25 *provision of law, shall expressly provide that the Inspector*

1 *General (IG) for the agency receiving the transfer or alloca-*
2 *tion of such funds, or other entity with audit responsibility*
3 *if the receiving agency does not have an IG, shall perform*
4 *periodic program and financial audits of the use of such*
5 *funds and report to the Department of State or USAID,*
6 *as appropriate, upon completion of such audits: Provided,*
7 *That such audits shall be transmitted to the Committees*
8 *on Appropriations by the Department of State or USAID,*
9 *as appropriate: Provided further, That funds transferred*
10 *under such authority may be made available for the cost*
11 *of such audits.*

12 *(f) REPORT.—Not later than 90 days after enactment*
13 *of this Act, the Secretary of State and the USAID Adminis-*
14 *trator shall each submit a report to the Committees on Ap-*
15 *propriations detailing all transfers to another agency of the*
16 *United States Government made pursuant to sections*
17 *632(a) and 632(b) of the Foreign Assistance Act of 1961*
18 *with funds provided in the Department of State, Foreign*
19 *Operations, and Related Programs Appropriations Act,*
20 *2015 (division J of Public Law 113–235) as of the date*
21 *of enactment of this Act: Provided, That such reports shall*
22 *include a list of each transfer made pursuant to such sec-*
23 *tions with the respective funding level, appropriation ac-*
24 *count, and the receiving agency.*

1 *PROHIBITION ON FIRST-CLASS TRAVEL*

2 *SEC. 7010. None of the funds made available in this*
3 *Act may be used for first-class travel by employees of agen-*
4 *cies funded by this Act in contravention of sections 301–*
5 *10.122 through 301–10.124 of title 41, Code of Federal Reg-*
6 *ulations.*

7 *AVAILABILITY OF FUNDS*

8 *SEC. 7011. No part of any appropriation contained*
9 *in this Act shall remain available for obligation after the*
10 *expiration of the current fiscal year unless expressly so pro-*
11 *vided in this Act: Provided, That funds appropriated for*
12 *the purposes of chapters 1 and 8 of part I, section 661,*
13 *chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assist-*
14 *ance Act of 1961, section 23 of the Arms Export Control*
15 *Act, and funds provided under the headings “Development*
16 *Credit Authority” and “Assistance for Europe, Eurasia and*
17 *Central Asia” shall remain available for an additional 4*
18 *years from the date on which the availability of such funds*
19 *would otherwise have expired, if such funds are initially*
20 *obligated before the expiration of their respective periods of*
21 *availability contained in this Act: Provided further, That*
22 *notwithstanding any other provision of this Act, any funds*
23 *made available for the purposes of chapter 1 of part I and*
24 *chapter 4 of part II of the Foreign Assistance Act of 1961*
25 *which are allocated or obligated for cash disbursements in*

1 *order to address balance of payments or economic policy*
2 *reform objectives, shall remain available for an additional*
3 *4 years from the date on which the availability of such*
4 *funds would otherwise have expired, if such funds are ini-*
5 *tially allocated or obligated before the expiration of their*
6 *respective periods of availability contained in this Act: Pro-*
7 *vided further, That the Secretary of State shall provide a*
8 *report to the Committees on Appropriations not later than*
9 *October 30, 2016, detailing by account and source year, the*
10 *use of this authority during the previous fiscal year.*

11 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

12 *SEC. 7012. No part of any appropriation provided*
13 *under titles III through VI in this Act shall be used to fur-*
14 *nish assistance to the government of any country which is*
15 *in default during a period in excess of 1 calendar year in*
16 *payment to the United States of principal or interest on*
17 *any loan made to the government of such country by the*
18 *United States pursuant to a program for which funds are*
19 *appropriated under this Act unless the President deter-*
20 *mines, following consultations with the Committees on Ap-*
21 *propriations, that assistance for such country is in the na-*
22 *tional interest of the United States.*

1 *tember 30, 2017, that such taxes have not been reimbursed*
2 *to the Government of the United States.*

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 country or entity pursuant to sub-*
8 *section (b) shall be reprogrammed for assistance for coun-*
9 *tries which do not assess taxes on United States assistance*
10 *or which have an effective arrangement that is providing*
11 *substantial reimbursement of such taxes, and that can rea-*
12 *sonably 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 country or entity if the Secretary of State re-*
17 *ports to the Committees on Appropriations that—*

18 *(A) such country or entity does not assess*
19 *taxes on United States assistance or has an effec-*
20 *tive arrangement that is providing substantial*
21 *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 country 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 *foreign 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 *shall submit a report to the Committees on Appropriations,*
2 *not later than 90 days after the enactment of this Act, de-*
3 *tailing steps taken by such departments or agencies to com-*
4 *ply with the requirements of this section.*

5 *RESERVATIONS OF FUNDS*

6 *SEC. 7014. (a) REPROGRAMMING.—Funds appro-*
7 *priated under titles III through VI of this Act which are*
8 *specifically designated may be reprogrammed for other pro-*
9 *grams within the same account notwithstanding the des-*
10 *ignation if compliance with the designation is made impos-*
11 *sible by operation of any provision of this or any other Act:*
12 *Provided, That any such reprogramming shall be subject*
13 *to the regular notification procedures of the Committees on*
14 *Appropriations: Provided further, That assistance that is*
15 *reprogrammed pursuant to this subsection shall be made*
16 *available under the same terms and conditions as originally*
17 *provided.*

18 *(b) EXTENSION OF AVAILABILITY.—In addition to the*
19 *authority contained in subsection (a), the original period*
20 *of availability of funds appropriated by this Act and ad-*
21 *ministered by the Department of State or the United States*
22 *Agency for International Development (USAID) that are*
23 *specifically designated for particular programs or activities*
24 *by this or any other Act may be extended for an additional*
25 *fiscal year if the Secretary of State or the USAID Adminis-*

1 *available by transfer, to the agencies and departments fund-*
2 *ed by this Act, shall be available for obligation to—*

3 *(1) create new programs;*

4 *(2) eliminate a program, project, or activity;*

5 *(3) close, suspend, open, or reopen a mission or*
6 *post;*

7 *(4) create, close, reorganize, or rename bureaus,*
8 *centers, or offices; or*

9 *(5) contract out or privatize any functions or ac-*
10 *tivities presently performed by Federal employees;*

11 *unless previously justified to the Committees on Appropria-*
12 *tions or such Committees are notified 15 days in advance*
13 *of such obligation.*

14 *(b) NOTIFICATION OF REPROGRAMMING OF FUNDS.—*

15 *None of the funds provided under titles I and II of this*
16 *Act, or provided under previous appropriations Acts to the*

17 *agency or department funded under titles I and II of this*

18 *Act that remain available for obligation in fiscal year 2016,*

19 *or provided from any accounts in the Treasury of the*

20 *United States derived by the collection of fees available to*

21 *the agency or department funded under title I of this Act,*

22 *shall be available for obligation or expenditure for activi-*

23 *ties, programs, or projects through a reprogramming of*

24 *funds in excess of \$1,000,000 or 10 percent, whichever is*

25 *less, that—*

1 (1) *augments or changes existing programs,*
2 *projects, or activities;*

3 (2) *relocates an existing office or employees;*

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

7 (4) *results from any general savings, including*
8 *savings from a reduction in personnel, which would*
9 *result in a change in existing programs, activities, or*
10 *projects as approved by Congress;*

11 *unless the Committees on Appropriations are notified 15*
12 *days in advance of such reprogramming of funds.*

13 (c) *NOTIFICATION REQUIREMENT.—None of the funds*
14 *made available by this Act under the headings “Global*
15 *Health Programs”, “Development Assistance”, “Inter-*
16 *national Organizations and Programs”, “Trade and Devel-*
17 *opment Agency”, “International Narcotics Control and*
18 *Law Enforcement”, “Economic Support Fund”, “Democ-*
19 *racy Fund”, “Assistance for Europe, Eurasia and Central*
20 *Asia”, “Peacekeeping Operations”, “Nonproliferation,*
21 *Anti-terrorism, Demining and Related Programs”, “Millen-*
22 *nium Challenge Corporation”, “Foreign Military Financ-*
23 *ing Program”, “International Military Education and*
24 *Training”, and “Peace Corps”, shall be available for obliga-*
25 *tion for activities, programs, projects, type of materiel as-*

1 *sistance, countries, or other operations not justified or in*
2 *excess of the amount justified to the Committees on Appro-*
3 *priations for obligation under any of these specific headings*
4 *unless the Committees on Appropriations are notified 15*
5 *days in advance: Provided, That the President shall not*
6 *enter into any commitment of funds appropriated for the*
7 *purposes of section 23 of the Arms Export Control Act for*
8 *the provision of major defense equipment, other than con-*
9 *ventional ammunition, or other major defense items defined*
10 *to be aircraft, ships, missiles, or combat vehicles, not pre-*
11 *viously justified to Congress or 20 percent in excess of the*
12 *quantities justified to Congress unless the Committees on*
13 *Appropriations are notified 15 days in advance of such*
14 *commitment: Provided further, That requirements of this*
15 *subsection or any similar provision of this or any other*
16 *Act shall not apply to any reprogramming for an activity,*
17 *program, or project for which funds are appropriated under*
18 *titles III through VI of this Act of less than 10 percent of*
19 *the amount previously justified to Congress for obligation*
20 *for such activity, program, or project for the current fiscal*
21 *year: Provided further, That any notification submitted*
22 *pursuant to subsection (f) of this section shall include infor-*
23 *mation (if known on the date of transmittal of such notifi-*
24 *cation) on the use of notwithstanding authority: Provided*
25 *further, That if subsequent to the notification of assistance*

1 *it becomes necessary to rely on notwithstanding authority,*
2 *the Committees on Appropriations should be informed at*
3 *the earliest opportunity and to the extent practicable.*

4 (d) *NOTIFICATION OF TRANSFER OF FUNDS.—Not-*
5 *withstanding any other provision of law, with the exception*
6 *of funds transferred to, and merged with, funds appro-*
7 *priated under title I of this Act, funds transferred by the*
8 *Department of Defense to the Department of State and the*
9 *United States Agency for International Development for as-*
10 *sistance for foreign countries and international organiza-*
11 *tions, and funds made available for programs previously*
12 *authorized under section 1206 of the National Defense Au-*
13 *thorization Act for Fiscal Year 2006 (Public Law 109–163)*
14 *or section 2282 of title 10, United States Code, shall be sub-*
15 *ject to the regular notification procedures of the Committees*
16 *on Appropriations.*

17 (e) *WAIVER.—The requirements of this section or any*
18 *similar provision of this Act or any other Act, including*
19 *any prior Act requiring notification in accordance with the*
20 *regular notification procedures of the Committees on Appro-*
21 *priations, may be waived if failure to do so would pose a*
22 *substantial risk to human health or welfare: Provided, That*
23 *in case of any such waiver, notification to the Committees*
24 *on Appropriations shall be provided as early as practicable,*
25 *but in no event later than 3 days after taking the action*

1 *to which such notification requirement was applicable, in*
2 *the context of the circumstances necessitating such waiver:*
3 *Provided further, That any notification provided pursuant*
4 *to such a waiver shall contain an explanation of the emer-*
5 *gency circumstances.*

6 *(f) COUNTRY NOTIFICATION REQUIREMENTS.—None of*
7 *the funds appropriated under titles III through VI of this*
8 *Act may be obligated or expended for assistance for Afghan-*
9 *istan, Bahrain, Bolivia, Burma, Cambodia, Colombia,*
10 *Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala,*
11 *Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico,*
12 *Pakistan, the Russian Federation, Somalia, South Sudan,*
13 *Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen,*
14 *and Zimbabwe except as provided through the regular noti-*
15 *fication procedures of the Committees on Appropriations.*

16 *(g) WITHHOLDING OF FUNDS.—Funds appropriated*
17 *by this Act under titles III and IV that are withheld from*
18 *obligation or otherwise not programmed as a result of ap-*
19 *plication of a provision of law in this or any other Act*
20 *shall, if reprogrammed, be subject to the regular notification*
21 *procedures of the Committees on Appropriations.*

22 *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

23 *SEC. 7016. Prior to providing excess Department of*
24 *Defense articles in accordance with section 516(a) of the*
25 *Foreign Assistance Act of 1961, the Department of Defense*

1 *shall notify the Committees on Appropriations to the same*
2 *extent and under the same conditions as other committees*
3 *pursuant to subsection (f) of that section: Provided, That*
4 *before issuing a letter of offer to sell excess defense articles*
5 *under the Arms Export Control Act, the Department of De-*
6 *fense shall notify the Committees on Appropriations in ac-*
7 *cordance with the regular notification procedures of such*
8 *Committees if such defense articles are significant military*
9 *equipment (as defined in section 47(9) of the Arms Export*
10 *Control Act) or are valued (in terms of original acquisition*
11 *cost) at \$7,000,000 or more, or if notification is required*
12 *elsewhere in this Act for the use of appropriated funds for*
13 *specific countries that would receive such excess defense ar-*
14 *ticles: Provided further, That such Committees shall also be*
15 *informed of the original acquisition cost of such defense ar-*
16 *ticles.*

17 *LIMITATION ON AVAILABILITY OF FUNDS FOR*

18 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

19 *SEC. 7017. Subject to the regular notification proce-*
20 *dures of the Committees on Appropriations, funds appro-*
21 *priated under titles I and III through V of this Act, which*
22 *are returned or not made available for organizations and*
23 *programs because of the implementation of section 307(a)*
24 *of the Foreign Assistance Act of 1961 or section 7048(a)*
25 *of this Act, shall remain available for obligation until Sep-*

1 *tember 30, 2018: Provided, That the requirement to with-*
2 *hold funds for programs in Burma under section 307(a)*
3 *of the Foreign Assistance Act of 1961 shall not apply to*
4 *funds appropriated by this Act.*

5 *PROHIBITION ON FUNDING FOR ABORTIONS AND*
6 *INVOLUNTARY STERILIZATION*

7 *SEC. 7018. None of the funds made available to carry*
8 *out part I of the Foreign Assistance Act of 1961, as amend-*
9 *ed, may be used to pay for the performance of abortions*
10 *as a method of family planning or to motivate or coerce*
11 *any person to practice abortions. None of the funds made*
12 *available to carry out part I of the Foreign Assistance Act*
13 *of 1961, as amended, may be used to pay for the perform-*
14 *ance of involuntary sterilization as a method of family*
15 *planning or to coerce or provide any financial incentive*
16 *to any person to undergo sterilizations. None of the funds*
17 *made available to carry out part I of the Foreign Assistance*
18 *Act of 1961, as amended, may be used to pay for any bio-*
19 *medical research which relates in whole or in part, to meth-*
20 *ods of, or the performance of, abortions or involuntary steri-*
21 *lization as a means of family planning. None of the funds*
22 *made available to carry out part I of the Foreign Assistance*
23 *Act of 1961, as amended, may be obligated or expended for*
24 *any country or organization if the President certifies that*
25 *the use of these funds by any such country or organization*

1 *would violate any of the above provisions related to abor-*
2 *tions and involuntary sterilizations.*

3 *ALLOCATIONS*

4 *SEC. 7019. (a) ALLOCATION TABLES.—Subject to sub-*
5 *section (b), funds appropriated by this Act under titles III*
6 *through V shall be made available in the amounts specifi-*
7 *cally designated in the respective tables included in the ex-*
8 *planatory statement described in section 4 (in the matter*
9 *preceding division A of this Consolidated Act): Provided,*
10 *That such designated amounts for foreign countries and*
11 *international organizations shall serve as the amounts for*
12 *such countries and international organizations transmitted*
13 *to the Congress in the report required by section 653(a) of*
14 *the Foreign Assistance Act of 1961 (FAA).*

15 *(b) AUTHORIZED DEVIATIONS.—Unless otherwise pro-*
16 *vided for by this Act, the Secretary of State and the Admin-*
17 *istrator of the United States Agency for International De-*
18 *velopment, as applicable, may only deviate up to 5 percent*
19 *from the amounts specifically designated in the respective*
20 *tables included in the explanatory statement described in*
21 *section 4 (in the matter preceding division A of this Con-*
22 *solidated Act): Provided, That such percentage may be ex-*
23 *ceeded only to respond to significant, exigent, or unforeseen*
24 *events, or to address other exceptional circumstances di-*
25 *rectly related to the national interest: Provided further,*

1 *That deviations pursuant to the previous proviso shall be*
2 *subject to prior consultation with, and the regular notifica-*
3 *tion procedures of, the Committees on Appropriations.*

4 *(c) LIMITATION.—For specifically designated amounts*
5 *that are included, pursuant to subsection (a), in the report*
6 *required by section 653(a) of the FAA, no deviations au-*
7 *thorized by subsection (b) may take place until submission*
8 *of such report.*

9 *REPRESENTATION AND ENTERTAINMENT EXPENSES*

10 *SEC. 7020. (a) USES OF FUNDS.—Each Federal de-*
11 *partment, agency, or entity funded in titles I or II of this*
12 *Act, and the Department of the Treasury and independent*
13 *agencies funded in titles III or VI of this Act, shall take*
14 *steps to ensure that domestic and overseas representation*
15 *and entertainment expenses further official agency business*
16 *and United States foreign policy interests—*

17 *(1) are primarily for fostering relations outside*
18 *of the Executive Branch;*

19 *(2) are principally for meals and events of a*
20 *protocol nature;*

21 *(3) are not for employee-only events; and*

22 *(4) do not include activities that are substan-*
23 *tially of a recreational character.*

24 *(b) LIMITATIONS.—None of the funds appropriated or*
25 *otherwise made available by this Act under the headings*

1 *“International Military Education and Training” or “For-*
2 *foreign Military Financing Program” for Informational Pro-*
3 *gram activities or under the headings “Global Health Pro-*
4 *grams”, “Development Assistance”, “Economic Support*
5 *Fund”, and “Assistance for Europe, Eurasia and Central*
6 *Asia” may be obligated or expended to pay for—*

7 (1) *alcoholic beverages; or*

8 (2) *entertainment expenses for activities that are*
9 *substantially of a recreational character, including*
10 *but not limited to entrance fees at sporting events,*
11 *theatrical and musical productions, and amusement*
12 *parks.*

13 *PROHIBITION ON ASSISTANCE TO GOVERNMENTS*

14 *SUPPORTING INTERNATIONAL TERRORISM*

15 *SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-*
16 *PORTS.—*

17 (1) *PROHIBITION.—None of the funds appro-*
18 *priated or otherwise made available by titles III*
19 *through VI of this Act may be made available to any*
20 *foreign government which provides lethal military*
21 *equipment to a country the government of which the*
22 *Secretary of State has determined supports inter-*
23 *national terrorism for purposes of section 6(j) of the*
24 *Export Administration Act of 1979 as continued in*
25 *effect pursuant to the International Emergency Eco-*

1 *conomic Powers Act: Provided, That the prohibition*
2 *under this section with respect to a foreign govern-*
3 *ment shall terminate 12 months after that government*
4 *ceases to provide such military equipment: Provided*
5 *further, That this section applies with respect to le-*
6 *thal military equipment provided under a contract*
7 *entered into after October 1, 1997.*

8 (2) *DETERMINATION.—Assistance restricted by*
9 *paragraph (1) or any other similar provision of law,*
10 *may be furnished if the President determines that to*
11 *do so is important to the national interests of the*
12 *United States.*

13 (3) *REPORT.—Whenever the President makes a*
14 *determination pursuant to paragraph (2), the Presi-*
15 *dent shall submit to the Committees on Appropria-*
16 *tions a report with respect to the furnishing of such*
17 *assistance, including a detailed explanation of the as-*
18 *sistance to be provided, the estimated dollar amount*
19 *of such assistance, and an explanation of how the as-*
20 *sistance furthers United States national interests.*

21 (b) *BILATERAL ASSISTANCE.—*

22 (1) *LIMITATIONS.—Funds appropriated for bi-*
23 *lateral assistance in titles III through VI of this Act*
24 *and funds appropriated under any such title in prior*
25 *Acts making appropriations for the Department of*

1 *State, foreign operations, and related programs, shall*
2 *not be made available to any foreign government*
3 *which the President determines—*

4 *(A) grants sanctuary from prosecution to*
5 *any individual or group which has committed*
6 *an act of international terrorism;*

7 *(B) otherwise supports international ter-*
8 *rorism; or*

9 *(C) is controlled by an organization des-*
10 *ignated as a terrorist organization under section*
11 *219 of the Immigration and Nationality Act.*

12 *(2) WAIVER.—The President may waive the ap-*
13 *plication of paragraph (1) to a government if the*
14 *President determines that national security or hu-*
15 *manitarian reasons justify such waiver: Provided,*
16 *That the President shall publish each such waiver in*
17 *the Federal Register and, at least 15 days before the*
18 *waiver takes effect, shall notify the Committees on Ap-*
19 *propriations of the waiver (including the justification*
20 *for the waiver) in accordance with the regular notifi-*
21 *cation procedures of the Committees on Appropria-*
22 *tions.*

23 *AUTHORIZATION REQUIREMENTS*

24 *SEC. 7022. Funds appropriated by this Act, except*
25 *funds appropriated under the heading “Trade and Develop-*

1 ment Agency”, may be obligated and expended notwith-
2 standing section 10 of Public Law 91–672, section 15 of
3 the State Department Basic Authorities Act of 1956, section
4 313 of the Foreign Relations Authorization Act, Fiscal
5 Years 1994 and 1995 (Public Law 103–236), and section
6 504(a)(1) of the National Security Act of 1947 (50 U.S.C.
7 3094(a)(1)).

8 *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

9 *SEC. 7023. For the purpose of titles II through VI of*
10 *this Act “program, project, and activity” shall be defined*
11 *at the appropriations Act account level and shall include*
12 *all appropriations and authorizations Acts funding direc-*
13 *tives, ceilings, and limitations with the exception that for*
14 *the following accounts: “Economic Support Fund” and*
15 *“Foreign Military Financing Program”, “program, project,*
16 *and activity” shall also be considered to include country,*
17 *regional, and central program level funding within each*
18 *such account; and for the development assistance accounts*
19 *of the United States Agency for International Development,*
20 *“program, project, and activity” shall also be considered*
21 *to include central, country, regional, and program level*
22 *funding, either as—*

23 (1) *justified to Congress; or*

24 (2) *allocated by the Executive Branch in accord-*
25 *ance with a report, to be provided to the Committees*

1 *on Appropriations within 30 days of the enactment*
2 *of this Act, as required by section 653(a) of the For-*
3 *ign Assistance Act of 1961.*

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 on an annual basis as*
23 *part of the justification documents submitted to the*
24 *Committees on Appropriations on the use of local cur-*
25 *rencies for the administrative requirements of the*

1 *United 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 *ppanying 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 the 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 2016, 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, on an annual basis, to the appropriate congres-*
4 *sional committees on all awards subject to limited or no*
5 *competition for local entities: Provided, That such report*
6 *should be posted on the USAID Web site: Provided further,*
7 *That the requirements of this subsection shall only apply*
8 *to awards in excess of \$3,000,000 and sole source awards*
9 *to local entities in excess of \$2,000,000.*

10 **(c) EXTENSION OF PROCUREMENT AUTHORITY.**—*Sec-*
11 *tion 7077 of the Department of State, Foreign Operations,*
12 *and Related Programs Appropriations Act, 2012 (division*
13 *I of Public Law 112–74) shall continue in effect during fis-*
14 *cal year 2016, as amended by the Department of State, For-*
15 *ign Operations, and Related Programs Appropriations*
16 *Act, 2014 (division K of Public Law 113–76).*

17 **INTERNATIONAL FINANCIAL INSTITUTIONS**

18 **SEC. 7029. (a) EVALUATIONS AND REPORT.**—*The Sec-*
19 *retary of the Treasury shall instruct the United States exec-*
20 *utive director of each international financial institution to*
21 *seek to require that such institution adopts and implements*
22 *a publicly available policy, including the strategic use of*
23 *peer reviews and external experts, to conduct independent,*
24 *in-depth evaluations of the effectiveness of at least 25 per-*
25 *cent of all loans, grants, programs, and significant analyt-*

1 ical non-lending activities in advancing the institution's
2 goals of reducing poverty and promoting equitable economic
3 growth, consistent with relevant safeguards, to ensure that
4 decisions to support such loans, grants, programs, and ac-
5 tivities are based on accurate data and objective analysis:
6 Provided, That not later than 180 days after enactment of
7 this Act, the Secretary shall submit a report to the Commit-
8 tees on Appropriations on steps taken by the United States
9 executive directors and the international financial institu-
10 tions consistent with this subsection.

11 (b) SAFEGUARDS.—The Secretary of the Treasury
12 shall instruct the United States Executive Director of the
13 International Bank for Reconstruction and Development
14 and the International Development Association to vote
15 against any loan, grant, policy, or strategy if such institu-
16 tion has adopted and is implementing any social or envi-
17 ronmental safeguard relevant to such loan, grant, policy,
18 or strategy that provides less protection than World Bank
19 safeguards in effect on September 30, 2015.

20 (c) COMPENSATION.—None of the funds appropriated
21 under title V of this Act may be made as payment to any
22 international financial institution while the United States
23 executive director to such institution is compensated by the
24 institution at a rate which, together with whatever com-
25 pensation such executive director receives from the United

1 *States, is in excess of the rate provided for an individual*
2 *occupying a position at level IV of the Executive Schedule*
3 *under section 5315 of title 5, United States Code, or while*
4 *any alternate United States executive director to such insti-*
5 *tution is compensated by the institution at a rate in excess*
6 *of the rate provided for an individual occupying a position*
7 *at level V of the Executive Schedule under section 5316 of*
8 *title 5, United States Code.*

9 (d) *HUMAN RIGHTS.*—*The Secretary of the Treasury*
10 *shall instruct the United States executive director of each*
11 *international financial institution to seek to require that*
12 *such institution conducts rigorous human rights due dili-*
13 *gence and risk management, as appropriate, in connection*
14 *with any loan, grant, policy, or strategy of such institution:*
15 *Provided, That prior to voting on any such loan, grant,*
16 *policy, or strategy the executive director shall consult with*
17 *the Assistant Secretary for Democracy, Human Rights, and*
18 *Labor, Department of State, if the executive director has*
19 *reason to believe that such loan, grant, policy, or strategy*
20 *could result in forced displacement or other violation of*
21 *human rights.*

22 (e) *FRAUD AND CORRUPTION.*—*The Secretary of the*
23 *Treasury shall instruct the United States executive director*
24 *of each international financial institution to promote in*
25 *loan, grant, and other financing agreements improvements*

1 *in borrowing countries' financial management and judicial*
2 *capacity to investigate, prosecute, and punish fraud and*
3 *corruption.*

4 (f) *BENEFICIAL OWNERSHIP INFORMATION.*—*The Sec-*
5 *retary of the Treasury shall instruct the United States exec-*
6 *utive director of each international financial institution to*
7 *seek to require that such institution collects, verifies, and*
8 *publishes, to the maximum extent practicable, beneficial*
9 *ownership information (excluding proprietary information)*
10 *for any corporation or limited liability company, other*
11 *than a publicly listed company, that receives funds appro-*
12 *priated by this Act that are provided as payment to such*
13 *institution: Provided, That not later than 180 days after*
14 *enactment of this Act, the Secretary shall submit a report*
15 *to the Committees on Appropriations on steps taken by the*
16 *United States executive directors and the international fi-*
17 *ancial institutions consistent with this subsection.*

18 (g) *WHISTLEBLOWER PROTECTIONS.*—*The Secretary*
19 *of the Treasury shall instruct the United States executive*
20 *director of each international financial institution to seek*
21 *to require that each such institution is effectively imple-*
22 *menting and enforcing policies and procedures which reflect*
23 *best practices for the protection of whistleblowers from retal-*
24 *iation, including best practices for—*

1 (1) *REQUIREMENTS.*—*Funds appropriated by*
2 *this Act may be made available for direct govern-*
3 *ment-to-government assistance only if—*

4 (A)(i) *each implementing agency or min-*
5 *istry to receive assistance has been assessed and*
6 *is considered to have the systems required to*
7 *manage such assistance and any identified*
8 *vulnerabilities or weaknesses of such agency or*
9 *ministry have been addressed;*

10 (ii) *the recipient agency or ministry em-*
11 *ployes and utilizes staff with the necessary tech-*
12 *nical, financial, and management capabilities;*

13 (iii) *the recipient agency or ministry has*
14 *adopted competitive procurement policies and*
15 *systems;*

16 (iv) *effective monitoring and evaluation sys-*
17 *tems are in place to ensure that such assistance*
18 *is used for its intended purposes;*

19 (v) *no level of acceptable fraud is assumed;*
20 *and*

21 (vi) *the government of the recipient country*
22 *is taking steps to publicly disclose on an annual*
23 *basis its national budget, to include income and*
24 *expenditures;*

1 (B) the recipient government is in compli-
2 ance with the principles set forth in section 7013
3 of this Act;

4 (C) the recipient agency or ministry is not
5 headed or controlled by an organization des-
6 ignated as a foreign terrorist organization under
7 section 219 of the Immigration and Nationality
8 Act;

9 (D) the Government of the United States
10 and the government of the recipient country have
11 agreed, in writing, on clear and achievable objec-
12 tives for the use of such assistance, which should
13 be made available on a cost-reimbursable basis;
14 and

15 (E) the recipient government is taking steps
16 to protect the rights of civil society, including
17 freedoms of expression, association, and assem-
18 bly.

19 (2) CONSULTATION AND NOTIFICATION.—In ad-
20 dition to the requirements in paragraph (1), no funds
21 may be made available for direct government-to-gov-
22 ernment assistance without prior consultation with,
23 and notification of, the Committees on Appropria-
24 tions: Provided, That such notification shall contain
25 an explanation of how the proposed activity meets the

1 *requirements of paragraph (1): Provided further, That*
2 *the requirements of this paragraph shall only apply*
3 *to direct government-to-government assistance in ex-*
4 *cess of \$10,000,000 and all funds available for cash*
5 *transfer, budget support, and cash payments to indi-*
6 *viduals.*

7 (3) *SUSPENSION OF ASSISTANCE.—The Adminis-*
8 *trator of the United States Agency for International*
9 *Development (USAID) or the Secretary of State, as*
10 *appropriate, shall suspend any direct government-to-*
11 *government assistance if the Administrator or the*
12 *Secretary has credible information of material misuse*
13 *of such assistance, unless the Administrator or the*
14 *Secretary reports to the Committees on Appropria-*
15 *tions that it is in the national interest of the United*
16 *States to continue such assistance, including a jus-*
17 *tification, or that such misuse has been appropriately*
18 *addressed.*

19 (4) *SUBMISSION OF INFORMATION.—The Sec-*
20 *retary of State shall submit to the Committees on Ap-*
21 *propriations, concurrent with the fiscal year 2017*
22 *congressional budget justification materials, amounts*
23 *planned for assistance described in paragraph (1) by*
24 *country, proposed funding amount, source of funds,*
25 *and type of assistance.*

1 (5) *REPORT.*—Not later than 90 days after the
2 enactment of this Act and 6 months thereafter until
3 September 30, 2016, the USAID Administrator shall
4 submit to the Committees on Appropriations a report
5 that—

6 (A) details all assistance described in para-
7 graph (1) provided during the previous 6-month
8 period by country, funding amount, source of
9 funds, and type of such assistance; and

10 (B) the type of procurement instrument or
11 mechanism utilized and whether the assistance
12 was provided on a reimbursable basis.

13 (6) *DEBT SERVICE PAYMENT PROHIBITION.*—
14 None of the funds made available by this Act may be
15 used for any foreign country for debt service pay-
16 ments owed by any country to any international fi-
17 nancial institution: Provided, That for purposes of
18 this paragraph, the term “international financial in-
19 stitution” has the meaning given the term in section
20 7034(r)(3) of this Act.

21 (b) *NATIONAL BUDGET AND CONTRACT TRANS-*
22 *PARENCY.*—

23 (1) *MINIMUM REQUIREMENTS OF FISCAL TRANS-*
24 *PARENCY.*—The Secretary of State shall continue to
25 update and strengthen the “minimum requirements of

1 *fiscal transparency” for each government receiving*
2 *assistance appropriated by this Act, as identified in*
3 *the report required by section 7031(b) of the Depart-*
4 *ment of State, Foreign Operations, and Related Pro-*
5 *grams Appropriations Act, 2014 (division K of Public*
6 *Law 113–76).*

7 (2) *DEFINITION.—For purposes of paragraph*
8 *(1), “minimum requirements of fiscal transparency”*
9 *are requirements consistent with those in subsection*
10 *(a)(1), and the public disclosure of national budget*
11 *documentation (to include receipts and expenditures*
12 *by ministry) and government contracts and licenses*
13 *for natural resource extraction (to include bidding*
14 *and concession allocation practices).*

15 (3) *DETERMINATION AND REPORT.—For each*
16 *government identified pursuant to paragraph (1), the*
17 *Secretary of State, not later than 180 days after en-*
18 *actment of this Act, shall make or update any deter-*
19 *mination of “significant progress” or “no significant*
20 *progress” in meeting the minimum requirements of*
21 *fiscal transparency, and make such determinations*
22 *publicly available in an annual “Fiscal Trans-*
23 *parency Report” to be posted on the Department of*
24 *State Web site: Provided, That the Secretary shall*
25 *identify the significant progress made by each such*

1 government to publicly disclose national budget docu-
2 mentation, contracts, and licenses which are addi-
3 tional to such information disclosed in previous fiscal
4 years, and include specific recommendations of short-
5 and long-term steps such government should take to
6 improve fiscal transparency: Provided further, That
7 the annual report shall include a detailed description
8 of how funds appropriated by this Act are being used
9 to improve fiscal transparency, and identify bench-
10 marks for measuring progress.

11 (4) ASSISTANCE.—Funds appropriated under
12 title III of this Act shall be made available for pro-
13 grams and activities to assist governments identified
14 pursuant to paragraph (1) to improve budget trans-
15 parency and to support civil society organizations in
16 such countries that promote budget transparency:
17 Provided, That such sums shall be in addition to
18 funds otherwise made available for such purposes:
19 Provided further, That a description of the uses of
20 such funds shall be included in the annual “Fiscal
21 Transparency Report” required by paragraph (3).

22 (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

23 (1)(A) INELIGIBILITY.—Officials of foreign gov-
24 ernments and their immediate family members about
25 whom the Secretary of State has credible information

1 *have been involved in significant corruption, includ-*
2 *ing corruption related to the extraction of natural re-*
3 *sources, or a gross violation of human rights shall be*
4 *ineligible for entry into the United States.*

5 *(B) The Secretary may also publicly or privately*
6 *designate or identify officials of foreign governments*
7 *and their immediate family members about whom the*
8 *Secretary has such credible information without re-*
9 *gard to whether the individual has applied for a visa.*

10 *(2) EXCEPTION.—Individuals shall not be ineli-*
11 *gible if entry into the United States would further*
12 *important United States law enforcement objectives or*
13 *is necessary to permit the United States to fulfill its*
14 *obligations under the United Nations Headquarters*
15 *Agreement: Provided, That nothing in paragraph (1)*
16 *shall be construed to derogate from United States*
17 *Government obligations under applicable inter-*
18 *national agreements.*

19 *(3) WAIVER.—The Secretary may waive the ap-*
20 *plication of paragraph (1) if the Secretary determines*
21 *that the waiver would serve a compelling national in-*
22 *terest or that the circumstances which caused the in-*
23 *dividual to be ineligible have changed sufficiently.*

24 *(4) REPORT.—Not later than 6 months after en-*
25 *actment of this Act, the Secretary of State shall sub-*

1 *mit a report, including a classified annex if nec-*
2 *essary, to the Committees on Appropriations and the*
3 *Committees on the Judiciary describing the informa-*
4 *tion related to corruption or violation of human*
5 *rights concerning each of the individuals found ineli-*
6 *gible in the previous 12 months pursuant to para-*
7 *graph (1)(A) as well as the individuals who the Sec-*
8 *retary designated or identified pursuant to paragraph*
9 *(1)(B), or who would be ineligible but for the applica-*
10 *tion of paragraph (2), a list of any waivers provided*
11 *under paragraph (3), and the justification for each*
12 *waiver.*

13 (5) *POSTING OF REPORT.*—*Any unclassified por-*
14 *tion of the report required under paragraph (4) shall*
15 *be posted on the Department of State Web site.*

16 (6) *CLARIFICATION.*—*For purposes of para-*
17 *graphs (1)(B), (4), and (5), the records of the Depart-*
18 *ment of State and of diplomatic and consular offices*
19 *of the United States pertaining to the issuance or re-*
20 *fusal of visas or permits to enter the United States*
21 *shall not be considered confidential.*

22 (d) *EXTRACTION OF NATURAL RESOURCES.*—

23 (1) *ASSISTANCE.*—*Funds appropriated by this*
24 *Act shall be made available to promote and support*
25 *transparency and accountability of expenditures and*

1 *revenues related to the extraction of natural resources,*
2 *including by strengthening implementation and mon-*
3 *itoring of the Extractive Industries Transparency*
4 *Initiative, implementing and enforcing section 8204*
5 *of the Food, Conservation, and Energy Act of 2008*
6 *(Public Law 110–246; 122 Stat. 2052) and to prevent*
7 *the sale of conflict diamonds, and provide technical*
8 *assistance to promote independent audit mechanisms*
9 *and support civil society participation in natural re-*
10 *source management.*

11 (2) *UNITED STATES POLICY.—*

12 (A) *The Secretary of the Treasury shall in-*
13 *form the management of the international finan-*
14 *cial institutions, and post on the Department of*
15 *the Treasury Web site, that it is the policy of the*
16 *United States to vote against any assistance by*
17 *such institutions (including any loan, credit,*
18 *grant, or guarantee) to any country for the ex-*
19 *traction and export of a natural resource if the*
20 *government of such country has in place laws,*
21 *regulations, or procedures to prevent or limit the*
22 *public disclosure of company payments as re-*
23 *quired by United States law, and unless such*
24 *government has adopted laws, regulations, or*

1 *procedures in the sector in which assistance is*
2 *being considered for—*

3 *(i) accurately accounting for and pub-*
4 *lic disclosure of payments to the host gov-*
5 *ernment by companies involved in the ex-*
6 *traction and export of natural resources;*

7 *(ii) the independent auditing of ac-*
8 *counts receiving such payments and public*
9 *disclosure of the findings of such audits;*
10 *and*

11 *(iii) public disclosure of such docu-*
12 *ments as Host Government Agreements,*
13 *Concession Agreements, and bidding docu-*
14 *ments, allowing in any such dissemination*
15 *or disclosure for the redaction of, or excep-*
16 *tions for, information that is commercially*
17 *proprietary or that would create competi-*
18 *tive disadvantage.*

19 *(B) The requirements of subparagraph (A)*
20 *shall not apply to assistance for the purpose of*
21 *building the capacity of such government to meet*
22 *the requirements of this subparagraph.*

23 *(e) FOREIGN ASSISTANCE WEB SITE.—Funds appro-*
24 *priated by this Act under titles I and II, and funds made*
25 *available for any independent agency in title III, as appro-*

1 *priate, shall be made available to support the provision of*
2 *additional information on United States Government for-*
3 *foreign assistance on the Department of State foreign assist-*
4 *ance Web site: Provided, That all Federal agencies funded*
5 *under this Act shall provide such information on foreign*
6 *assistance, upon request, to the Department of State.*

7 *DEMOCRACY PROGRAMS*

8 *SEC. 7032. (a) FUNDING.—*

9 *(1) Of the funds appropriated by this Act, not*
10 *less than \$2,308,517,000 shall be made available for*
11 *democracy programs.*

12 *(2) Of the funds appropriated by this Act under*
13 *the heading “Economic Support Fund”, not less than*
14 *\$32,000,000 shall be made available for the Near East*
15 *Regional Democracy program.*

16 *(b) AUTHORITY.—Funds made available by this Act*
17 *for democracy programs may be made available notwith-*
18 *standing any other provision of law, and with regard to*
19 *the National Endowment for Democracy (NED), any regu-*
20 *lation.*

21 *(c) DEFINITION OF DEMOCRACY PROGRAMS.—For*
22 *purposes of funds appropriated by this Act, the term “de-*
23 *mocracy programs” means programs that support good gov-*
24 *ernance, credible and competitive elections, freedom of ex-*
25 *pression, association, assembly, and religion, human rights,*

1 *labor rights, independent media, and the rule of law, and*
2 *that otherwise strengthen the capacity of democratic polit-*
3 *ical parties, governments, nongovernmental organizations*
4 *and institutions, and citizens to support the development*
5 *of democratic states, and institutions that are responsive*
6 *and accountable to citizens.*

7 (d) *PROGRAM PRIORITIZATION.*—*Funds made avail-*
8 *able pursuant to this section that are made available for*
9 *programs to strengthen government institutions shall be*
10 *prioritized for those institutions that demonstrate a com-*
11 *mitment to democracy and the rule of law, as determined*
12 *by the Secretary of State or the Administrator of the United*
13 *States Agency for International Development (USAID), as*
14 *appropriate.*

15 (e) *RESTRICTION ON PRIOR APPROVAL.*—*With respect*
16 *to the provision of assistance for democracy programs in*
17 *this Act, the organizations implementing such assistance,*
18 *the specific nature of that assistance, and the participants*
19 *in such programs shall not be subject to the prior approval*
20 *by the government of any foreign country: Provided, That*
21 *the Secretary of State, in coordination with the USAID Ad-*
22 *ministrator, shall report to the Committees on Appropria-*
23 *tions, not later than 120 days after enactment of this Act,*
24 *detailing steps taken by the Department of State and*
25 *USAID to comply with the requirements of this subsection.*

1 (f) *PROGRAM DESIGN AND IMPLEMENTATION.*—

2 (1) *CLARIFICATION OF USE.*—Not later than 90
3 days after enactment of this Act, the Secretary of
4 State and USAID Administrator, following consulta-
5 tion with democracy program implementing partners,
6 shall each establish guidelines for clarifying program
7 design and objectives for democracy programs, includ-
8 ing the uses of contracts versus grants and cooperative
9 agreements in the conduct of democracy programs
10 carried out with funds appropriated by this Act: Pro-
11 vided, That such guidelines, which shall be made
12 available to all relevant agency personnel, shall be in
13 accordance with—

14 (A) *the Quadrennial Diplomacy and Devel-*
15 *opment Review, 2015, regarding the objectives of*
16 *promoting resilient, open, and democratic soci-*
17 *eties;*

18 (B) *the ADVANCE Democracy Act of 2007*
19 *(title XXI of Public Law 110–53; 22 U.S.C. 8201*
20 *et seq.), including the foreign policy objectives*
21 *contained therein; and*

22 (C) *sections 6303 through 6305 of title 31,*
23 *United States Code, regarding the selection of*
24 *contracts and assistance instruments.*

1 (2) *CONTINUATION OF CURRENT PRACTICES.*—
2 *USAID shall continue to implement civil society and*
3 *political competition and consensus building pro-*
4 *grams abroad with funds appropriated by this Act in*
5 *a manner that recognizes the unique benefits of grants*
6 *and cooperative agreements in implementing such*
7 *programs: Provided, That nothing in this paragraph*
8 *shall be construed to affect the ability of any entity,*
9 *including United States small businesses, from com-*
10 *peting for proposals for USAID-funded civil society*
11 *and political competition and consensus building pro-*
12 *grams.*

13 (3) *REPORT.*—*Not later than September 30,*
14 *2017, the Secretary of State and USAID Adminis-*
15 *trator shall each submit to the Committees on Appro-*
16 *priations a report detailing the use of contracts,*
17 *grants, and cooperative agreements in the conduct of*
18 *democracy programs with funds made available by*
19 *the Department of State, Foreign Operations, and Re-*
20 *lated Programs Act, 2015 (division J of Public Law*
21 *113–235), which shall include funding level, account,*
22 *program sector and subsector, and a brief summary*
23 *of purpose.*

24 (4) *STRATEGIC REVIEWS AND REPORT.*—

1 (1) *COUNTRY STRATEGIES*.—Prior to the obliga-
2 tion of funds made available by this Act for Depart-
3 ment of State and USAID democracy programs for a
4 nondemocratic or democratic transitioning country
5 for which a country strategy has been concluded after
6 the date of enactment of this Act, as required by sec-
7 tion 2111(c)(1) of the *ADVANCE Democracy Act of*
8 2007 (title XXI of Public Law 110–53; 22 U.S.C.
9 8211) or similar provision of law or regulation, the
10 Under Secretary for Civilian Security, Democracy
11 and Human Rights, Department of State, in con-
12 sultation with the Assistant Secretary for Democracy,
13 Human Rights, and Labor, Department of State, and
14 the Assistant Administrator for Democracy, Conflict,
15 and Humanitarian Assistance, USAID, shall review
16 such strategy to ensure that it includes—

17 (A) *specific goals and objectives for such*
18 program, including a specific plan and timeline
19 to measure impacts;

20 (B) *an assessment of the risks associated*
21 with the conduct of such program to intended
22 beneficiaries and implementers, including steps
23 to support and protect such individuals; and

1 (C) *the funding requirements to initiate*
2 *and sustain such program in fiscal year 2016*
3 *and subsequent fiscal years, as appropriate:*

4 *Provided, That for the purposes of this paragraph, the*
5 *term “nondemocratic or democratic transitioning*
6 *country” shall have the same meaning as in section*
7 *2104(6) of Public Law 110–53.*

8 (2) *REPORT.—Not later than September 30,*
9 *2016, the Secretary of State, in consultation with the*
10 *USAID Administrator, shall submit a report, includ-*
11 *ing a classified annex if necessary, to the appropriate*
12 *congressional committees detailing the methodology*
13 *and guidelines established and implemented by the*
14 *Department of State and USAID, respectively, to*
15 *carry out the requirements of this subsection: Pro-*
16 *vided, That such report shall also include an analysis*
17 *of the political and social conditions in a nondemo-*
18 *cratic or democratic transitioning country that are a*
19 *prerequisite for the conduct of democracy programs.*

20 (h) *CONSULTATION AND COMMUNICATION REQUIRE-*
21 *MENTS.—*

22 (1) *COUNTRY ALLOCATIONS.—The Deputy Sec-*
23 *retary for Management and Resources, Department of*
24 *State, shall consult with the Under Secretary for Ci-*
25 *vilian Security, Democracy and Human Rights, De-*

1 *partment of State, and the Assistant Administrator*
2 *for Democracy, Conflict, and Humanitarian Assist-*
3 *ance, USAID, on the proposed funding levels for de-*
4 *mocracy programs by country in the report submitted*
5 *to Congress pursuant to section 653(a) of the Foreign*
6 *Assistance Act of 1961.*

7 (2) *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 (3) *REPORT ON PROGRAM CHANGES.—The Sec-*
19 *retary of State or the USAID Administrator, as ap-*
20 *propriate, shall report to the Committees on Appro-*
21 *priations within 30 days of a decision to signifi-*
22 *cantly change the objectives or the content of a democ-*
23 *racy program or to close such a program due to the*
24 *increasingly repressive nature of the host country gov-*
25 *ernment: Provided, That the report shall also include*

1 *a strategy for continuing support for democracy pro-*
2 *motion, if such programming is feasible, and may be*
3 *submitted in classified form, if necessary.*

4 *INTERNATIONAL RELIGIOUS FREEDOM*

5 *SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM*
6 *OFFICE AND SPECIAL ENVOY TO PROMOTE RELIGIOUS*
7 *FREEDOM.—Funds appropriated by this Act under the*
8 *heading “Diplomatic and Consular Programs” shall be*
9 *made available for the Office of the Ambassador-at-Large*
10 *for International Religious Freedom and the Special Envoy*
11 *to Promote Religious Freedom of Religious Minorities in*
12 *the Near East and South Central Asia, as authorized in*
13 *the Near East and South Central Asia Religious Freedom*
14 *Act of 2014 (Public Law 113-161), and including for sup-*
15 *port staff, at not less than the amounts contained for such*
16 *Office and Envoy in the table under such heading in the*
17 *explanatory statement described in section 4 (in the matter*
18 *preceding division A of this Consolidated Act).*

19 *(b) ASSISTANCE.—*

20 *(1) INTERNATIONAL RELIGIOUS FREEDOM PRO-*
21 *GRAMS.—Of the funds appropriated by this Act under*
22 *the heading “Democracy Fund” and available for the*
23 *Human Rights and Democracy Fund (HRDF), not*
24 *less than \$10,000,000 shall be made available for*
25 *international religious freedom programs: Provided,*

1 *That the Ambassador-at-Large for International Reli-*
2 *gious Freedom shall consult with the Committees on*
3 *Appropriations on the uses of such funds.*

4 (2) *PROTECTION AND INVESTIGATION PRO-*
5 *GRAMS.—Funds appropriated by this Act under the*
6 *heading “Economic Support Fund” shall be made*
7 *available for programs to protect vulnerable and per-*
8 *secuted religious minorities: Provided, That a portion*
9 *of such funds shall be made available for programs to*
10 *investigate the persecution of such minorities by gov-*
11 *ernments and non-state actors and for the public dis-*
12 *semination of information collected on such persecu-*
13 *tion, including on the Department 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 *istance” shall be made available for humanitarian*
18 *assistance for vulnerable and persecuted religious mi-*
19 *norities.*

20 (4) *RESPONSIBILITY OF FUNDS.—Funds made*
21 *available by paragraphs (1) and (2) shall be the re-*
22 *sponsibility of the Ambassador-at-Large for Inter-*
23 *national Religious Freedom, in consultation with*
24 *other relevant United States Government officials.*

1 (c) *INTERNATIONAL BROADCASTING.*—Funds appro-
2 priated by this Act under the heading “Broadcasting Board
3 of Governors, International Broadcasting Operations” shall
4 be made available for programs related to international re-
5 ligious freedom, including reporting on the condition of vul-
6 nerable and persecuted religious groups.

7 (d) *ATROCITIES PREVENTION.*—Not later than 90 days
8 after enactment of this Act, the Secretary of State, after con-
9 sultation with the heads of other United States Government
10 agencies represented on the Atrocities Prevention Board
11 (APB) and representatives of human rights organizations,
12 as appropriate, shall submit to the appropriate congres-
13 sional committees an evaluation of the persecution of, in-
14 cluding attacks against, Christians and people of other reli-
15 gions in the Middle East by violent Islamic extremists and
16 the Muslim Rohingya people in Burma by violent Buddhist
17 extremists, including whether either situation constitutes
18 mass atrocities or genocide (as defined in section 1091 of
19 title 18, United States Code), and a detailed description
20 of any proposed atrocities prevention response rec-
21 ommended by the APB: Provided, That such evaluation and
22 response may include a classified annex, if necessary.

23 (e) *DESIGNATION OF NON-STATE ACTORS.*—The Presi-
24 dent shall, concurrent with the annual foreign country re-
25 view required by section 402(b)(1) of the International Reli-

1 *gious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)), review*
2 *and identify any non-state actors in such countries that*
3 *have engaged in particularly severe violations of religious*
4 *freedom, and designate, in a manner consistent with such*
5 *Act, each such group as a non-state actor of particular con-*
6 *cern for religious freedom operating in such reviewed coun-*
7 *try or surrounding region: Provided, That whenever the*
8 *President designates such a non-state actor under this sub-*
9 *section, the President shall, as soon as practicable after the*
10 *designation is made, submit a report to the appropriate*
11 *congressional committees detailing the reasons for such des-*
12 *ignation.*

13 *(f) REPORT.—Not later than September 30, 2016, the*
14 *Secretary of State, in consultation with the Chairman of*
15 *the Broadcasting Board of Governors and the Adminis-*
16 *trator of the United States Agency for International Devel-*
17 *opment, shall submit a report, including a classified annex*
18 *if necessary, to the appropriate congressional committees*
19 *detailing, by account, agency, and on a country-by-country*
20 *basis, funds made available by this Act and prior Acts mak-*
21 *ing appropriations for the Department of State, foreign op-*
22 *erations, and related programs for the previous 2 fiscal*
23 *years for international religious freedom programs; protec-*
24 *tion and investigation programs regarding vulnerable and*
25 *persecuted religious minorities; humanitarian and relief as-*

1 *sistance for such minorities; and international broadcasting*
2 *regarding religious freedom.*

3 *SPECIAL PROVISIONS*

4 *SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-*
5 *DREN, AND DISPLACED BURMESE.—Funds appropriated in*
6 *titles III and VI of this Act that are made available for*
7 *victims of war, displaced children, displaced Burmese, and*
8 *to combat trafficking in persons and assist victims of such*
9 *trafficking, may be made available notwithstanding any*
10 *other provision of law.*

11 *(b) LAW ENFORCEMENT AND SECURITY.—*

12 *(1) CHILD SOLDIERS.—Funds appropriated by*
13 *this Act should not be used to support any military*
14 *training or operations that include child soldiers.*

15 *(2) CROWD CONTROL ITEMS.—Funds appro-*
16 *priated by this Act should not be used for tear gas,*
17 *small arms, light weapons, ammunition, or other*
18 *items for crowd control purposes for foreign security*
19 *forces that use excessive force to repress peaceful ex-*
20 *pression, association, or assembly in countries under-*
21 *going democratic transition.*

22 *(3) DISARMAMENT, DEMOBILIZATION, AND RE-*
23 *INTEGRATION.—Section 7034(d) of the Department of*
24 *State, Foreign Operations, and Related Programs Ap-*
25 *propriations Act, 2015 (division J of Public Law*

1 113–235) shall continue in effect during fiscal year
2 2016 as if part of this Act.

3 (4) *FORENSIC ASSISTANCE*.—

4 (A) *Of the funds appropriated by this Act*
5 *under the heading “Economic Support Fund”,*
6 *not less than \$4,000,000 shall be made available*
7 *for forensic anthropology assistance related to the*
8 *exhumation of mass graves and the identification*
9 *of victims of war crimes and crimes against hu-*
10 *manity, of which not less than \$3,000,000 should*
11 *be made available for such assistance in Guate-*
12 *mala, Peru, Colombia, Iraq, and Sri Lanka,*
13 *which shall be administered by the Assistant Sec-*
14 *retary for Democracy, Human Rights, and*
15 *Labor, Department of State.*

16 (B) *Of the funds appropriated by this Act*
17 *under the heading “International Narcotics Con-*
18 *trol and Law Enforcement”, not less than*
19 *\$4,000,000 shall be made available for DNA fo-*
20 *rensic technology programs to combat human*
21 *trafficking in Central America.*

22 (5) *INTERNATIONAL PRISON CONDITIONS*.—*Sec-*
23 *tion 7065 of the Department of State, Foreign Oper-*
24 *ations, and Related Programs Appropriations Act,*
25 *2015 (division J of Public Law 113–235) shall con-*

1 *tinue in effect during fiscal year 2016 as if part of*
2 *this Act.*

3 (6) *RECONSTITUTING CIVILIAN POLICE AUTHOR-*
4 *ITY.—In providing assistance with funds appro-*
5 *priated by this Act under section 660(b)(6) of the*
6 *Foreign Assistance Act of 1961, support for a nation*
7 *emerging from instability may be deemed to mean*
8 *support for regional, district, municipal, or other sub-*
9 *national entity emerging from instability, as well as*
10 *a nation emerging from instability.*

11 (7) *SECURITY ASSISTANCE REPORT.—Not later*
12 *than 120 days after enactment of this Act, the Sec-*
13 *retary of State shall submit to the Committees on Ap-*
14 *propriations a report on funds obligated and ex-*
15 *pende during fiscal year 2015, by country and pur-*
16 *pose of assistance, under the headings “Peacekeeping*
17 *Operations”, “International Military Education and*
18 *Training”, and “Foreign Military Financing Pro-*
19 *gram”.*

20 (8) *LEAHY VETTING REPORT.—*

21 (A) *Not later than 90 days after enactment*
22 *of this Act, the Secretary of State shall submit*
23 *a report to the appropriate congressional com-*
24 *mittees on foreign assistance cases submitted for*
25 *vetting for purposes of section 620M of the For-*

1 *ign Assistance Act of 1961 during the preceding*
2 *fiscal year, including:*

3 *(i) the total number of cases submitted,*
4 *approved, suspended, or rejected for human*
5 *rights reasons; and*

6 *(ii) for cases rejected, a description of*
7 *the steps taken to assist the foreign govern-*
8 *ment in taking effective measures to bring*
9 *the responsible members of the security*
10 *forces to justice, in accordance with section*
11 *620M(c) of the Foreign Assistance Act of*
12 *1961.*

13 *(B) The report required by this paragraph*
14 *shall be submitted in unclassified form, but may*
15 *be accompanied by a classified annex.*

16 *(9) ANNUAL FOREIGN MILITARY TRAINING RE-*
17 *PORT.—For the purposes of implementing section 656*
18 *of the Foreign Assistance Act of 1961, the term “mili-*
19 *tary training provided to foreign military personnel*
20 *by the Department of Defense and the Department of*
21 *State” shall be deemed to include all military train-*
22 *ing provided by foreign governments with funds ap-*
23 *propriated to the Department of Defense or the De-*
24 *partment of State, except for training provided by the*

1 *government of a country designated by section 517(b)*
2 *of such Act as a major non-NATO ally.*

3 (c) *WORLD FOOD PROGRAMME.—Funds managed by*
4 *the Bureau for Democracy, Conflict, and Humanitarian*
5 *Assistance, United States Agency for International Develop-*
6 *ment (USAID), from this or any other Act, may be made*
7 *available as a general contribution to the World Food Pro-*
8 *gramme, notwithstanding any other provision of law.*

9 (d) *DIRECTIVES AND AUTHORITIES.—*

10 (1) *RESEARCH AND TRAINING.—Funds appro-*
11 *priated by this Act under the heading “Assistance for*
12 *Europe, Eurasia and Central Asia” shall be made*
13 *available to carry out the Program for Research and*
14 *Training on Eastern Europe and the Independent*
15 *States of the Former Soviet Union as authorized by*
16 *the Soviet-Eastern European Research and Training*
17 *Act of 1983 (22 U.S.C. 4501 et seq.).*

18 (2) *GENOCIDE VICTIMS MEMORIAL SITES.—*
19 *Funds appropriated by this Act and prior Acts mak-*
20 *ing appropriations for the Department of State, for-*
21 *foreign operations, and related programs under the*
22 *headings “Economic Support Fund” and “Assistance*
23 *for Europe, Eurasia and Central Asia” may be made*
24 *available as contributions to establish and maintain*
25 *memorial sites of genocide, subject to the regular noti-*

1 *fication procedures of the Committees on Appropria-*
2 *tions.*

3 (3) *ADDITIONAL AUTHORITIES.—Of the amounts*
4 *made available by title I of this Act under the head-*
5 *ing “Diplomatic and Consular Programs”, up to*
6 *\$500,000 may be made available for grants pursuant*
7 *to section 504 of Public Law 95–426 (22 U.S.C.*
8 *2656d), including to facilitate collaboration with in-*
9 *igenous communities.*

10 (4) *EXTENSION OF LEGAL PROTECTION.—No*
11 *conviction issued by the Cairo Criminal Court on*
12 *June 4, 2013, in “Public Prosecution Case No. 1110*
13 *for the Year 2012”, against a citizen or national of*
14 *the United States or an alien lawfully admitted for*
15 *permanent residence in the United States, shall be*
16 *considered a conviction for the purposes of United*
17 *States law or for any activity undertaken within the*
18 *jurisdiction of the United States during fiscal year*
19 *2016 and any fiscal year thereafter.*

20 (5) *MODIFICATION OF LIFE INSURANCE SUPPLE-*
21 *MENTAL APPLICABLE TO THOSE KILLED IN TER-*
22 *RORIST ATTACKS.—*

23 (A) *Section 415(a)(1) of the Foreign Service*
24 *Act of 1980 (22 U.S.C. 3975(a)(1)) is amended*
25 *by striking “a payment from the United States*

1 *in an amount that, when added to the amount*
2 *of the employee’s employer-provided group life*
3 *insurance policy coverage (if any), equals*
4 *\$400,000” and inserting “a special payment of*
5 *\$400,000, which shall be in addition to any em-*
6 *ployer provided life insurance policy coverage”.*

7 *(B) The insurance benefit under section 415*
8 *of the Foreign Service Act of 1980 (22 U.S.C.*
9 *3975), as amended by subparagraph (A), shall be*
10 *applicable to eligible employees who die as a re-*
11 *sult of injuries sustained while on duty abroad*
12 *because of an act of terrorism, as defined in sec-*
13 *tion 140(d) of the Foreign Relations Authoriza-*
14 *tion Act, Fiscal Years 1998 and 1999 (22 U.S.C.*
15 *2656f(d)), anytime on or after April 18, 1983.*

16 (6) *AUTHORITY.—The Administrator of the*
17 *United States Agency for International Development*
18 *may use funds appropriated by this Act under title*
19 *III to make innovation incentive awards: Provided,*
20 *That each individual award may not exceed*
21 *\$100,000: Provided further, That no more than 10*
22 *such awards may be made during fiscal year 2016:*
23 *Provided further, That for purposes of this paragraph*
24 *the term “innovation incentive award” means the*
25 *provision of funding on a competitive basis that—*

1 (A) encourages and rewards the develop-
2 ment of solutions for a particular, well-defined
3 problem related to the alleviation of poverty; or

4 (B) helps identify and promote a broad
5 range of ideas and practices facilitating further
6 development of an idea or practice by third par-
7 ties.

8 (e) *PARTNER VETTING*.—Funds appropriated by this
9 Act or in titles I through IV of prior Acts making appro-
10 priations for the Department of State, foreign operations,
11 and related programs shall be used by the Secretary of State
12 and the USAID Administrator, as appropriate, to support
13 the continued implementation of the Partner Vetting Sys-
14 tem (PVS) pilot program: Provided, That the Secretary of
15 State and the USAID Administrator shall inform the Com-
16 mittees on Appropriations, at least 30 days prior to comple-
17 tion of the pilot program, on the criteria for evaluating such
18 program, including for possible expansion: Provided fur-
19 ther, That not later than 180 days after completion of the
20 pilot program, the Secretary and USAID Administrator
21 shall jointly submit a report to the Committees on Appro-
22 priations, in classified form if necessary, detailing the find-
23 ings, conclusions, and any recommendations for expansion
24 of such program: Provided further, That not less than 30
25 days prior to the implementation of any recommendations

1 *for expanding the PVS pilot program the Secretary of State*
2 *and USAID Administrator shall consult with the Commit-*
3 *tees on Appropriations and with representatives of agency*
4 *implementing partners on the findings, conclusions, and*
5 *recommendations in such report, as appropriate.*

6 (f) *CONTINGENCIES.—During fiscal year 2016, the*
7 *President may use up to \$125,000,000 under the authority*
8 *of section 451 of the Foreign Assistance Act of 1961, not-*
9 *withstanding any other provision of law.*

10 (g) *INTERNATIONAL CHILD ABDUCTIONS.—The Sec-*
11 *retary of State should withhold funds appropriated under*
12 *title III of this Act for assistance for the central government*
13 *of any country that is not taking appropriate steps to com-*
14 *ply with the Convention on the Civil Aspects of Inter-*
15 *national Child Abductions, done at the Hague on October*
16 *25, 1980: Provided, That the Secretary shall report to the*
17 *Committees on Appropriations within 15 days of with-*
18 *holding funds under this subsection.*

19 (h) *REPORT REPEALED.—Section 616(c) of the De-*
20 *partments of Commerce, Justice, and State, the Judiciary,*
21 *and Related Agencies Appropriations Act, 1999 (division*
22 *A of Public Law 105–277) is hereby repealed.*

23 (i) *TRANSFERS FOR EXTRAORDINARY PROTECTION.—*
24 *The Secretary of State may transfer to, and merge with,*
25 *funds under the heading “Protection of Foreign Missions*

1 *and Officials” unobligated balances of expired funds appro-*
2 *priated under the heading “Diplomatic and Consular Pro-*
3 *grams” for fiscal year 2016, except for funds designated for*
4 *Overseas Contingency Operations/Global War on Terrorism*
5 *pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget*
6 *and Emergency Deficit Control Act of 1985, at no later*
7 *than the end of the fifth fiscal year after the last fiscal year*
8 *for which such funds are available for the purposes for*
9 *which appropriated: Provided, That not more than*
10 *\$50,000,000 may be transferred.*

11 *(j) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF*
12 *DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZA-*
13 *TIONS.—Section 7034(k) of the Department of State, For-*
14 *ign Operations, and Related Programs Appropriations*
15 *Act, 2015 (division J of Public Law 113–235) shall con-*
16 *tinue in effect during fiscal year 2016 as if part of this*
17 *Act.*

18 *(k) EXTENSION OF AUTHORITIES.—*

19 *(1) PASSPORT FEES.—Section 1(b)(2) of the*
20 *Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))*
21 *shall be applied by substituting “September 30, 2016”*
22 *for “September 30, 2010”.*

23 *(2) ACCOUNTABILITY REVIEW BOARDS.—The au-*
24 *thority provided by section 301(a)(3) of the Omnibus*
25 *Diplomatic Security and Antiterrorism Act of 1986*

1 (22 U.S.C. 4831(a)(3)) shall remain in effect for fa-
2 cilities in Afghanistan through September 30, 2016,
3 except that the notification and reporting require-
4 ments contained in such section shall include the
5 Committees on Appropriations.

6 (3) *INCENTIVES FOR CRITICAL POSTS.*—The au-
7 thority contained in section 1115(d) of the Supple-
8 mental Appropriations Act, 2009 (Public Law 111–
9 32) shall remain in effect through September 30,
10 2016.

11 (4) *FOREIGN SERVICE OFFICER ANNUITANT*
12 *WAIVER.*—Section 824(g) of the Foreign Service Act of
13 1980 (22 U.S.C. 4064(g)) shall be applied by sub-
14 stituting “September 30, 2016” for “October 1, 2010”
15 in paragraph (2).

16 (5) *DEPARTMENT OF STATE CIVIL SERVICE AN-*
17 *NUITANT WAIVER.*—Section 61(a) of the State Depart-
18 ment Basic Authorities Act of 1956 (22 U.S.C.
19 2733(a)) shall be applied by substituting “September
20 30, 2016” for “October 1, 2010” in paragraph (2).

21 (6) *USAID CIVIL SERVICE ANNUITANT WAIV-*
22 *ER.*—Section 625(j)(1) of the Foreign Assistance Act
23 of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by
24 substituting “September 30, 2016” for “October 1,
25 2010” in subparagraph (B).

1 (7) *OVERSEAS PAY COMPARABILITY AND LIMITA-*
2 *TION.—*

3 (A) *Subject to the limitation described in*
4 *subparagraph (B), the authority provided by sec-*
5 *tion 1113 of the Supplemental Appropriations*
6 *Act, 2009 (Public Law 111–32; 123 Stat. 1904)*
7 *shall remain in effect through September 30,*
8 *2016.*

9 (B) *The authority described in subpara-*
10 *graph (A) may not be used to pay an eligible*
11 *member of the Foreign Service (as defined in sec-*
12 *tion 1113(b) of the Supplemental Appropriations*
13 *Act, 2009) a locality-based comparability pay-*
14 *ment (stated as a percentage) that exceeds two-*
15 *thirds of the amount of the locality-based com-*
16 *parability payment (stated as a percentage) that*
17 *would be payable to such member under section*
18 *5304 of title 5, United States Code, if such mem-*
19 *ber’s official duty station were in the District of*
20 *Columbia.*

21 (8) *CATEGORICAL ELIGIBILITY.—The Foreign*
22 *Operations, Export Financing, and Related Programs*
23 *Appropriations Act, 1990 (Public Law 101–167) is*
24 *amended—*

25 (A) *in section 599D (8 U.S.C. 1157 note)—*

1 (i) in subsection (b)(3), by striking
2 “and 2015” and inserting “2015, and
3 2016”; and

4 (ii) in subsection (e), by striking
5 “2015” each place it appears and inserting
6 “2016”; and

7 (B) in section 599E (8 U.S.C. 1255 note) in
8 subsection (b)(2), by striking “2015” and insert-
9 ing “2016”.

10 (9) *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, 2016.

15 (10) *EXTENSION OF LOAN GUARANTEES TO*
16 *ISRAEL.*—Chapter 5 of title I of the Emergency War-
17 time Supplemental Appropriations Act, 2003 (Public
18 Law 108–11; 117 Stat. 576) is amended under the
19 heading “Loan Guarantees to Israel”—

20 (A) in the matter preceding the first pro-
21 viso, by striking “September 30, 2015” and in-
22 serting “September 30, 2019”; and

23 (B) in the second proviso, by striking “Sep-
24 tember 30, 2015” and inserting “September 30,
25 2019”.

1 (11) *EXTENSION OF WAR RESERVES STOCKPILE*
2 *AUTHORITY.*—

3 (A) *Section 12001(d) of the Department of*
4 *Defense Appropriations Act, 2005 (Public Law*
5 *108–287; 118 Stat. 1011) is amended by striking*
6 *“more than 11 years after the date of enactment*
7 *of this Act” and inserting “after September 30,*
8 *2017”.*

9 (B) *Section 514(b)(2)(A) of the Foreign As-*
10 *istance Act of 1961 (22 U.S.C. 2321h(b)(2)(A))*
11 *is amended by striking “and 2015” and insert-*
12 *ing “2015, 2016, and 2017”.*

13 (12) *UNITED STATES ADVISORY COMMISSION ON*
14 *PUBLIC DIPLOMACY.*—*Section 1334 of the Foreign Af-*
15 *airs Reform and Restructuring Act of 1998 (22*
16 *U.S.C. 6553) shall be applied by substituting “Sep-*
17 *tember 30, 2016” for “October 1, 2015”.*

18 (l) *DEPARTMENT OF STATE WORKING CAPITAL*
19 *FUND.*—*Funds appropriated by this Act or otherwise made*
20 *available to the Department of State for payments to the*
21 *Working Capital Fund may only be used for the service cen-*
22 *ters included in Appendix 1 of the Congressional Budget*
23 *Justification, Department of State, Diplomatic Engage-*
24 *ment, Fiscal Year 2016: Provided, That the amounts for*
25 *such service centers shall be the amounts included in such*

1 *budget except as provided in section 7015(b) of this Act:*
2 *Provided further, That Federal agency components shall be*
3 *charged only for their direct usage of each Working Capital*
4 *Fund service: Provided further, That Federal agency com-*
5 *ponents may only pay for Working Capital Fund services*
6 *that are consistent with the component's purpose and au-*
7 *thorities: Provided further, That the Working Capital Fund*
8 *shall be paid in advance or reimbursed at rates which will*
9 *return the full cost of each service.*

10 (m) *HUMANITARIAN ASSISTANCE.—Funds appro-*
11 *priated by this Act that are available for monitoring and*
12 *evaluation of assistance under the headings “International*
13 *Disaster Assistance” and “Migration and Refugee Assist-*
14 *ance” shall, as appropriate, be made available for the reg-*
15 *ular collection of feedback obtained directly from bene-*
16 *ficiaries on the quality and relevance of such assistance:*
17 *Provided, That the Department of State and USAID shall*
18 *conduct regular oversight to ensure that such feedback is*
19 *collected and used by implementing partners to maximize*
20 *the cost-effectiveness and utility of such assistance, and re-*
21 *quire such partners that receive funds under such headings*
22 *to establish procedures for collecting and responding to such*
23 *feedback.*

24 (n) *HIV/AIDS WORKING CAPITAL FUND.—Funds*
25 *available in the HIV/AIDS Working Capital Fund estab-*

1 *lished pursuant to section 525(b)(1) of the Foreign Oper-*
2 *ations, Export Financing, and Related Programs Appro-*
3 *priations Act, 2005 (Public Law 108–477) may be made*
4 *available for pharmaceuticals and other products for child*
5 *survival, malaria, and tuberculosis to the same extent as*
6 *HIV/AIDS pharmaceuticals and other products, subject to*
7 *the terms and conditions in such section: Provided, That*
8 *the authority in section 525(b)(5) of the Foreign Oper-*
9 *ations, Export Financing, and Related Programs Appro-*
10 *priations Act, 2005 (Public Law 108–477) shall be exercised*
11 *by the Assistant Administrator for Global Health, USAID,*
12 *with respect to funds deposited for such non-HIV/AIDS*
13 *pharmaceuticals and other products, and shall be subject*
14 *to the regular notification procedures of the Committees on*
15 *Appropriations: Provided further, That the Secretary of*
16 *State shall include in the congressional budget justification*
17 *an accounting of budgetary resources, disbursements, bal-*
18 *ances, and reimbursements related to such fund.*

19 *(o) LOAN GUARANTEES AND ENTERPRISE FUNDS.—*

20 *(1) LOAN GUARANTEES.—Funds appropriated*
21 *under the headings “Economic Support Fund” and*
22 *“Assistance for Europe, Eurasia and Central Asia”*
23 *by this Act and prior Acts making appropriations for*
24 *the Department of State, foreign operations, and re-*
25 *lated programs may be made available for the costs,*

1 *as defined in section 502 of the Congressional Budget*
2 *Act of 1974, of loan guarantees for Jordan, Ukraine,*
3 *and Tunisia, which are authorized to be provided:*
4 *Provided, That amounts made available under this*
5 *paragraph for the costs of such guarantees shall not*
6 *be considered assistance for the purposes of provisions*
7 *of law limiting assistance to a country.*

8 (2) *ENTERPRISE FUNDS.—Funds appropriated*
9 *under the heading “Economic Support Fund” in this*
10 *Act may be made available to establish and operate*
11 *one or more enterprise funds for Egypt and Tunisia:*
12 *Provided, That the first, third and fifth provisos*
13 *under section 7041(b) of the Department of State,*
14 *Foreign Operations, and Related Programs Appro-*
15 *priations Act, 2012 (division I of Public Law 112–*
16 *74) shall apply to funds appropriated by this Act*
17 *under the heading “Economic Support Fund” for an*
18 *enterprise fund or funds to the same extent and in the*
19 *same manner as such provision of law applied to*
20 *funds made available under such section (except that*
21 *the clause excluding subsection (d)(3) of section 201*
22 *of the SEED Act shall not apply): Provided further,*
23 *That in addition to the previous proviso, the authori-*
24 *ties in the matter preceding the first proviso of such*
25 *section may apply to any such enterprise fund or*

1 *funds: Provided further, That the authority of any*
2 *such enterprise fund or funds to provide assistance*
3 *shall cease to be effective on December 31, 2026.*

4 (3) *CONSULTATION AND NOTIFICATION.—Funds*
5 *made available by this subsection shall be subject to*
6 *prior consultation with the appropriate congressional*
7 *committees, and subject to the regular notification*
8 *procedures of the Committees on Appropriations.*

9 (p) *ASSESSMENT OF INDIRECT COSTS.—Not later than*
10 *90 days after enactment of this Act and following consulta-*
11 *tion with the Committees on Appropriations, the Secretary*
12 *of State and the Administrator of the United States Agency*
13 *for International Development (USAID) shall submit to*
14 *such Committees an assessment of the effectiveness of cur-*
15 *rent policies and procedures in ensuring that payments for*
16 *indirect costs, including for negotiated indirect cost rate*
17 *agreements (NICRA), are reasonable and comply with the*
18 *Federal Acquisition Regulations (FAR), as applicable, and*
19 *title 2, part 200 of the Code of Federal Regulations (CFR);*
20 *an assessment of potential benefits of setting a cap on such*
21 *indirect costs to ensure the cost-effective use of appropriated*
22 *funds; a plan to revise such policies and procedures to*
23 *strengthen compliance with the FAR and CFR and ensure*
24 *that indirect costs are reasonable; and a timeline for imple-*
25 *menting such plan.*

1 (q) *SMALL GRANTS AND ENTITIES.*—

2 (1) *Of the funds appropriated by this Act under*
3 *the headings “Development Assistance” and “Eco-*
4 *nomic Support Fund”, not less than \$45,000,000*
5 *shall be made available for the Small Grants Pro-*
6 *gram pursuant to section 7080 of the Department of*
7 *State, Foreign Operations, and Related Programs Ap-*
8 *propriations Act, 2015 (division J of Public Law*
9 *113–235), as amended by this Act, which may remain*
10 *available until September 30, 2020.*

11 (2) *Not later than 45 days after enactment of*
12 *this Act, the Administrator of the United States Agen-*
13 *cy for International Development (USAID) shall post*
14 *on the USAID Web site detailed information describ-*
15 *ing the process by which small nongovernmental orga-*
16 *nizations, educational institutions, and other small*
17 *entities seeking funding from USAID for unsolicited*
18 *proposals through grants, cooperative agreements, and*
19 *other assistance mechanisms and agreements, can*
20 *apply for such funding: Provided, That the USAID*
21 *Administrator should ensure that each bureau, office,*
22 *and overseas mission has authority to approve, and*
23 *sufficient funds to implement, such grants or other*
24 *agreements that meet appropriate criteria for unsolic-*
25 *ited proposals.*

1 (3) *Section 7080 of Public Law 113–235 is*
2 *amended as follows:*

3 (A) *in subsections (b) and (c), strike*
4 *“Grants”, and insert “Awards”;*

5 (B) *in subsection (c)(1), delete “or” after*
6 *“proposals;”;*

7 (C) *in subsection (c)(2) delete the period*
8 *after “process”, and insert “; or”;*

9 (D) *after subsection (c)(2), insert “(3) as*
10 *otherwise allowable under Federal Acquisition*
11 *Regulations and USAID procurement policies.”;*
12 *and*

13 (E) *in subsection (e)(3), strike “12”, and*
14 *insert “20”, and strike “administrative and*
15 *oversight expenses associated with managing”*
16 *and insert “administrative expenses, and other*
17 *necessary support associated with managing and*
18 *strengthening”.*

19 (4) *For the purposes of section 7080 of Public*
20 *Law 113–235, “eligible entities” shall be defined as*
21 *small local, international, and United States-based*
22 *nongovernmental organizations, educational institu-*
23 *tions, and other small entities that have received less*
24 *than a total of \$5,000,000 in USAID funding over the*
25 *previous five years: Provided, That departments or*

1 *centers of such educational institutions may be con-*
2 *sidered individually in determining such eligibility.*

3 *(r) DEFINITIONS.—*

4 *(1) Unless otherwise defined in this Act, for pur-*
5 *poses of this Act the term “appropriate congressional*
6 *committees” shall mean the Committees on Appro-*
7 *propriations and Foreign Relations of the Senate and the*
8 *Committees on Appropriations and Foreign Affairs of*
9 *the House of Representatives.*

10 *(2) Unless otherwise defined in this Act, for pur-*
11 *poses of this Act the term “funds appropriated in this*
12 *Act and prior Acts making appropriations for the De-*
13 *partment of State, foreign operations, and related*
14 *programs” shall mean funds that remain available*
15 *for obligation, and have not expired.*

16 *(3) For the purposes of this Act “international*
17 *financial institutions” shall mean the International*
18 *Bank for Reconstruction and Development, the Inter-*
19 *national Development Association, the International*
20 *Finance Corporation, the Inter-American Develop-*
21 *ment Bank, the International Monetary Fund, the*
22 *Asian Development Bank, the Asian Development*
23 *Fund, the Inter-American Investment Corporation,*
24 *the North American Development Bank, the European*
25 *Bank for Reconstruction and Development, the Afri-*

1 *can Development Bank, the African Development*
2 *Fund, and the Multilateral Investment Guarantee*
3 *Agency.*

4 (4) *Any reference to Southern Kordofan in this*
5 *or any other Act making appropriations for the De-*
6 *partment of State, foreign operations, and related*
7 *programs shall be deemed to include portions of West-*
8 *ern Kordofan that were previously part of Southern*
9 *Kordofan prior to the 2013 division of Southern*
10 *Kordofan.*

11 *ARAB LEAGUE BOYCOTT OF ISRAEL*

12 *SEC. 7035. It is the sense of the Congress that—*

13 (1) *the Arab League boycott of Israel, and the*
14 *secondary boycott of American firms that have com-*
15 *mercial ties with Israel, is an impediment to peace*
16 *in the region and to United States investment and*
17 *trade in the Middle East and North Africa;*

18 (2) *the Arab League boycott, which was regret-*
19 *tably reinstated in 1997, should be immediately and*
20 *publicly terminated, and the Central Office for the*
21 *Boycott of Israel immediately disbanded;*

22 (3) *all Arab League states should normalize rela-*
23 *tions with their neighbor Israel;*

24 (4) *the President and the Secretary of State*
25 *should continue to vigorously oppose the Arab League*

1 *boycott of Israel and find concrete steps to dem-*
2 *onstrate that opposition by, for example, taking into*
3 *consideration the participation of any recipient coun-*
4 *try in the boycott when determining to sell weapons*
5 *to said country; and*

6 *(5) the President should report to Congress an-*
7 *nually on specific steps being taken by the United*
8 *States to encourage Arab League states to normalize*
9 *their relations with Israel to bring about the termi-*
10 *nation of the Arab League boycott of Israel, including*
11 *those to encourage allies and trading partners of the*
12 *United States to enact laws prohibiting businesses*
13 *from complying with the boycott and penalizing busi-*
14 *nesses that do comply.*

15 *PALESTINIAN STATEHOOD*

16 *SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of*
17 *the funds appropriated under titles III through VI of this*
18 *Act may be provided to support a Palestinian state unless*
19 *the Secretary of State determines and certifies to the appro-*
20 *priate congressional committees that—*

21 *(1) the governing entity of a new Palestinian*
22 *state—*

23 *(A) has demonstrated a firm commitment to*
24 *peaceful co-existence with the State of Israel; and*

1 *(B) is taking appropriate measures to*
2 *counter terrorism and terrorist financing in the*
3 *West Bank and Gaza, including the dismantling*
4 *of terrorist infrastructures, and is cooperating*
5 *with appropriate Israeli and other appropriate*
6 *security organizations; and*

7 *(2) the Palestinian Authority (or the governing*
8 *entity of a new Palestinian state) is working with*
9 *other countries in the region to vigorously pursue ef-*
10 *forts to establish a just, lasting, and comprehensive*
11 *peace in the Middle East that will enable Israel and*
12 *an independent Palestinian state to exist within the*
13 *context of full and normal relationships, which should*
14 *include—*

15 *(A) termination of all claims or states of*
16 *belligerency;*

17 *(B) respect for and acknowledgment of the*
18 *sovereignty, territorial integrity, and political*
19 *independence of every state in the area through*
20 *measures including the establishment of demili-*
21 *tarized zones;*

22 *(C) their right to live in peace within secure*
23 *and recognized boundaries free from threats or*
24 *acts of force;*

1 (D) freedom of navigation through inter-
2 national waterways in the area; and

3 (E) a framework for achieving a just settle-
4 ment of the refugee problem.

5 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
6 *that the governing entity should enact a constitution assur-*
7 *ing the rule of law, an independent judiciary, and respect*
8 *for human rights for its citizens, and should enact other*
9 *laws and regulations assuring transparent and accountable*
10 *governance.*

11 (c) *WAIVER.*—*The President may waive subsection (a)*
12 *if the President determines that it is important to the na-*
13 *tional security interest of the United States to do so.*

14 (d) *EXEMPTION.*—*The restriction in subsection (a)*
15 *shall not apply to assistance intended to help reform the*
16 *Palestinian Authority and affiliated institutions, or the*
17 *governing entity, in order to help meet the requirements of*
18 *subsection (a), consistent with the provisions of section 7040*
19 *of this Act (“Limitation on Assistance for the Palestinian*
20 *Authority”).*

21 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

22 *SEC. 7037. None of the funds appropriated under titles*
23 *II through VI of this Act may be obligated or expended to*
24 *create in any part of Jerusalem a new office of any depart-*
25 *ment or agency of the United States Government for the*

1 *purpose of conducting official United States Government*
2 *business with the Palestinian Authority over Gaza and*
3 *Jericho or any successor Palestinian governing entity pro-*
4 *vided for in the Israel-PLO Declaration of Principles: Pro-*
5 *vided, That this restriction shall not apply to the acquisi-*
6 *tion of additional space for the existing Consulate General*
7 *in Jerusalem: Provided further, That meetings between offi-*
8 *cers and employees of the United States and officials of the*
9 *Palestinian Authority, or any successor Palestinian gov-*
10 *erning entity provided for in the Israel-PLO Declaration*
11 *of Principles, for the purpose of conducting official United*
12 *States Government business with such authority should con-*
13 *tinue to take place in locations other than Jerusalem: Pro-*
14 *vided further, That as has been true in the past, officers*
15 *and employees of the United States Government may con-*
16 *tinue to meet in Jerusalem on other subjects with Palestin-*
17 *ians (including those who now occupy positions in the Pal-*
18 *estinian Authority), have social contacts, and have inci-*
19 *dental discussions.*

20 *PROHIBITION ON ASSISTANCE TO THE PALESTINIAN*

21 *BROADCASTING CORPORATION*

22 *SEC. 7038. None of the funds appropriated or other-*
23 *wise made available by this Act may be used to provide*
24 *equipment, technical support, consulting services, or any*

1 *other form of assistance to the Palestinian Broadcasting*
2 *Corporation.*

3 *ASSISTANCE FOR THE WEST BANK AND GAZA*

4 *SEC. 7039. (a) OVERSIGHT.—For fiscal year 2016, 30*
5 *days prior to the initial obligation of funds for the bilateral*
6 *West Bank and Gaza Program, the Secretary of State shall*
7 *certify to the Committees on Appropriations that proce-*
8 *dures have been established to assure the Comptroller Gen-*
9 *eral of the United States will have access to appropriate*
10 *United States financial information in order to review the*
11 *uses of United States assistance for the Program funded*
12 *under the heading “Economic Support Fund” for the West*
13 *Bank and Gaza.*

14 *(b) VETTING.—Prior to the obligation of funds appro-*
15 *priated by this Act under the heading “Economic Support*
16 *Fund” for assistance for the West Bank and Gaza, the Sec-*
17 *retary of State shall take all appropriate steps to ensure*
18 *that such assistance is not provided to or through any indi-*
19 *vidual, private or government entity, or educational insti-*
20 *tution that the Secretary knows or has reason to believe ad-*
21 *vocates, plans, sponsors, engages in, or has engaged in, ter-*
22 *rorist activity nor, with respect to private entities or edu-*
23 *cational institutions, those that have as a principal officer*
24 *of the entity’s governing board or governing board of trust-*
25 *ees any individual that has been determined to be involved*

1 *in, or advocating terrorist activity or determined to be a*
2 *member of a designated foreign terrorist organization: Pro-*
3 *vided, That the Secretary of State shall, as appropriate, es-*
4 *tablish procedures specifying the steps to be taken in car-*
5 *rying out this subsection and shall terminate assistance to*
6 *any individual, entity, or educational institution which the*
7 *Secretary has determined to be involved in or advocating*
8 *terrorist activity.*

9 (c) *PROHIBITION.—*

10 (1) *RECOGNITION OF ACTS OF TERRORISM.—*

11 *None of the funds appropriated under titles III*
12 *through VI of this Act for assistance under the West*
13 *Bank and Gaza Program may be made available for*
14 *the purpose of recognizing or otherwise honoring indi-*
15 *viduals who commit, or have committed acts of ter-*
16 *rorism.*

17 (2) *SECURITY ASSISTANCE AND REPORTING RE-*

18 *QUIREMENT.—Notwithstanding any other provision of*
19 *law, none of the funds made available by this or prior*
20 *appropriations Acts, including funds made available*
21 *by transfer, may be made available for obligation for*
22 *security assistance for the West Bank and Gaza until*
23 *the Secretary of State reports to the Committees on*
24 *Appropriations on the benchmarks that have been es-*
25 *tablished for security assistance for the West Bank*

1 *and Gaza and reports on the extent of Palestinian*
2 *compliance with such benchmarks.*

3 *(d) AUDITS BY THE UNITED STATES AGENCY FOR*
4 *INTERNATIONAL DEVELOPMENT.—*

5 *(1) The Administrator of the United States*
6 *Agency for International Development shall ensure*
7 *that Federal or non-Federal audits of all contractors*
8 *and grantees, and significant subcontractors and sub-*
9 *grantees, under the West Bank and Gaza Program,*
10 *are conducted at least on an annual basis to ensure,*
11 *among other things, compliance with this section.*

12 *(2) Of the funds appropriated by this Act up to*
13 *\$500,000 may be used by the Office of Inspector Gen-*
14 *eral of the United States Agency for International De-*
15 *velopment for audits, inspections, and other activities*
16 *in furtherance of the requirements of this subsection:*
17 *Provided, That such funds are in addition to funds*
18 *otherwise available for such purposes.*

19 *(e) COMPTROLLER GENERAL OF THE UNITED STATES*
20 *AUDIT.—Subsequent to the certification specified in sub-*
21 *section (a), the Comptroller General of the United States*
22 *shall conduct an audit and an investigation of the treat-*
23 *ment, handling, and uses of all funds for the bilateral West*
24 *Bank and Gaza Program, including all funds provided as*
25 *cash transfer assistance, in fiscal year 2016 under the head-*

1 *ing “Economic Support Fund”, and such audit shall ad-*
2 *dress—*

3 *(1) the extent to which such Program complies*
4 *with the requirements of subsections (b) and (c); and*

5 *(2) an examination of all programs, projects,*
6 *and activities carried out under such Program, in-*
7 *cluding both obligations and expenditures.*

8 *(f) NOTIFICATION PROCEDURES.—Funds made avail-*
9 *able in this Act for West Bank and Gaza shall be subject*
10 *to the regular notification procedures of the Committees on*
11 *Appropriations.*

12 *(g) REPORT.—Not later than 180 days after enactment*
13 *of this Act, the Secretary of State shall submit a report to*
14 *the Committees on Appropriations updating the report con-*
15 *tained in section 2106 of chapter 2 of title II of the Emer-*
16 *gency Supplemental Appropriations Act for Defense, the*
17 *Global War on Terror, and Tsunami Relief, 2005 (Public*
18 *Law 109–13).*

19 *LIMITATION ON ASSISTANCE FOR THE PALESTINIAN*
20 *AUTHORITY*

21 *SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the*
22 *funds appropriated by this Act to carry out the provisions*
23 *of chapter 4 of part II of the Foreign Assistance Act of 1961*
24 *may be obligated or expended with respect to providing*
25 *funds to the Palestinian Authority.*

1 (b) *WAIVER.*—*The prohibition included in subsection*
2 *(a) shall not apply if the President certifies in writing to*
3 *the Speaker of the House of Representatives, the President*
4 *pro tempore of the Senate, and the Committees on Appro-*
5 *priations that waiving such prohibition is important to the*
6 *national security interest of the United States.*

7 (c) *PERIOD OF APPLICATION OF WAIVER.*—*Any waiv-*
8 *er pursuant to subsection (b) shall be effective for no more*
9 *than a period of 6 months at a time and shall not apply*
10 *beyond 12 months after the enactment of this Act.*

11 (d) *REPORT.*—*Whenever the waiver authority pursu-*
12 *ant to subsection (b) is exercised, the President shall submit*
13 *a report to the Committees on Appropriations detailing the*
14 *justification for the waiver, the purposes for which the funds*
15 *will be spent, and the accounting procedures in place to*
16 *ensure that the funds are properly disbursed: Provided,*
17 *That the report shall also detail the steps the Palestinian*
18 *Authority has taken to arrest terrorists, confiscate weapons*
19 *and dismantle the terrorist infrastructure.*

20 (e) *CERTIFICATION.*—*If the President exercises the*
21 *waiver authority under subsection (b), the Secretary of*
22 *State must certify and report to the Committees on Appro-*
23 *priations prior to the obligation of funds that the Pales-*
24 *tinian Authority has established a single treasury account*
25 *for all Palestinian Authority financing and all financing*

1 *mechanisms flow through this account, no parallel financ-*
2 *ing mechanisms exist outside of the Palestinian Authority*
3 *treasury account, and there is a single comprehensive civil*
4 *service roster and payroll, and the Palestinian Authority*
5 *is acting to counter incitement of violence against Israelis*
6 *and is supporting activities aimed at promoting peace, co-*
7 *existence, and security cooperation with Israel.*

8 (f) *PROHIBITION TO HAMAS AND THE PALESTINE LIB-*
9 *ERATION ORGANIZATION.—*

10 (1) *None of the funds appropriated in titles III*
11 *through VI of this Act may be obligated for salaries*
12 *of personnel of the Palestinian Authority located in*
13 *Gaza or may be obligated or expended for assistance*
14 *to Hamas or any entity effectively controlled by*
15 *Hamas, any power-sharing government of which*
16 *Hamas is a member, or that results from an agree-*
17 *ment with Hamas and over which Hamas exercises*
18 *undue influence.*

19 (2) *Notwithstanding the limitation of paragraph*
20 *(1), assistance may be provided to a power-sharing*
21 *government only if the President certifies and reports*
22 *to the Committees on Appropriations that such gov-*
23 *ernment, including all of its ministers or such equiva-*
24 *lent, has publicly accepted and is complying with the*
25 *principles contained in section 620K(b)(1) (A) and*

1 *(B) of the Foreign Assistance Act of 1961, as amend-*
2 *ed.*

3 *(3) The President may exercise the authority in*
4 *section 620K(e) of the Foreign Assistance Act of 1961,*
5 *as added by the Palestinian Anti-Terrorism Act of*
6 *2006 (Public Law 109–446) with respect to this sub-*
7 *section.*

8 *(4) Whenever the certification pursuant to para-*
9 *graph (2) is exercised, the Secretary of State shall*
10 *submit a report to the Committees on Appropriations*
11 *within 120 days of the certification and every quarter*
12 *thereafter on whether such government, including all*
13 *of its ministers or such equivalent are continuing to*
14 *comply with the principles contained in section*
15 *620K(b)(1) (A) and (B) of the Foreign Assistance Act*
16 *of 1961, as amended: Provided, That the report shall*
17 *also detail the amount, purposes and delivery mecha-*
18 *nisms for any assistance provided pursuant to the*
19 *abovementioned certification and a full accounting of*
20 *any direct support of such government.*

21 *(5) None of the funds appropriated under titles*
22 *III through VI of this Act may be obligated for assist-*
23 *ance for the Palestine Liberation Organization.*

24 MIDDLE EAST AND NORTH AFRICA

25 SEC. 7041. (a) EGYPT.—

1 (1) *CERTIFICATION AND REPORT.*—*Funds appro-*
2 *priated by this Act that are available for assistance*
3 *for Egypt may be made available notwithstanding*
4 *any other provision of law restricting assistance for*
5 *Egypt, except for this subsection and section 620M of*
6 *the Foreign Assistance Act of 1961, and may only be*
7 *made available for assistance for the Government of*
8 *Egypt if the Secretary of State certifies and reports*
9 *to the Committees on Appropriations that such gov-*
10 *ernment is—*

11 (A) *sustaining the strategic relationship*
12 *with the United States; and*

13 (B) *meeting its obligations under the 1979*
14 *Egypt-Israel Peace Treaty.*

15 (2) *ECONOMIC SUPPORT FUND.*—

16 (A) *FUNDING.*—*Of the funds appropriated*
17 *by this Act under the heading “Economic Sup-*
18 *port Fund”, up to \$150,000,000 may be made*
19 *available for assistance for Egypt, of which not*
20 *less than \$35,000,000 should be made available*
21 *for higher education programs including not less*
22 *than \$10,000,000 for scholarships at not-for-prof-*
23 *it institutions for Egyptian students with high*
24 *financial need: Provided, That such funds may*
25 *be made available for democracy programs and*

1 *for development programs in the Sinai: Provided*
2 *further, That such funds may not be made avail-*
3 *able for cash transfer assistance or budget sup-*
4 *port unless the Secretary of State certifies and*
5 *reports to the appropriate congressional commit-*
6 *tees that the Government of Egypt is taking con-*
7 *sistent and effective steps to stabilize the econ-*
8 *omy and implement market-based economic re-*
9 *forms.*

10 *(B) WITHHOLDING.—The Secretary of State*
11 *shall withhold from obligation funds appro-*
12 *priated by this Act under the heading “Eco-*
13 *nomics Support Fund” for assistance for Egypt,*
14 *an amount of such funds that the Secretary de-*
15 *termines to be equivalent to that expended by the*
16 *United States Government for bail, and by non-*
17 *governmental organizations for legal and court*
18 *fees, associated with democracy-related trials in*
19 *Egypt until the Secretary certifies and reports to*
20 *the Committees on Appropriations that the Gov-*
21 *ernment of Egypt has dismissed the convictions*
22 *issued by the Cairo Criminal Court on June 4,*
23 *2013, in “Public Prosecution Case No. 1110 for*
24 *the Year 2012”.*

25 *(3) FOREIGN MILITARY FINANCING PROGRAM.—*

1 (A) *CERTIFICATION.*—*Of the funds appro-*
2 *priated by this Act under the heading “Foreign*
3 *Military Financing Program”, \$1,300,000,000,*
4 *to remain available until September 30, 2017,*
5 *may be made available for assistance for Egypt:*
6 *Provided, That 15 percent of such funds shall be*
7 *withheld from obligation until the Secretary of*
8 *State certifies and reports to the Committees on*
9 *Appropriations that the Government of Egypt is*
10 *taking effective steps to—*

11 (i) *advance democracy and human*
12 *rights in Egypt, including to govern demo-*
13 *cratically and protect religious minorities*
14 *and the rights of women, which are in addi-*
15 *tion to steps taken during the previous cal-*
16 *endar year for such purposes;*

17 (ii) *implement reforms that protect*
18 *freedoms of expression, association, and*
19 *peaceful assembly, including the ability of*
20 *civil society organizations and the media to*
21 *function without interference;*

22 (iii) *release political prisoners and*
23 *provide detainees with due process of law;*

1 (iv) hold Egyptian security forces ac-
2 countable, including officers credibly alleged
3 to have violated human rights; and

4 (v) provide regular access for United
5 States officials to monitor such assistance
6 in areas where the assistance is used:

7 *Provided further, That such funds may be trans-*
8 *ferred to an interest bearing account in the Fed-*
9 *eral Reserve Bank of New York, following con-*
10 *sultation with the Committees on Appropria-*
11 *tions: Provided further, That the certification re-*
12 *quirement of this paragraph shall not apply to*
13 *funds appropriated by this Act under such head-*
14 *ing for counterterrorism, border security, and*
15 *nonproliferation programs for Egypt.*

16 (B) *WAIVER.—The Secretary of State may*
17 *waive the certification requirement in subpara-*
18 *graph (A) if the Secretary determines and re-*
19 *ports to the Committees on Appropriations that*
20 *to do so is important to the national security in-*
21 *terest of the United States, and submits a report*
22 *to such Committees containing a detailed jus-*
23 *tification for the use of such waiver and the rea-*
24 *sons why any of the requirements of subpara-*
25 *graph (A) cannot be met.*

1 (4) *OVERSIGHT AND CONSULTATION REQUIRE-*
2 *MENTS.—*

3 (A) *The Secretary of State shall take all*
4 *practicable steps to ensure that mechanisms are*
5 *in place for monitoring, oversight, and control of*
6 *funds made available by this subsection for as-*
7 *sistance for Egypt.*

8 (B) *Not later than 90 days after enactment*
9 *of this Act, the Secretary shall consult with the*
10 *Committees on Appropriations on any plan to*
11 *restructure military assistance for Egypt.*

12 (b) *IRAN.—*

13 (1) *FUNDING.—Funds appropriated by this Act*
14 *under the headings “Diplomatic and Consular Pro-*
15 *grams”, “Economic Support Fund”, and “Non-*
16 *proliferation, Anti-terrorism, Demining and Related*
17 *Programs” shall be used by the Secretary of State—*

18 (A) *to support the United States policy to*
19 *prevent Iran from achieving the capability to*
20 *produce or otherwise obtain a nuclear weapon;*

21 (B) *to support an expeditious response to*
22 *any violation of the Joint Comprehensive Plan of*
23 *Action or United Nations Security Council Reso-*
24 *lution 2231;*

1 (C) to support the implementation and en-
2 forcement of sanctions against Iran for support
3 of terrorism, human rights abuses, and ballistic
4 missile and weapons proliferation; and

5 (D) for democracy programs for Iran, to be
6 administered by the Assistant Secretary for Near
7 Eastern Affairs, Department of State, in con-
8 sultation with the Assistant Secretary for De-
9 mocracy, Human Rights, and Labor, Depart-
10 ment of State.

11 (2) *CONTINUATION OF PROHIBITION.*—The terms
12 and conditions of paragraph (2) of section 7041(c) in
13 division I of Public Law 112–74 shall continue in ef-
14 fect during fiscal year 2016 as if part of this Act.

15 (3) *REPORTS.*—

16 (A) The Secretary of State shall submit to
17 the Committees on Appropriations the semi-an-
18 nual report required by section 2 of the Iran Nu-
19 clear Agreement Review Act of 2015 (42 U.S.C.
20 2160e(d)(4)).

21 (B) Not later than 180 days after the date
22 of enactment of this Act, the Secretary of State,
23 in consultation with the Secretary of the Treas-
24 ury, shall submit to the appropriate congres-
25 sional committees a report on the status of the

1 *implementation and enforcement of bilateral*
2 *United States and multilateral sanctions against*
3 *Iran and actions taken by the United States and*
4 *the international community to enforce such*
5 *sanctions against Iran: Provided, That the re-*
6 *port shall also include any entities involved in*
7 *the testing of a ballistic missile by the Govern-*
8 *ment of Iran after October 1, 2015, and note*
9 *whether such entities are currently under United*
10 *States sanctions: Provided further, That such re-*
11 *port shall be submitted in an unclassified form,*
12 *but may contain a classified annex if necessary.*

13 *(c) IRAQ.—*

14 *(1) PURPOSES.—Funds appropriated by this Act*
15 *shall be made available for assistance for Iraq to pro-*
16 *mote governance, security, and internal and regional*
17 *stability, including in Kurdistan and other areas im-*
18 *pacted by the conflict in Syria, and among religious*
19 *and ethnic minority populations in Iraq.*

20 *(2) LIMITATION.—None of the funds appro-*
21 *priated by this Act may be made available for con-*
22 *struction, rehabilitation, or other improvements to*
23 *United States diplomatic facilities in Iraq on prop-*
24 *erty for which no land-use agreement has been entered*
25 *into by the Governments of the United States and*

1 *Iraq: Provided, That the restrictions in this para-*
2 *graph shall not apply if such funds are necessary to*
3 *protect United States diplomatic facilities or the secu-*
4 *rity, health, and welfare of United States personnel.*

5 (3) *KURDISTAN REGIONAL GOVERNMENTS SECUR-*
6 *ITY SERVICES.—Funds appropriated by this Act*
7 *under the headings “International Narcotics Control*
8 *and Law Enforcement” and “Foreign Military Fi-*
9 *nancing Program” that are available for assistance*
10 *for Iraq should be made available to enhance the ca-*
11 *capacity of Kurdistan Regional Government security*
12 *services and for security programs in Kurdistan to*
13 *address requirements arising from the violence in*
14 *Syria and Iraq: Provided, That the Secretary of State*
15 *shall consult with the Committees on Appropriations*
16 *prior to obligating such funds.*

17 (4) *BASING RIGHTS AGREEMENT.—None of the*
18 *funds appropriated or otherwise made available by*
19 *this Act may be used by the Government of the United*
20 *States to enter into a permanent basing rights agree-*
21 *ment between the United States and Iraq.*

22 (d) *JORDAN.—*

23 (1) *FUNDING LEVELS.—Of the funds appro-*
24 *priated by this Act under titles III and IV, not less*
25 *than \$1,275,000,000 shall be made available for as-*

1 *sistance for Jordan, of which not less than*
2 *\$204,000,000 shall be for budget support for the Gov-*
3 *ernment of Jordan and \$100,000,000 shall be for*
4 *water sector support: Provided, That such assistance*
5 *for water sector support shall be subject to prior con-*
6 *sultation with the Committees on Appropriations.*

7 (2) *RESPONSE TO THE SYRIAN CRISIS.—Funds*
8 *appropriated by this Act shall be made available for*
9 *programs to implement the Jordan Response Plan*
10 *2015 for the Syria Crisis, including assistance for*
11 *host communities in Jordan: Provided, That not later*
12 *than 180 days after enactment of this Act, the Sec-*
13 *retary of State shall submit a report to the Commit-*
14 *tees on Appropriations describing United States and*
15 *other donor contributions to such Plan.*

16 (e) *LEBANON.—*

17 (1) *LIMITATION.—None of the funds appro-*
18 *priated by this Act may be made available for the*
19 *Lebanese Internal Security Forces (ISF) or the Leba-*
20 *nese Armed Forces (LAF) if the ISF or the LAF is*
21 *controlled by a foreign terrorist organization, as des-*
22 *ignated pursuant to section 219 of the Immigration*
23 *and Nationality Act.*

24 (2) *CONSULTATION REQUIREMENT.—Funds ap-*
25 *propriated by this Act under the headings “Inter-*

1 *national Narcotics Control and Law Enforcement”*
2 *and “Foreign Military Financing Program” that are*
3 *available for assistance for Lebanon may be made*
4 *available for programs and equipment for the ISF*
5 *and the LAF to address security and stability re-*
6 *quirements in areas affected by the conflict in Syria,*
7 *following consultation with the appropriate congres-*
8 *sional committees.*

9 (3) *ECONOMIC SUPPORT FUND.—Funds appro-*
10 *priated by this Act under the heading “Economic*
11 *Support Fund” that are available for assistance for*
12 *Lebanon may be made available notwithstanding sec-*
13 *tion 1224 of the Foreign Relations Authorization Act,*
14 *Fiscal Year 2003 (Public Law 107–228; 22 U.S.C.*
15 *2346 note).*

16 (4) *FOREIGN MILITARY FINANCING PROGRAM.—*
17 *In addition to the activities described in paragraph*
18 *(2), funds appropriated by this Act under the heading*
19 *“Foreign Military Financing Program” for assistance*
20 *for Lebanon may be made available only to profes-*
21 *sionalize the LAF and to strengthen border security*
22 *and combat terrorism, including training and equip-*
23 *ping the LAF to secure Lebanon’s borders, inter-*
24 *dicting arms shipments, preventing the use of Leb-*
25 *anon as a safe haven for terrorist groups, and to im-*

1 *plement United Nations Security Council Resolution*
2 *1701: Provided, That funds may not be obligated for*
3 *assistance for the LAF until the Secretary of State*
4 *submits to the Committees on Appropriations a de-*
5 *tailed spend plan, including actions to be taken to en-*
6 *sure equipment provided to the LAF is only used for*
7 *the intended purposes, except such plan may not be*
8 *considered as meeting the notification requirements*
9 *under section 7015 of this Act or under section 634A*
10 *of the Foreign Assistance Act of 1961, and shall be*
11 *submitted not later than September 1, 2016: Provided*
12 *further, That any notification submitted pursuant to*
13 *such sections shall include any funds specifically in-*
14 *tended for lethal military equipment.*

15 *(f) LIBYA.—*

16 *(1) FUNDING.—Of the funds appropriated by ti-*
17 *ties III and IV of this Act, not less than \$20,000,000*
18 *shall be made available for assistance for Libya for*
19 *programs to strengthen governing institutions and*
20 *civil society, improve border security, and promote*
21 *democracy and stability in Libya, and for activities*
22 *to address the humanitarian needs of the people of*
23 *Libya.*

24 *(2) LIMITATIONS.—*

1 (A) *COOPERATION ON THE SEPTEMBER 2012*
2 *ATTACK ON UNITED STATES PERSONNEL AND FA-*
3 *CILITIES.—None of the funds appropriated by*
4 *this Act may be made available for assistance for*
5 *the central Government of Libya unless the Sec-*
6 *retary of State reports to the Committees on Ap-*
7 *propriations that such government is cooperating*
8 *with United States Government efforts to inves-*
9 *tigate and bring to justice those responsible for*
10 *the attack on United States personnel and facili-*
11 *ties in Benghazi, Libya in September 2012: Pro-*
12 *vided, That the limitation in this paragraph*
13 *shall not apply to funds made available for the*
14 *purpose of protecting United States Government*
15 *personnel or facilities.*

16 (B) *INFRASTRUCTURE PROJECTS.—The lim-*
17 *itation on the uses of funds in section 7041(f)(2)*
18 *of the Department of State, Foreign Operations,*
19 *and Related Programs Appropriations Act, 2014*
20 *(division K of Public Law 113–76) shall apply*
21 *to funds appropriated by this Act that are made*
22 *available for assistance for Libya.*

23 (3) *CERTIFICATION REQUIREMENT.—Prior to the*
24 *initial obligation of funds made available by this Act*
25 *for assistance for Libya, the Secretary of State shall*

1 *certify and report to the Committees on Appropria-*
2 *tions that all practicable steps have been taken to en-*
3 *sure that mechanisms are in place for monitoring,*
4 *oversight, and control of funds made available by this*
5 *subsection for assistance for Libya, including a de-*
6 *scription of the vetting procedures to be used for re-*
7 *cipients of assistance made available under title IV of*
8 *this Act.*

9 *(g) MOROCCO.—*

10 *(1) AVAILABILITY AND CONSULTATION REQUIRE-*
11 *MENT.—Funds appropriated under title III of this*
12 *Act shall be made available for assistance for the*
13 *Western Sahara: Provided, That not later than 90*
14 *days after enactment of this Act and prior to the obli-*
15 *gation of such funds the Secretary of State, in con-*
16 *sultation with the Administrator of the United States*
17 *Agency for International Development, shall consult*
18 *with the Committees on Appropriations on the pro-*
19 *posed uses of such funds.*

20 *(2) FOREIGN MILITARY FINANCING PROGRAM.—*
21 *Funds appropriated by this Act under the heading*
22 *“Foreign Military Financing Program” that are*
23 *available for assistance for Morocco may only be used*
24 *for the purposes requested in the Congressional Budg-*

1 *et Justification, Foreign Operations, Fiscal Year*
2 *2016.*

3 *(h) SYRIA.—*

4 *(1) NON-LETHAL ASSISTANCE.—Funds appro-*
5 *priated by this Act under the headings “Economic*
6 *Support Fund”, “International Narcotics Control and*
7 *Law Enforcement”, and “Peacekeeping Operations”*
8 *shall be made available, notwithstanding any other*
9 *provision of law except for this subsection, for non-le-*
10 *thal assistance for programs to address the needs of*
11 *civilians affected by conflict in Syria, and for pro-*
12 *grams that seek to—*

13 *(A) establish governance in Syria that is*
14 *representative, inclusive, and accountable;*

15 *(B) expand the role of women in negotia-*
16 *tions to end the violence and in any political*
17 *transition in Syria;*

18 *(C) develop and implement political proc-*
19 *esses that are democratic, transparent, and ad-*
20 *here to the rule of law;*

21 *(D) further the legitimacy of the Syrian op-*
22 *position through cross-border programs;*

23 *(E) develop civil society and an inde-*
24 *pendent media in Syria;*

1 (F) promote economic development in
2 Syria;

3 (G) document, investigate, and prosecute
4 human rights violations in Syria, including
5 through transitional justice programs and sup-
6 port for nongovernmental organizations;

7 (H) counter extremist ideologies;

8 (I) assist Syrian refugees whose education
9 has been interrupted by the ongoing conflict to
10 complete higher education requirements at re-
11 gional academic institutions; and

12 (J) assist vulnerable populations in Syria
13 and in neighboring countries.

14 (2) SYRIAN ORGANIZATIONS.—Funds appro-
15 priated by this Act that are made available for assist-
16 ance for Syria pursuant to the authority of this sub-
17 section shall be made available, on an open and com-
18 petitive basis, for a program to strengthen the capa-
19 bility of Syrian civil society organizations to address
20 the immediate and long-term needs of the Syrian peo-
21 ple inside Syria in a manner that supports the sus-
22 tainability of such organizations in implementing
23 Syrian-led humanitarian and development programs
24 and the comprehensive strategy required in section
25 7041(i)(3) of the Department of State, Foreign Oper-

1 *ations, and Related Programs Appropriations Act,*
2 *2014 (division K of Public Law 113–76).*

3 (3) *STRATEGY UPDATE.—Funds appropriated by*
4 *this Act that are made available for assistance for*
5 *Syria pursuant to the authority of this subsection*
6 *may only be made available after the Secretary of*
7 *State, in consultation with the heads of relevant*
8 *United States Government agencies, submits, in clas-*
9 *sified form if necessary, an update to the comprehen-*
10 *sive strategy required in section 7041(i)(3) of Public*
11 *Law 113–76.*

12 (4) *MONITORING AND OVERSIGHT.—Prior to the*
13 *obligation of funds appropriated by this Act and*
14 *made available for assistance for Syria, the Secretary*
15 *of State shall take all practicable steps to ensure that*
16 *mechanisms are in place for monitoring, oversight,*
17 *and control of such assistance inside Syria: Provided,*
18 *That the Secretary shall promptly inform the appro-*
19 *priate congressional committees of each significant in-*
20 *stance in which assistance provided pursuant to this*
21 *subsection has been compromised, to include the type*
22 *and amount of assistance affected, a description of the*
23 *incident and parties involved, and an explanation of*
24 *the response of the Department of State.*

1 (5) *CONSULTATION AND NOTIFICATION.*—*Funds*
2 *made available pursuant to this subsection may only*
3 *be made available following consultation with the ap-*
4 *propriate congressional committees, and shall be sub-*
5 *ject to the regular notification procedures of the Com-*
6 *mittees on Appropriations.*

7 (i) *TUNISIA.*—*Of the funds appropriated under titles*
8 *III and IV of this Act, not less than \$141,900,000 shall be*
9 *made available for assistance for Tunisia.*

10 (j) *WEST BANK AND GAZA.*—

11 (1) *REPORT ON ASSISTANCE.*—*Prior to the ini-*
12 *tial obligation of funds made available by this Act*
13 *under the heading “Economic Support Fund” for as-*
14 *sistance for the West Bank and Gaza, the Secretary*
15 *of State shall report to the Committees on Appropria-*
16 *tions that the purpose of such assistance is to—*

17 (A) *advance Middle East peace;*

18 (B) *improve security in the region;*

19 (C) *continue support for transparent and*
20 *accountable government institutions;*

21 (D) *promote a private sector economy; or*

22 (E) *address urgent humanitarian needs.*

23 (2) *LIMITATIONS.*—

24 (A)(i) *None of the funds appropriated under*
25 *the heading “Economic Support Fund” in this*

1 *Act may be made available for assistance for the*
2 *Palestinian Authority, if after the date of enact-*
3 *ment of this Act—*

4 *(I) the Palestinians obtain the same*
5 *standing as member states or full member-*
6 *ship as a state in the United Nations or*
7 *any specialized agency thereof outside an*
8 *agreement negotiated between Israel and the*
9 *Palestinians; or*

10 *(II) the Palestinians initiate an Inter-*
11 *national Criminal Court (ICC) judicially*
12 *authorized investigation, or actively support*
13 *such an investigation, that subjects Israeli*
14 *nationals to an investigation for alleged*
15 *crimes against Palestinians.*

16 *(ii) The Secretary of State may waive the*
17 *restriction in clause (i) of this subparagraph re-*
18 *sulting from the application of subclause (I) of*
19 *such clause if the Secretary certifies to the Com-*
20 *mittees on Appropriations that to do so is in the*
21 *national security interest of the United States,*
22 *and submits a report to such Committees detail-*
23 *ing how the waiver and the continuation of as-*
24 *sistance would assist in furthering Middle East*
25 *peace.*

1 *(B)(i) The President may waive the provi-*
2 *sions of section 1003 of the Foreign Relations*
3 *Authorization Act, Fiscal Years 1988 and 1989*
4 *(Public Law 100–204) if the President deter-*
5 *mines and certifies in writing to the Speaker of*
6 *the House of Representatives, the President pro*
7 *tempore of the Senate, and the appropriate con-*
8 *gressional committees that the Palestinians have*
9 *not, after the date of enactment of this Act—*

10 *(I) obtained in the United Nations or*
11 *any specialized agency thereof the same*
12 *standing as member states or full member-*
13 *ship as a state outside an agreement nego-*
14 *tiated between Israel and the Palestinians;*
15 *and*

16 *(II) taken any action with respect to*
17 *the ICC that is intended to influence a de-*
18 *termination by the ICC to initiate a judi-*
19 *cially authorized investigation, or to ac-*
20 *tively support such an investigation, that*
21 *subjects Israeli nationals to an investigation*
22 *for alleged crimes against Palestinians.*

23 *(ii) Not less than 90 days after the Presi-*
24 *dent is unable to make the certification pursuant*
25 *to clause (i) of this subparagraph, the President*

1 *may waive section 1003 of Public Law 100–204*
2 *if the President determines and certifies in writ-*
3 *ing to the Speaker of the House of Representa-*
4 *tives, the President pro tempore of the Senate,*
5 *and the Committees on Appropriations that the*
6 *Palestinians have entered into direct and mean-*
7 *ingful negotiations with Israel: Provided, That*
8 *any waiver of the provisions of section 1003 of*
9 *Public Law 100–204 under clause (i) of this sub-*
10 *paragraph or under previous provisions of law*
11 *must expire before the waiver under the pre-*
12 *ceding sentence may be exercised.*

13 *(iii) Any waiver pursuant to this subpara-*
14 *graph shall be effective for no more than a period*
15 *of 6 months at a time and shall not apply be-*
16 *yond 12 months after the enactment of this Act.*

17 (3) *REDUCTION.*—*The Secretary of State shall*
18 *reduce the amount of assistance made available by*
19 *this Act under the heading “Economic Support*
20 *Fund” for the Palestinian Authority by an amount*
21 *the Secretary determines is equivalent to the amount*
22 *expended by the Palestinian Authority as payments*
23 *for acts of terrorism by individuals who are impris-*
24 *oned after being fairly tried and convicted for acts of*
25 *terrorism and by individuals who died committing*

1 *inter-faith dialogue at the national and local levels, and*
2 *for programs to prevent crimes against humanity.*

3 (c) *COUNTERTERRORISM PROGRAMS.—Of the funds*
4 *appropriated by this Act, not less than \$69,821,000 should*
5 *be made available for the Trans-Sahara Counter-terrorism*
6 *Partnership program, and not less than \$24,150,000 should*
7 *be made available for the Partnership for Regional East*
8 *Africa Counterterrorism program.*

9 (d) *ETHIOPIA.—*

10 (1) *FORCED EVICTIONS.—*

11 (A) *Funds appropriated by this Act for as-*
12 *sistance for Ethiopia may not be made available*
13 *for any activity that supports forced evictions.*

14 (B) *The Secretary of the Treasury shall in-*
15 *struct the United States executive director of*
16 *each international financial institution to vote*
17 *against financing for any activity that supports*
18 *forced evictions in Ethiopia.*

19 (2) *CONSULTATION REQUIREMENT.—Programs*
20 *and activities to improve livelihoods shall include*
21 *prior consultation with, and the participation of, af-*
22 *ected communities, including in the South Omo and*
23 *Gambella regions.*

24 (3) *FOREIGN MILITARY FINANCING PROGRAM.—*
25 *Funds appropriated by this Act under the heading*

1 *“Foreign Military Financing Program” for assistance*
2 *for Ethiopia may only be made available for border*
3 *security and counterterrorism programs, support for*
4 *international peacekeeping efforts, and assistance for*
5 *the Ethiopian Defense Command and Staff College.*

6 (e) *LAKE CHAD BASIN COUNTRIES.—Funds appro-*
7 *priated by this Act shall be made available for democracy*
8 *and other development programs in Cameroon, Chad,*
9 *Niger, and Nigeria, following consultation with the Com-*
10 *mittees on Appropriations: Provided, That such democracy*
11 *programs should protect freedoms of expression, association*
12 *and religion, including for journalists, civil society, and op-*
13 *position political parties, and should be used to assist the*
14 *governments of such countries to strengthen accountability*
15 *and the rule of law, including within the security forces.*

16 (f) *LORD’S RESISTANCE ARMY.—Funds appropriated*
17 *by this Act shall be made available for programs and activi-*
18 *ties in areas affected by the Lord’s Resistance Army (LRA)*
19 *consistent with the goals of the Lord’s Resistance Army Dis-*
20 *armament and Northern Uganda Recovery Act (Public Law*
21 *111–172), including to improve physical access, tele-*
22 *communications infrastructure, and early-warning mecha-*
23 *nisms and to support the disarmament, demobilization, and*
24 *reintegration of former LRA combatants, especially child*
25 *soldiers.*

1 (g) *POWER AFRICA INITIATIVE.*—Funds appropriated
2 by this Act that are made available for the Power Africa
3 initiative shall be subject to the regular notification proce-
4 dures of the Committees on Appropriations.

5 (h) *PROGRAMS IN AFRICA.*—

6 (1) Of the funds appropriated by this Act under
7 the headings “Global Health Programs” and “Eco-
8 nomic Support Fund”, not less than \$7,000,000 shall
9 be made available for the purposes of section
10 7042(g)(1) of the Department of State, Foreign Oper-
11 ations, and Related Programs Appropriations Act,
12 2014 (division K of Public Law 113–76).

13 (2) Of the funds appropriated by this Act under
14 the headings “Economic Support Fund” and “Inter-
15 national Narcotics Control and Law Enforcement”,
16 not less than \$8,000,000 shall be made available for
17 the purposes of section 7042(g)(2) of the Department
18 of State, Foreign Operations, and Related Programs
19 Appropriations Act, 2014 (division K of Public Law
20 113–76).

21 (3) Funds made available under paragraphs (1)
22 and (2) shall be programmed in a manner that
23 leverages a United States Government-wide approach
24 to addressing shared challenges and mutually bene-
25 ficial opportunities, and shall be the responsibility of

1 *United States Chiefs of Mission in countries in Africa*
2 *seeking enhanced partnerships with the United States*
3 *in areas of trade, investment, development, health,*
4 *and security.*

5 *(i) SOUTH SUDAN.—*

6 *(1) Funds appropriated by this Act that are*
7 *made available for assistance for South Sudan*
8 *should—*

9 *(A) be prioritized for programs that respond*
10 *to humanitarian needs and the delivery of basic*
11 *services and to mitigate conflict and promote*
12 *stability, including to address protection needs*
13 *and prevent and respond to gender-based vio-*
14 *lence;*

15 *(B) support programs that build resilience*
16 *of communities to address food insecurity, main-*
17 *tain educational opportunities, and enhance*
18 *local governance;*

19 *(C) be used to advance democracy, includ-*
20 *ing support for civil society, independent media,*
21 *and other means to strengthen the rule of law;*

22 *(D) support the transparent and sustain-*
23 *able management of natural resources by assist-*
24 *ing the Government of South Sudan in con-*
25 *ducting regular audits of financial accounts, in-*

1 *cluding revenues from oil and gas, and the time-*
2 *ly public disclosure of such audits; and*

3 *(E) support the professionalization of secu-*
4 *rity forces, including human rights and account-*
5 *ability to civilian authorities.*

6 *(2) None of the funds appropriated by this Act*
7 *that are available for assistance for the central Gov-*
8 *ernment of South Sudan may be made available until*
9 *the Secretary of State certifies and reports to the*
10 *Committees on Appropriations that such government*
11 *is taking effective steps to—*

12 *(A) end hostilities and pursue good faith ne-*
13 *gotiations for a political settlement of the inter-*
14 *nal conflict;*

15 *(B) provide access for humanitarian orga-*
16 *nizations;*

17 *(C) end the recruitment and use of child sol-*
18 *diers;*

19 *(D) protect freedoms of expression, associa-*
20 *tion, and assembly;*

21 *(E) reduce corruption related to the extrac-*
22 *tion and sale of oil and gas; and*

23 *(F) establish democratic institutions, in-*
24 *cluding accountable military and police forces*
25 *under civilian authority.*

1 (3) *The limitation of paragraph (2) shall not*
2 *apply to—*

3 (A) *humanitarian assistance;*

4 (B) *assistance to support South Sudan*
5 *peace negotiations or to advance or implement a*
6 *peace agreement; and*

7 (C) *assistance to support implementation of*
8 *outstanding issues of the Comprehensive Peace*
9 *Agreement (CPA) and mutual arrangements re-*
10 *lated to the CPA.*

11 (j) *SUDAN.—*

12 (1) *Notwithstanding any other provision of law,*
13 *none of the funds appropriated by this Act may be*
14 *made available for assistance for the Government of*
15 *Sudan.*

16 (2) *None of the funds appropriated by this Act*
17 *may be made available for the cost, as defined in sec-*
18 *tion 502 of the Congressional Budget Act of 1974, of*
19 *modifying loans and loan guarantees held by the Gov-*
20 *ernment of Sudan, including the cost of selling, reduc-*
21 *ing, or canceling amounts owed to the United States,*
22 *and modifying concessional loans, guarantees, and*
23 *credit agreements.*

24 (3) *The limitations of paragraphs (1) and (2)*
25 *shall not apply to—*

1 (A) *humanitarian assistance;*

2 (B) *assistance for democracy programs;*

3 (C) *assistance for the Darfur region, South-*
4 *ern Kordofan State, Blue Nile State, other*
5 *marginalized areas and populations in Sudan,*
6 *and Abyei; and*

7 (D) *assistance to support implementation of*
8 *outstanding issues of the Comprehensive Peace*
9 *Agreement (CPA), mutual arrangements related*
10 *to post-referendum issues associated with the*
11 *CPA, or any other internationally recognized*
12 *viable peace agreement in Sudan.*

13 (k) *ZIMBABWE.—*

14 (1) *The Secretary of the Treasury shall instruct*
15 *the United States executive director of each inter-*
16 *national financial institution to vote against any ex-*
17 *ension by the respective institution of any loan or*
18 *grant to the Government of Zimbabwe, except to meet*
19 *basic human needs or to promote democracy, unless*
20 *the Secretary of State certifies and reports to the*
21 *Committees on Appropriations that the rule of law*
22 *has been restored, including respect for ownership and*
23 *title to property, and freedoms of expression, associa-*
24 *tion, and assembly.*

1 (2) *None of the funds appropriated by this Act*
2 *shall be made available for assistance for the central*
3 *Government of Zimbabwe, except for health and edu-*
4 *cation, unless the Secretary of State certifies and re-*
5 *ports as required in paragraph (1), and funds may*
6 *be made available for macroeconomic growth assist-*
7 *ance if the Secretary reports to the Committees on*
8 *Appropriations that such government is imple-*
9 *menting transparent fiscal policies, including public*
10 *disclosure of revenues from the extraction of natural*
11 *resources.*

12 *EAST ASIA AND THE PACIFIC*

13 *SEC. 7043. (a) ASIA REBALANCING INITIATIVE.—Ex-*
14 *cept for paragraphs (1)(C), (4), (5)(B) and (C), and 6(B),*
15 *section 7043(a) of the Department of State, Foreign Oper-*
16 *ations, and Related Programs Appropriations Act, 2015*
17 *(division J of Public Law 113–235) shall continue in effect*
18 *during fiscal year 2016 as if part of this Act: Provided,*
19 *That section 7043(a)(8) of such Act shall be applied to*
20 *funds appropriated by this Act by adding “East Asia,” be-*
21 *fore “South East Asia”.*

22 *(b) BURMA.—*

23 *(1) BILATERAL ECONOMIC ASSISTANCE.—*

24 *(A) Funds appropriated by this Act under*
25 *the heading “Economic Support Fund” for as-*

1 *sistance for Burma may be made available not-*
2 *withstanding any other provision of law, except*
3 *for this subsection, and following consultation*
4 *with the appropriate congressional committees.*

5 *(B) Funds appropriated under title III of*
6 *this Act for assistance for Burma—*

7 *(i) may not be made available for*
8 *budget support for the Government of*
9 *Burma;*

10 *(ii) shall be made available to strength-*
11 *en civil society organizations in Burma, in-*
12 *cluding as core support for such organiza-*
13 *tions;*

14 *(iii) shall be made available for the*
15 *implementation of the democracy and*
16 *human rights strategy required by section*
17 *7043(b)(3)(A) of the Department of State,*
18 *Foreign Operations, and Related Programs*
19 *Appropriations Act, 2014 (division K of*
20 *Public Law 113–76);*

21 *(iv) shall be made available for com-*
22 *munity-based organizations operating in*
23 *Thailand to provide food, medical, and*
24 *other humanitarian assistance to internally*
25 *displaced persons in eastern Burma, in ad-*

1 *dition to assistance for Burmese refugees*
2 *from funds appropriated by this Act under*
3 *the heading “Migration and Refugee Assist-*
4 *ance”;*

5 *(v) shall be made available for pro-*
6 *grams to promote ethnic and religious toler-*
7 *ance, including in Rakhine and Kachin*
8 *states;*

9 *(vi) may not be made available to any*
10 *successor or affiliated organization of the*
11 *State Peace and Development Council*
12 *(SPDC) controlled by former SPDC mem-*
13 *bers that promotes the repressive policies of*
14 *the SPDC, or to any individual or organi-*
15 *zation credibly alleged to have committed*
16 *gross violations of human rights, including*
17 *against Rohingya and other minority*
18 *groups;*

19 *(vii) may be made available for pro-*
20 *grams administered by the Office of Transi-*
21 *tion Initiatives, United States Agency for*
22 *International Development (USAID), for*
23 *ethnic groups and civil society in Burma to*
24 *help sustain ceasefire agreements and fur-*
25 *ther prospects for reconciliation and peace,*

1 *which may include support to representa-*
2 *tives of ethnic armed groups for this pur-*
3 *pose; and*

4 *(viii) may not be made available to*
5 *any organization or individual the Sec-*
6 *retary of State determines and reports to*
7 *the appropriate congressional committees*
8 *advocates violence against ethnic or reli-*
9 *gious groups and individuals in Burma, in-*
10 *cluding such organizations as Ma Ba Tha.*

11 (2) *INTERNATIONAL SECURITY ASSISTANCE.—*

12 *None of the funds appropriated by this Act under the*
13 *headings “International Military Education and*
14 *Training” and “Foreign Military Financing Pro-*
15 *gram” may be made available for assistance for*
16 *Burma: Provided, That the Department of State may*
17 *continue consultations with the armed forces of*
18 *Burma only on human rights and disaster response*
19 *in a manner consistent with the prior fiscal year, and*
20 *following consultation with the appropriate congres-*
21 *sional committees.*

22 (3) *MULTILATERAL ASSISTANCE.—The Secretary*

23 *of the Treasury should instruct the United States ex-*
24 *ecutive director of each international financial insti-*

1 *tution to use the voice and vote of the United States*
2 *to support projects in Burma only if such projects—*

3 *(A) promote accountability and trans-*
4 *parency, including on-site monitoring through-*
5 *out the life of the project;*

6 *(B) are developed and carried out in ac-*
7 *cordance with best practices regarding environ-*
8 *mental conservation; social and cultural protec-*
9 *tion and empowerment of local populations, par-*
10 *ticularly ethnic nationalities; and extraction of*
11 *resources;*

12 *(C) do not promote the displacement of local*
13 *populations without appropriate consultation,*
14 *harm mitigation and compensation, and do not*
15 *provide incentives for, or facilitate, the forced*
16 *migration of indigenous communities; and*

17 *(D) do not partner with or otherwise in-*
18 *volve military-owned enterprises or state-owned*
19 *enterprises associated with the military.*

20 *(4) ASSESSMENT.—Not later than 180 days after*
21 *enactment of this Act, the Comptroller General of the*
22 *United States shall initiate an assessment of democ-*
23 *racy programs in Burma conducted by the Depart-*
24 *ment of State and USAID, including the strategy for*
25 *such programs, and programmatic implementation*

1 *and results: Provided, That of the funds appropriated*
2 *by this Act and made available for assistance for*
3 *Burma, up to \$100,000 shall be made available to the*
4 *Comptroller for such assessment.*

5 (5) *PROGRAMS, POSITION, AND RESPONSIBIL-*
6 *ITIES.—*

7 (A) *Any new program or activity in Burma*
8 *initiated in fiscal year 2016 shall be subject to*
9 *prior consultation with the appropriate congress-*
10 *sional committees.*

11 (B) *Section 7043(b)(7) of the Department of*
12 *State, Foreign Operations, and Related Pro-*
13 *grams Appropriations Act, 2015 (division J of*
14 *Public Law 113–235) shall continue in effect*
15 *during fiscal year 2016 as if part of this Act.*

16 (C) *The United States Chief of Mission in*
17 *Burma, in consultation with the Assistant Sec-*
18 *retary for the Bureau of Democracy, Human*
19 *Rights, and Labor, Department of State, shall be*
20 *responsible for democracy programs in Burma.*

21 (c) *CAMBODIA.—*

22 (1) *KHMER ROUGE TRIBUNAL.—Of the funds ap-*
23 *propriated by this Act that are made available for as-*
24 *sistance for Cambodia, up to \$2,000,000 may be made*
25 *available for a contribution to the Extraordinary*

1 *Chambers in the Court of Cambodia (ECCC), in a*
2 *manner consistent with prior fiscal years, except that*
3 *such funds may only be made available for a con-*
4 *tribution to the appeals process in Case 002/01.*

5 (2) *RESEARCH AND EDUCATION.*—*Funds made*
6 *available by this Act for democracy programs in*
7 *Cambodia shall be made available for research and*
8 *education programs associated with the Khmer Rouge*
9 *genocide in Cambodia.*

10 (3) *REIMBURSEMENTS.*—*The Secretary of State*
11 *shall continue to consult with the Principal Donors*
12 *Group on reimbursements to the Documentation Cen-*
13 *ter of Cambodia for costs incurred in support of the*
14 *ECCC.*

15 (d) *NORTH KOREA.*—

16 (1) *BROADCASTS.*—*Funds appropriated by this*
17 *Act under the heading “International Broadcasting*
18 *Operations” shall be made available to maintain*
19 *broadcasts into North Korea at levels consistent with*
20 *the prior fiscal year.*

21 (2) *REFUGEES.*—*Funds appropriated by this*
22 *Act under the heading “Migration and Refugee Assist-*
23 *ance” shall be made available for assistance for refu-*
24 *gees from North Korea, including protection activities*

1 *in the People’s Republic of China and other countries*
2 *in the Asia region.*

3 (3) *DATABASE AND REPORT.—Funds appro-*
4 *propriated by this Act under title III shall be made*
5 *available to maintain a database of prisons and*
6 *gulags in North Korea, in accordance with section*
7 *7032(i) of the Department of State, Foreign Oper-*
8 *ations, and Related Programs Appropriations Act,*
9 *2014 (division K of Public Law 113–76): Provided,*
10 *That not later than 30 days after enactment of this*
11 *Act, the Secretary of State shall submit a report to*
12 *the Committees on Appropriations describing the*
13 *sources of information and format of such database.*

14 (4) *LIMITATION ON USE OF FUNDS.—None of the*
15 *funds made available by this Act under the heading*
16 *“Economic Support Fund” may be made available*
17 *for assistance for the Government of North Korea.*

18 (e) *PEOPLE’S REPUBLIC OF CHINA.—*

19 (1) *LIMITATION ON USE OF FUNDS.—None of the*
20 *funds appropriated under the heading “Diplomatic*
21 *and Consular Programs” in this Act may be obligated*
22 *or expended for processing licenses for the export of*
23 *satellites of United States origin (including commer-*
24 *cial satellites and satellite components) to the People’s*
25 *Republic of China (PRC) unless, at least 15 days in*

1 *advance, the Committees on Appropriations are noti-*
2 *fied of such proposed action.*

3 (2) *PEOPLE'S LIBERATION ARMY.—The terms*
4 *and requirements of section 620(h) of the Foreign As-*
5 *istance Act of 1961 shall apply to foreign assistance*
6 *projects or activities of the People's Liberation Army*
7 *(PLA) of the PRC, to include such projects or activi-*
8 *ties by any entity that is owned or controlled by, or*
9 *an affiliate of, the PLA: Provided, That none of the*
10 *funds appropriated or otherwise made available pur-*
11 *suant to this Act may be used to finance any grant,*
12 *contract, or cooperative agreement with the PLA, or*
13 *any entity that the Secretary of State has reason to*
14 *believe is owned or controlled by, or an affiliate of,*
15 *the PLA.*

16 (3) *COUNTER INFLUENCE PROGRAMS.—Funds*
17 *appropriated by this Act for public diplomacy under*
18 *title I and for assistance under titles III and IV shall*
19 *be made available to counter the influence of the PRC,*
20 *in accordance with the strategy required by section*
21 *7043(e)(3) of the Department of State, Foreign Oper-*
22 *ations, and Related Programs Appropriations Act,*
23 *2014 (division K of Public Law 113–76), following*
24 *consultation with the Committees on Appropriations.*

1 (4) *COST-MATCHING REQUIREMENT.*—Section
2 7032(f) 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 2016 as if part of
6 this Act.

7 (f) *TIBET.*—

8 (1) *FINANCING OF PROJECTS IN TIBET.*—The
9 Secretary of the Treasury should instruct the United
10 States executive director of each international finan-
11 cial institution to use the voice and vote of the United
12 States to support financing of projects in Tibet if
13 such projects do not provide incentives for the migra-
14 tion and settlement of non-Tibetans into Tibet or fa-
15 cilitate the transfer of ownership of Tibetan land and
16 natural resources to non-Tibetans, are based on a
17 thorough needs-assessment, foster self-sufficiency of the
18 Tibetan people and respect Tibetan culture and tradi-
19 tions, and are subject to effective monitoring.

20 (2) *PROGRAMS FOR TIBETAN COMMUNITIES.*—

21 (A) Notwithstanding any other provision of
22 law, funds appropriated by this Act under the
23 heading “Economic Support Fund” shall be
24 made available to nongovernmental organiza-
25 tions to support activities which preserve cul-

1 *tural traditions and promote sustainable devel-*
2 *opment, education, and environmental conserva-*
3 *tion in Tibetan communities in the Tibetan Au-*
4 *tonomous Region and in other Tibetan commu-*
5 *nities in China.*

6 *(B) Funds appropriated by this Act under*
7 *the heading “Economic Support Fund” shall be*
8 *made available for programs to promote and*
9 *preserve Tibetan culture, development, and the*
10 *resilience of Tibetan communities in India and*
11 *Nepal, and to assist in the education and devel-*
12 *opment of the next generation of Tibetan leaders*
13 *from such communities: Provided, That such*
14 *funds are in addition to amounts made available*
15 *in subparagraph (A) for programs inside Tibet.*

16 *(g) VIETNAM.—*

17 *(1) DIOXIN REMEDIATION.—Funds appropriated*
18 *by this Act under the heading “Economic Support*
19 *Fund” shall be made available for remediation of*
20 *dioxin contaminated sites in Vietnam and may be*
21 *made available for assistance for the Government of*
22 *Vietnam, including the military, for such purposes.*

23 *(2) HEALTH AND DISABILITY PROGRAMS.—*
24 *Funds appropriated by this Act under the heading*
25 *“Development Assistance” shall be made available for*

1 *health and disability programs in areas sprayed with*
2 *Agent Orange and otherwise contaminated with*
3 *dioxin, to assist individuals with severe upper or*
4 *lower body mobility impairment and/or cognitive or*
5 *developmental disabilities.*

6 *SOUTH AND CENTRAL ASIA*

7 *SEC. 7044. (a) AFGHANISTAN.—*

8 *(1) DIPLOMATIC OPERATIONS.—*

9 *(A) FACILITIES.—Funds appropriated by*
10 *this Act under the headings “Diplomatic and*
11 *Consular Programs”, “Embassy Security, Con-*
12 *struction, and Maintenance”, and “Operating*
13 *Expenses” that are available for construction*
14 *and renovation of United States Government fa-*
15 *cilities in Afghanistan may not be made avail-*
16 *able if the purpose is to accommodate Federal*
17 *employee positions or to expand aviation facili-*
18 *ties or assets above those notified by the Depart-*
19 *ment of State and the United States Agency for*
20 *International Development (USAID) to the Com-*
21 *mittees on Appropriations, or contractors in ad-*
22 *dition to those in place on the date of enactment*
23 *of this Act: Provided, That the limitations in*
24 *this paragraph shall not apply if funds are nec-*
25 *essary to implement plans for accommodating*

1 *other United States Government agencies under*
2 *Chief of Mission authority per section 3927 of*
3 *title 22, United States Code, or to protect such*
4 *facilities or the security, health, and welfare of*
5 *United States Government personnel.*

6 *(B) PERSONNEL REPORT.—Not later than*
7 *30 days after enactment of this Act and every*
8 *120 days thereafter until September 30, 2016,*
9 *the Secretary of State shall submit a report, in*
10 *classified form if necessary, to the appropriate*
11 *congressional committees detailing by agency the*
12 *number of personnel present in Afghanistan*
13 *under Chief of Mission authority per section*
14 *3927 of title 22, United States Code, at the end*
15 *of the 120 day period preceding the submission*
16 *of such report: Provided, That such report shall*
17 *also include the number of locally employed staff*
18 *and contractors supporting United States Em-*
19 *bassy operations in Afghanistan during the re-*
20 *porting period.*

21 *(2) ASSISTANCE AND CONDITIONS.—*

22 *(A) FUNDING AND LIMITATIONS.—Funds*
23 *appropriated by this Act under the headings*
24 *“Economic Support Fund” and “International*
25 *Narcotics Control and Law Enforcement” may*

1 *be made available for assistance for Afghanistan:*
2 *Provided, That such funds may not be obligated*
3 *for any project or activity that—*

4 *(i) includes the participation of any*
5 *Afghan individual or organization that the*
6 *Secretary of State determines to be involved*
7 *in corrupt practices or a violation of*
8 *human rights;*

9 *(ii) cannot be sustained, as appro-*
10 *priate, by the Government of Afghanistan or*
11 *another Afghan entity;*

12 *(iii) is inaccessible for the purposes of*
13 *conducting regular oversight in accordance*
14 *with applicable Federal statutes and regula-*
15 *tions; or*

16 *(iv) initiates any new, major infra-*
17 *structure development.*

18 *(B) CERTIFICATION AND REPORT.—Prior to*
19 *the initial obligation of funds made available by*
20 *this Act under the headings “Economic Support*
21 *Fund” and “International Narcotics Control and*
22 *Law Enforcement” for assistance for the central*
23 *Government of Afghanistan, the Secretary of*
24 *State shall certify and report to the Committees*

1 *on Appropriations, after consultation with the*
2 *Government of Afghanistan, that—*

3 *(i) goals and benchmarks for the spe-*
4 *cific uses of such funds have been established*
5 *by the Governments of the United States*
6 *and Afghanistan;*

7 *(ii) conditions are in place that in-*
8 *crease the transparency and accountability*
9 *of the Government of Afghanistan for funds*
10 *obligated under the New Development Part-*
11 *nership;*

12 *(iii) the Government of Afghanistan is*
13 *continuing to implement laws and policies*
14 *to govern democratically and protect the*
15 *rights of individuals and civil society, in-*
16 *cluding taking consistent steps to protect*
17 *and advance the rights of women and girls*
18 *in Afghanistan;*

19 *(iv) the Government of Afghanistan is*
20 *reducing corruption and prosecuting indi-*
21 *viduals alleged to be involved in illegal ac-*
22 *tivities in Afghanistan;*

23 *(v) monitoring and oversight frame-*
24 *works for programs implemented with such*
25 *funds are in accordance with all applicable*

1 *audit policies of the Department of State*
2 *and USAID;*

3 *(vi) the necessary policies and proce-*
4 *dures are in place to ensure Government of*
5 *Afghanistan compliance with section 7013*
6 *of this Act; and*

7 *(vii) the Government of Afghanistan*
8 *has established processes for the public re-*
9 *porting of its national budget, including*
10 *revenues and expenditures.*

11 (C) *WAIVER.*—*The Secretary of State, after*
12 *consultation with the Secretary of Defense, may*
13 *waive the certification requirement of subpara-*
14 *graph (B) if the Secretary determines that to do*
15 *so is important to the national security interest*
16 *of the United States and the Secretary submits*
17 *a report to the Committees on Appropriations,*
18 *in classified form if necessary, on the justifica-*
19 *tion for the waiver and the reasons why any*
20 *part of the certification requirement of subpara-*
21 *graph (B) has not been met.*

22 (D) *PROGRAMS.*—*Funds appropriated by*
23 *this Act that are made available for assistance*
24 *for Afghanistan shall be made available in the*
25 *following manner—*

1 (i) not less than \$50,000,000 shall be
2 made available for rule of law programs,
3 the decisions for which shall be the responsi-
4 bility of the Chief of Mission, in consulta-
5 tion with other appropriate United States
6 Government officials in Afghanistan;

7 (ii) for programs that protect the
8 rights of women and girls and promote the
9 political and economic empowerment of
10 women, including their meaningful inclu-
11 sion in political processes: Provided, That
12 such assistance to promote economic em-
13 powerment of women shall be made avail-
14 able as grants to Afghan and international
15 organizations, to the maximum extent prac-
16 ticable;

17 (iii) for programs in South and Cen-
18 tral Asia to expand linkages between Af-
19 ghanistan and countries in the region, sub-
20 ject to the regular notification procedures of
21 the Committees on Appropriations; and

22 (iv) to assist the Government of Af-
23 ghanistan to increase revenue collection and
24 expenditure.

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 clause (2)(B)(i): Provided, That*
6 *not later than 6 months after the submission of such*
7 *report and every 6 months thereafter until September*
8 *30, 2017, the Secretary of State shall submit a report*
9 *to such committees on the status of achieving such*
10 *goals and benchmarks: Provided further, That the*
11 *Secretary of State should suspend assistance for the*
12 *Government of Afghanistan if any report required by*
13 *this paragraph indicates that such government is fail-*
14 *ing 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 2016 as if part of this Act.

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.

1 (b) *BANGLADESH.—Funds appropriated by this Act*
2 *under the heading “Development Assistance” that are made*
3 *available for assistance for Bangladesh shall be made avail-*
4 *able for programs to protect due process of law, and to im-*
5 *prove labor conditions by strengthening the capacity of*
6 *independent workers’ organizations in Bangladesh’s ready-*
7 *made garment, shrimp, and fish export sectors.*

8 (c) *NEPAL.—*

9 (1) *BILATERAL ECONOMIC ASSISTANCE.—Funds*
10 *appropriated by this Act shall be made available for*
11 *assistance for Nepal for earthquake recovery and re-*
12 *construction programs: Provided, That such amounts*
13 *shall be in addition to funds made available by this*
14 *Act for development and democracy programs in*
15 *Nepal: Provided further, That funds made available*
16 *for earthquake recovery and reconstruction programs*
17 *should—*

18 (A) *target affected communities on an equi-*
19 *table basis; and*

20 (B) *include sufficient oversight mechanisms,*
21 *to include the participation of civil society orga-*
22 *nizations.*

23 (2) *FOREIGN MILITARY FINANCING PROGRAM.—*
24 *Funds appropriated by this Act under the heading*
25 *“Foreign Military Financing Program” shall only be*

1 *made available for humanitarian and disaster relief*
2 *and reconstruction activities in Nepal, and in sup-*
3 *port of international peacekeeping operations: Pro-*
4 *vided, That such funds may only be made available*
5 *for any additional uses if the Secretary of State cer-*
6 *tifies and reports to the Committees on Appropria-*
7 *tions that the Government of Nepal is investigating*
8 *and prosecuting violations of human rights and the*
9 *law of war, and the Nepal Army is cooperating fully*
10 *with civilian judicial authorities on such efforts.*

11 *(d) PAKISTAN.—*

12 *(1) CERTIFICATION REQUIREMENT.—None of the*
13 *funds appropriated or otherwise made available by*
14 *this Act under the headings “Economic Support*
15 *Fund”, “International Narcotics Control and Law*
16 *Enforcement”, and “Foreign Military Financing Pro-*
17 *gram” for assistance for the Government of Pakistan*
18 *may be made available unless the Secretary of State*
19 *certifies and reports to the Committees on Appropria-*
20 *tions that the Government of Pakistan is—*

21 *(A) cooperating with the United States in*
22 *counterterrorism efforts against the Haqqani*
23 *Network, the Quetta Shura Taliban, Lashkar e-*
24 *Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and*
25 *other domestic and foreign terrorist organiza-*

1 *tions, including taking effective steps to end sup-*
2 *port for such groups and prevent them from bas-*
3 *ing and operating in Pakistan and carrying out*
4 *cross border attacks into neighboring countries;*

5 *(B) not supporting terrorist activities*
6 *against United States or coalition forces in Af-*
7 *ghanistan, and Pakistan's military and intel-*
8 *ligence agencies are not intervening extra-judi-*
9 *cially into political and judicial processes in*
10 *Pakistan;*

11 *(C) dismantling improvised explosive device*
12 *(IED) networks and interdicting precursor*
13 *chemicals used in the manufacture of IEDs;*

14 *(D) preventing the proliferation of nuclear-*
15 *related material and expertise;*

16 *(E) issuing visas in a timely manner for*
17 *United States visitors engaged in counterter-*
18 *rорism efforts and assistance programs in Paki-*
19 *stan; and*

20 *(F) providing humanitarian organizations*
21 *access to detainees, internally displaced persons,*
22 *and other Pakistani civilians affected by the con-*
23 *flict.*

24 *(2) WAIVER.—The Secretary of State, after con-*
25 *sultation with the Secretary of Defense, may waive*

1 *the certification requirement of paragraph (1) if the*
2 *Secretary of State determines that to do so is impor-*
3 *tant to the national security interest of the United*
4 *States and the Secretary submits a report to the Com-*
5 *mittees on Appropriations, in classified form if nec-*
6 *essary, on the justification for the waiver and the rea-*
7 *sons why any part of the certification requirement of*
8 *paragraph (1) has not been met.*

9 (3) ASSISTANCE.—

10 (A) *Funds appropriated by this Act under*
11 *the heading “Foreign Military Financing Pro-*
12 *gram” for assistance for Pakistan may be made*
13 *available only to support counterterrorism and*
14 *counterinsurgency capabilities in Pakistan.*

15 (B) *Funds appropriated by this Act under*
16 *the headings “Economic Support Fund” and*
17 *“Nonproliferation, Anti-terrorism, Demining*
18 *and Related Programs” that are available for as-*
19 *sistance for Pakistan shall be made available to*
20 *interdict precursor materials from Pakistan to*
21 *Afghanistan that are used to manufacture IEDs,*
22 *including calcium ammonium nitrate; to sup-*
23 *port programs to train border and customs offi-*
24 *cial in Pakistan and Afghanistan; and for agri-*

1 *cultural extension programs that encourage al-*
2 *ternative fertilizer use among Pakistani farmers.*

3 *(C) Funds appropriated by this Act under*
4 *the heading “Economic Support Fund” that are*
5 *made available for assistance for infrastructure*
6 *projects in Pakistan shall be implemented in a*
7 *manner consistent with section 507(6) of the*
8 *Trade Act of 1974 (19 U.S.C. 2467(6)).*

9 *(D) Funds appropriated by this Act under*
10 *titles III and IV for assistance for Pakistan may*
11 *be made available notwithstanding any other*
12 *provision of law, except for this subsection and*
13 *section 620M of the Foreign Assistance Act of*
14 *1961.*

15 *(E) Of the funds appropriated under title*
16 *III of this Act that are made available for assist-*
17 *ance for Pakistan, \$33,000,000 shall be withheld*
18 *from obligation until the Secretary of State re-*
19 *ports to the Committees on Appropriations that*
20 *Dr. Shakil Afridi has been released from prison*
21 *and cleared of all charges relating to the assist-*
22 *ance provided to the United States in locating*
23 *Osama bin Laden.*

24 *(4) SCHOLARSHIPS FOR WOMEN.—The authority*
25 *and directives of section 7044(d)(4) of the Department*

1 *of State, Foreign Operations, and Related Programs*
2 *Appropriations Act, 2015 (division J of Public Law*
3 *113–235) shall apply to funds appropriated by this*
4 *Act that are made available for assistance for Paki-*
5 *stan.*

6 (5) *REPORTS.*—

7 (A)(i) *The spend plan required by section*
8 *7076 of this Act for assistance for Pakistan shall*
9 *include achievable and sustainable goals, bench-*
10 *marks for measuring progress, and expected re-*
11 *sults regarding combating poverty and fur-*
12 *thering development in Pakistan, countering ter-*
13 *rorism and extremism, and establishing condi-*
14 *tions conducive to the rule of law and trans-*
15 *parent and accountable governance: Provided,*
16 *That such benchmarks may incorporate those re-*
17 *quired in title III of the Enhanced Partnership*
18 *with Pakistan Act of 2009 (22 U.S.C. 8441 et*
19 *seq.), as appropriate: Provided further, That not*
20 *later than 6 months after submission of such*
21 *spend plan, and each 6 months thereafter until*
22 *September 30, 2017, the Secretary of State shall*
23 *submit a report to the Committees on Appro-*
24 *priations on the status of achieving the goals and*
25 *benchmarks in such plan.*

1 (ii) *The Secretary of State should suspend*
2 *assistance for the Government of Pakistan if any*
3 *report required by clause (i) indicates that Paki-*
4 *stan is failing to make measurable progress in*
5 *meeting such goals or benchmarks.*

6 (B) *Not later than 90 days after enactment*
7 *of this Act, the Secretary of State shall submit*
8 *a report to the Committees on Appropriations*
9 *detailing the costs and objectives associated with*
10 *significant infrastructure projects supported by*
11 *the United States in Pakistan, and an assess-*
12 *ment of the extent to which such projects achieve*
13 *such objectives.*

14 (6) *OVERSIGHT.—The Secretary of State shall*
15 *take all practicable steps to ensure that mechanisms*
16 *are in place for monitoring, oversight, and control of*
17 *funds made available by this subsection for assistance*
18 *for Pakistan.*

19 (e) *SRI LANKA.—*

20 (1) *BILATERAL ECONOMIC ASSISTANCE.—Funds*
21 *appropriated by this Act under the heading “Eco-*
22 *nomics Support Fund” shall be made available for as-*
23 *sistance for Sri Lanka for democracy and economic*
24 *development programs, particularly in areas recov-*
25 *ering from ethnic and religious conflict: Provided,*

1 *That such funds shall be made available for programs*
2 *to assist in the identification and resolution of cases*
3 *of missing persons.*

4 (2) *CERTIFICATION.—Funds appropriated by*
5 *this Act for assistance for the central Government of*
6 *Sri Lanka may be made available only if the Sec-*
7 *retary of State certifies and reports to the Committees*
8 *on Appropriations that the Government of Sri Lanka*
9 *is continuing to—*

10 (A) *address the underlying causes of conflict*
11 *in Sri Lanka; and*

12 (B) *increase accountability and trans-*
13 *parency in governance.*

14 (3) *INTERNATIONAL SECURITY ASSISTANCE.—*
15 *Funds appropriated under title IV of this Act that*
16 *are available for assistance for Sri Lanka shall be*
17 *subject to the following conditions—*

18 (A) *funds under the heading “Foreign Mili-*
19 *tary Financing Program” may only be made*
20 *available for programs to redeploy, restructure,*
21 *and reduce the size of the Sri Lankan armed*
22 *forces and shall not exceed \$400,000;*

23 (B) *funds under the heading “International*
24 *Military Education and Training” may only be*
25 *made available for training related to inter-*

1 *national peacekeeping operations and Expanded*
2 *International Military Education and Training;*
3 *and*

4 *(C) funds under the heading “Peacekeeping*
5 *Operations” may only be made available for*
6 *training related to international peacekeeping*
7 *operations.*

8 *(f) REGIONAL PROGRAMS.—*

9 *(1) Funds appropriated by this Act under the*
10 *heading “Economic Support Fund” for assistance for*
11 *Afghanistan and Pakistan may be provided, notwith-*
12 *standing any other provision of law that restricts as-*
13 *sistance to foreign countries, for cross border sta-*
14 *bilization and development programs between Afghan-*
15 *istan and Pakistan, or between either country and the*
16 *Central Asian countries.*

17 *(2) Funds appropriated by this Act under the*
18 *headings “Economic Support Fund”, “International*
19 *Narcotics Control and Law Enforcement”, and “As-*
20 *sistance for Europe, Eurasia and Central Asia” that*
21 *are available for assistance for countries in South*
22 *and Central Asia shall be made available to enhance*
23 *the recruitment, retention, and professionalism of*
24 *women in the judiciary, police, and other security*
25 *forces.*

WESTERN HEMISPHERE

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SEC. 7045. (a) UNITED STATES ENGAGEMENT IN CENTRAL AMERICA.—

(1) FUNDING.—Subject to the requirements of this subsection, of the funds appropriated under titles III and IV of this Act, up to \$750,000,000 may be made available for assistance for countries in Central America to implement the United States Strategy for Engagement in Central America (the Strategy) in support of the Plan of the Alliance for Prosperity in the Northern Triangle of Central America (the Plan): Provided, That the Secretary of State and Administrator of the United States Agency for International Development (USAID) shall prioritize such assistance to address the key factors in such countries contributing to the migration of unaccompanied, undocumented minors to the United States: Provided further, That such funds shall be made available to the maximum extent practicable on a cost-matching basis.

(2) PRE-OBLIGATION REQUIREMENTS.—Prior to the obligation of funds made available pursuant to paragraph (1), the Secretary of State shall submit to the Committees on Appropriations a multi-year spend plan specifying the proposed uses of such funds in each country and the objectives, indicators to measure

1 *progress, and a timeline to implement the Strategy,*
2 *and the amounts made available from prior Acts*
3 *making appropriations for the Department of State,*
4 *foreign operations, and related programs to support*
5 *such Strategy: Provided, That such spend plan shall*
6 *also include a description of how such assistance will*
7 *differ from, complement, and leverage funds allocated*
8 *by each government and other donors, including*
9 *international financial institutions.*

10 (3) *ASSISTANCE FOR THE CENTRAL GOVERN-*
11 *MENTS OF EL SALVADOR, GUATEMALA, AND HON-*
12 *DURAS.—Of the funds made available pursuant to*
13 *paragraph (1) that are available for assistance for*
14 *each of the central governments of El Salvador, Gua-*
15 *temala, and Honduras, the following amounts shall be*
16 *withheld from obligation and may only be made*
17 *available as follows:*

18 (A) *25 percent may only be obligated after*
19 *the Secretary of State certifies and reports to the*
20 *appropriate congressional committees that such*
21 *government is taking effective steps to—*

22 (i) *inform its citizens of the dangers of*
23 *the journey to the southwest border of the*
24 *United States;*

1 (ii) combat human smuggling and
2 trafficking;

3 (iii) improve border security; and

4 (iv) cooperate with United States Gov-
5 ernment agencies and other governments in
6 the region to facilitate the return, repatri-
7 ation, and reintegration of illegal migrants
8 arriving at the southwest border of the
9 United States who do not qualify as refu-
10 gees, consistent with international law.

11 (B) An additional 50 percent may only be
12 obligated after the Secretary of State certifies
13 and reports to the appropriate congressional
14 committees that such government is taking effec-
15 tive steps to—

16 (i) establish an autonomous, publicly
17 accountable entity to provide oversight of
18 the Plan;

19 (ii) combat corruption, including in-
20 vestigating and prosecuting government of-
21 ficials credibly alleged to be corrupt;

22 (iii) implement reforms, policies, and
23 programs to improve transparency and
24 strengthen public institutions, including in-
25 creasing the capacity and independence of

1 *the judiciary and the Office of the Attorney*
2 *General;*

3 *(iv) establish and implement a policy*
4 *that local communities, civil society organi-*
5 *zations (including indigenous and other*
6 *marginalized groups), and local govern-*
7 *ments are consulted in the design, and par-*
8 *ticipate in the implementation and evalua-*
9 *tion of, activities of the Plan that affect*
10 *such communities, organizations, and gov-*
11 *ernments;*

12 *(v) counter the activities of criminal*
13 *gangs, drug traffickers, and organized*
14 *crime;*

15 *(vi) investigate and prosecute in the ci-*
16 *vilian justice system members of military*
17 *and police forces who are credibly alleged to*
18 *have violated human rights, and ensure that*
19 *the military and police are cooperating in*
20 *such cases;*

21 *(vii) cooperate with commissions*
22 *against impunity, as appropriate, and with*
23 *regional human rights entities;*

24 *(viii) support programs to reduce pov-*
25 *erty, create jobs, and promote equitable eco-*

1 *conomic growth in areas contributing to large*
2 *numbers of migrants;*

3 *(ix) establish and implement a plan to*
4 *create a professional, accountable civilian*
5 *police force and curtail the role of the mili-*
6 *tary in internal policing;*

7 *(x) protect the right of political opposi-*
8 *tion parties, journalists, trade unionists,*
9 *human rights defenders, and other civil so-*
10 *ciety activists to operate without inter-*
11 *ference;*

12 *(xi) increase government revenues, in-*
13 *cluding by implementing tax reforms and*
14 *strengthening customs agencies; and*

15 *(xii) resolve commercial disputes, in-*
16 *cluding the confiscation of real property, be-*
17 *tween United States entities and such gov-*
18 *ernment.*

19 *(4) SUSPENSION OF ASSISTANCE AND PERIODIC*
20 *REVIEW.—*

21 *(A) The Secretary of State shall periodi-*
22 *cally review the progress of each of the central*
23 *governments of El Salvador, Guatemala, and*
24 *Honduras in meeting the requirements of para-*
25 *graphs (3)(A) and (3)(B) and shall, not later*

1 *than September 30, 2016, submit to the appro-*
2 *priate congressional committees a report assess-*
3 *ing such progress: Provided, That if the Sec-*
4 *retary determines that sufficient progress has not*
5 *been made by a central government, the Sec-*
6 *retary shall suspend, in whole or in part, assist-*
7 *ance for such government for programs sup-*
8 *porting such requirement, and shall notify such*
9 *committees in writing of such action: Provided*
10 *further, That the Secretary may resume funding*
11 *for such programs only after the Secretary cer-*
12 *tifies to such committees that corrective measures*
13 *have been taken.*

14 *(B) The Secretary of State shall, following*
15 *a change of national government in El Salvador,*
16 *Guatemala, or Honduras, determine and report*
17 *to the appropriate congressional committees that*
18 *any new government has committed to take the*
19 *steps to meet the requirements of paragraphs*
20 *(3)(A) and (3)(B): Provided, That if the Sec-*
21 *retary is unable to make such a determination*
22 *in a timely manner, assistance made available*
23 *under this subsection for such central government*
24 *shall be suspended, in whole or in part, until*

1 *such time as such determination and report can*
2 *be made.*

3 (5) *PROGRAMS AND TRANSFER OF FUNDS.—*

4 (A) *Funds appropriated by this Act for the*
5 *Central America Regional Security Initiative*
6 *may be made available, after consultation with,*
7 *and subject to the regular notification procedures*
8 *of, the Committees on Appropriations, to support*
9 *international commissions against impunity in*
10 *Honduras and El Salvador, if such commissions*
11 *are established.*

12 (B) *The Department of State and USAID*
13 *may, following consultation with the Committees*
14 *on Appropriations, transfer funds made avail-*
15 *able by this Act under the heading “Development*
16 *Assistance” to the Inter-American Development*
17 *Bank and the Inter-American Foundation for*
18 *technical assistance in support of the Strategy.*

19 (b) *COLOMBIA.—*

20 (1) *ASSISTANCE.—Funds appropriated by this*
21 *Act and made available to the Department of State*
22 *for assistance for the Government of Colombia may be*
23 *used to support a unified campaign against narcotics*
24 *trafficking, organizations designated as Foreign Ter-*
25 *rorist Organizations, and other criminal or illegal*

1 armed groups, and to take actions to protect human
2 health and welfare in emergency circumstances, in-
3 cluding undertaking rescue operations: Provided,
4 That the first through fifth provisos of paragraph (1),
5 and paragraph (3) of section 7045(a) of the Depart-
6 ment of State, Foreign Operations, and Related Pro-
7 grams Appropriations Act, 2012 (division I of Public
8 Law 112–74) shall continue in effect during fiscal
9 year 2016 and shall apply to funds appropriated by
10 this Act and made available for assistance for Colom-
11 bia as if included in this Act: Provided further, That
12 of the funds appropriated by this Act under the head-
13 ing “Economic Support Fund”, not less than
14 \$133,000,000 shall be made available for assistance
15 for Colombia, of which not less than \$126,000,000
16 shall be apportioned directly to the United States
17 Agency for International Development, and
18 \$7,000,000 shall be transferred to, and merged with,
19 funds appropriated by this Act under the heading
20 “Migration and Refugee Assistance” for assistance for
21 Colombian refugees in neighboring countries.

22 (2)(A) Of the funds appropriated by this Act
23 under the heading “Foreign Military Financing Pro-
24 gram” for assistance for Colombia, 19 percent may be
25 obligated only in accordance with the conditions

1 *under section 7045 in the explanatory statement de-*
2 *scribed in section 4 (in the matter preceding division*
3 *A of this Consolidated Act).*

4 *(B) The limitations of this paragraph shall not*
5 *apply to funds made available under such heading for*
6 *aviation instruction and maintenance, and maritime*
7 *security programs.*

8 *(3) NOTIFICATION.—Funds appropriated by this*
9 *Act that are made available for assistance for Colom-*
10 *bia to support the implementation of a peace agree-*
11 *ment shall be subject to prior consultation with, and*
12 *the regular notification procedures of, the Committees*
13 *on Appropriations.*

14 *(c) HAITI.—*

15 *(1) FUNDING.—Of the funds appropriated by*
16 *this Act, not more than \$191,413,000 may be made*
17 *available for assistance for Haiti.*

18 *(2) GOVERNANCE CERTIFICATION.—Funds made*
19 *available in paragraph (1) may not be made avail-*
20 *able for assistance for the central Government of*
21 *Haiti unless the Secretary of State certifies and re-*
22 *ports to the Committees on Appropriations that the*
23 *Government of Haiti is taking effective steps to—*

24 *(A) hold free and fair parliamentary elec-*
25 *tions and seat a new Haitian Parliament;*

1 (B) strengthen the rule of law in Haiti, in-
2 cluding by selecting judges in a transparent
3 manner; respect the independence of the judici-
4 ary; and improve governance by implementing
5 reforms to increase transparency and account-
6 ability;

7 (C) combat corruption, including by imple-
8 menting the anti-corruption law enacted in 2014
9 and prosecuting corrupt officials; and

10 (D) increase government revenues, including
11 by implementing tax reforms, and increase ex-
12 penditures on public services.

13 (3) *HAITIAN COAST GUARD.*—The Government of
14 Haiti shall be eligible to purchase defense articles and
15 services under the Arms Export Control Act (22
16 U.S.C. 2751 et seq.) for the Coast Guard.

17 (d) *AIRCRAFT OPERATIONS AND MAINTENANCE.*—To
18 the maximum extent practicable, the costs of operations and
19 maintenance, including fuel, of aircraft funded by this Act
20 should be borne by the recipient country.

21 *PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS*

22 *SEC. 7046.* None of the funds appropriated or made
23 available pursuant to titles III through VI of this Act for
24 carrying out the Foreign Assistance Act of 1961, may be
25 used to pay in whole or in part any assessments, arrear-

1 *ages, or dues of any member of the United Nations or, from*
2 *funds appropriated by this Act to carry out chapter 1 of*
3 *part I of the Foreign Assistance Act of 1961, the costs for*
4 *participation of another country's delegation at inter-*
5 *national conferences held under the auspices of multilateral*
6 *or international organizations.*

7 *WAR CRIMES TRIBUNALS*

8 *SEC. 7047. If the President determines that doing so*
9 *will contribute to a just resolution of charges regarding*
10 *genocide or other violations of international humanitarian*
11 *law, the President may direct a drawdown pursuant to sec-*
12 *tion 552(c) of the Foreign Assistance Act of 1961 of up to*
13 *\$30,000,000 of commodities and services for the United Na-*
14 *tions War Crimes Tribunal established with regard to the*
15 *former Yugoslavia by the United Nations Security Council*
16 *or such other tribunals or commissions as the Council may*
17 *establish or authorize to deal with such violations, without*
18 *regard to the ceiling limitation contained in paragraph (2)*
19 *thereof: Provided, That the determination required under*
20 *this section shall be in lieu of any determinations otherwise*
21 *required under section 552(c): Provided further, That funds*
22 *made available pursuant to this section shall be made avail-*
23 *able subject to the regular notification procedures of the*
24 *Committees on Appropriations.*

UNITED NATIONS

1
2 SEC. 7048. (a) *TRANSPARENCY AND ACCOUNT-*
3 *ABILITY.*—

4 (1) *Of the funds appropriated under title I and*
5 *under the heading “International Organizations and*
6 *Programs” in title V of this Act that are available for*
7 *contributions to the United Nations (including the*
8 *Department of Peacekeeping Operations), any United*
9 *Nations agency, or the Organization of American*
10 *States, 15 percent may not be obligated for such orga-*
11 *nization, department, or agency until the Secretary of*
12 *State reports to the Committees on Appropriations*
13 *that the organization, department, or agency is—*

14 (A) *posting on a publicly available Web*
15 *site, consistent with privacy regulations and due*
16 *process, regular financial and programmatic au-*
17 *ditions of such organization, department, or agency,*
18 *and providing the United States Government*
19 *with necessary access to such financial and per-*
20 *formance audits; and*

21 (B) *effectively implementing and enforcing*
22 *policies and procedures which reflect best prac-*
23 *tices for the protection of whistleblowers from re-*
24 *taliation, including best practices for—*

- 1 (i) protection against retaliation for
2 internal and lawful public disclosures;
3 (ii) legal burdens of proof;
4 (iii) statutes of limitation for reporting
5 retaliation;
6 (iv) access to independent adjudicative
7 bodies, including external arbitration; and
8 (v) results that eliminate the effects of
9 proven retaliation.

10 (2) *The restrictions imposed by or pursuant to*
11 *paragraph (1) may be waived on a case-by-case basis*
12 *if the Secretary of State determines and reports to the*
13 *Committees on Appropriations that such waiver is*
14 *necessary to avert or respond to a humanitarian cri-*
15 *sis.*

16 (b) *RESTRICTIONS ON UNITED NATIONS DELEGATIONS*
17 *AND ORGANIZATIONS.—*

18 (1) *None of the funds made available under title*
19 *I of this Act may be used to pay expenses for any*
20 *United States delegation to any specialized agency,*
21 *body, or commission of the United Nations if such*
22 *agency, body, or commission is chaired or presided*
23 *over by a country, the government of which the Sec-*
24 *retary of State has determined, for purposes of section*
25 *6(j)(1) of the Export Administration Act of 1979 as*

1 *continued in effect pursuant to the International*
2 *Emergency Economic Powers Act (50 U.S.C. App.*
3 *2405(j)(1)), supports international terrorism.*

4 (2) *None of the funds made available under title*
5 *I of this Act may be used by the Secretary of State*
6 *as a contribution to any organization, agency, com-*
7 *mission, or program within the United Nations sys-*
8 *tem if such organization, agency, commission, or pro-*
9 *gram is chaired or presided over by a country the*
10 *government of which the Secretary of State has deter-*
11 *mined, for purposes of section 620A of the Foreign*
12 *Assistance Act of 1961, section 40 of the Arms Export*
13 *Control Act, section 6(j)(1) of the Export Administra-*
14 *tion Act of 1979, or any other provision of law, is a*
15 *government that has repeatedly provided support for*
16 *acts of international terrorism.*

17 (3) *The Secretary of State may waive the restric-*
18 *tion in this subsection if the Secretary reports to the*
19 *Committees on Appropriations that to do so is in the*
20 *national interest of the United States.*

21 (c) *UNITED NATIONS HUMAN RIGHTS COUNCIL.—*
22 *None of the funds appropriated by this Act may be made*
23 *available in support of the United Nations Human Rights*
24 *Council unless the Secretary of State determines and re-*
25 *ports to the Committees on Appropriations that participa-*

1 *tion in the Council is important to the national interest*
2 *of the United States and that the Council is taking steps*
3 *to remove Israel as a permanent agenda item: Provided,*
4 *That such report shall include a description of the national*
5 *interest served and the steps taken to remove Israel as a*
6 *permanent agenda item: Provided further, That the Sec-*
7 *retary of State shall report to the Committees on Appro-*
8 *priations not later than September 30, 2016, on the resolu-*
9 *tions considered in the United Nations Human Rights*
10 *Council during the previous 12 months, and on steps taken*
11 *to remove Israel as a permanent agenda item.*

12 *(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—*
13 *Not later than 45 days after enactment of this Act, the Sec-*
14 *retary of State shall submit a report in writing to the Com-*
15 *mittees on Appropriations on whether the United Nations*
16 *Relief and Works Agency (UNRWA) is—*

17 *(1) utilizing Operations Support Officers in the*
18 *West Bank, Gaza, and other fields of operation to in-*
19 *spect UNRWA installations and reporting any inap-*
20 *propriate use;*

21 *(2) acting promptly to address any staff or bene-*
22 *ficiary violation of its own policies (including the*
23 *policies on neutrality and impartiality of employees)*
24 *and the legal requirements under section 301(c) of the*
25 *Foreign Assistance Act of 1961;*

1 (3) *implementing procedures to maintain the*
2 *neutrality of its facilities, including implementing a*
3 *no-weapons policy, and conducting regular inspec-*
4 *tions of its installations, to ensure they are only used*
5 *for humanitarian or other appropriate purposes;*

6 (4) *taking necessary and appropriate measures*
7 *to ensure it is operating in compliance with the con-*
8 *ditions of section 301(c) of the Foreign Assistance Act*
9 *of 1961 and continuing regular reporting to the De-*
10 *partment of State on actions it has taken to ensure*
11 *conformance with such conditions;*

12 (5) *taking steps to ensure the content of all edu-*
13 *cational materials currently taught in UNRWA-ad-*
14 *ministered schools and summer camps is consistent*
15 *with the values of human rights, dignity, and toler-*
16 *ance and does not induce incitement;*

17 (6) *not engaging in operations with financial in-*
18 *stitutions or related entities in violation of relevant*
19 *United States law, and is taking steps to improve the*
20 *financial transparency of the organization; and*

21 (7) *in compliance with the United Nations*
22 *Board of Auditors' biennial audit requirements and*
23 *is implementing in a timely fashion the Board's rec-*
24 *ommendations.*

1 (e) *UNITED NATIONS CAPITAL MASTER PLAN.*—None
2 *of the funds made available in this Act may be used for*
3 *the design, renovation, or construction of the United Na-*
4 *tions Headquarters in New York.*

5 (f) *WITHHOLDING REPORT.*—Not later than 45 days
6 *after enactment of this Act, the Secretary of State shall sub-*
7 *mit a report to the Committees on Appropriations detailing*
8 *the amount of funds available for obligation or expenditure*
9 *in fiscal year 2016 for contributions to any organization,*
10 *department, agency, or program within the United Nations*
11 *system or any international program that are withheld*
12 *from obligation or expenditure due to any provision of law:*
13 *Provided, That the Secretary of State shall update such re-*
14 *port each time additional funds are withheld by operation*
15 *of any provision of law: Provided further, That the re-*
16 *programming of any withheld funds identified in such re-*
17 *port, including updates thereof, shall be subject to prior con-*
18 *sultation with, and the regular notification procedures of,*
19 *the Committees on Appropriations.*

20 *COMMUNITY-BASED POLICE ASSISTANCE*

21 SEC. 7049. (a) *AUTHORITY.*—Funds made available by
22 *titles III and IV of this Act to carry out the provisions*
23 *of chapter 1 of part I and chapters 4 and 6 of part II of*
24 *the Foreign Assistance Act of 1961, may be used, notwith-*
25 *standing section 660 of that Act, to enhance the effectiveness*

1 *and accountability of civilian police authority through*
2 *training and technical assistance in human rights, the rule*
3 *of law, anti-corruption, strategic planning, and through as-*
4 *sistance to foster civilian police roles that support demo-*
5 *cratic governance, including assistance for programs to pre-*
6 *vent conflict, respond to disasters, address gender-based vio-*
7 *lence, and foster improved police relations with the commu-*
8 *nities they serve.*

9 (b) *NOTIFICATION.*—*Assistance provided under sub-*
10 *section (a) shall be subject to the regular notification proce-*
11 *dures of the Committees on Appropriations.*

12 *PROHIBITION ON PROMOTION OF TOBACCO*

13 *SEC. 7050. None of the funds provided by this Act shall*
14 *be available to promote the sale or export of tobacco or to-*
15 *bacco products, or to seek the reduction or removal by any*
16 *foreign country of restrictions on the marketing of tobacco*
17 *or tobacco products, except for restrictions which are not*
18 *applied equally to all tobacco or tobacco products of the*
19 *same type.*

20 *INTERNATIONAL CONFERENCES*

21 *SEC. 7051. None of the funds made available in this*
22 *Act may be used to send or otherwise pay for the attendance*
23 *of more than 50 employees of agencies or departments of*
24 *the United States Government who are stationed in the*
25 *United States, at any single international conference occur-*

1 ring outside the United States, unless the Secretary of State
2 reports to the Committees on Appropriations at least 5 days
3 in advance that such attendance is important to the na-
4 tional interest: Provided, That for purposes of this section
5 the term “international conference” shall mean a conference
6 attended by representatives of the United States Govern-
7 ment and of foreign governments, international organiza-
8 tions, or nongovernmental organizations.

9 AIRCRAFT TRANSFER AND COORDINATION

10 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
11 standing any other provision of law or regulation, aircraft
12 procured with funds appropriated by this Act and prior
13 Acts making appropriations for the Department of State,
14 foreign operations, and related programs under the head-
15 ings “Diplomatic and Consular Programs”, “International
16 Narcotics Control and Law Enforcement”, “Andean
17 Counterdrug Initiative”, and “Andean Counterdrug Pro-
18 grams” may be used for any other program and in any
19 region, including for the transportation of active and stand-
20 by Civilian Response Corps personnel and equipment dur-
21 ing a deployment: Provided, That the responsibility for pol-
22 icy decisions and justification for the use of such transfer
23 authority shall be the responsibility of the Secretary of
24 State and the Deputy Secretary of State and this responsi-
25 bility shall not be delegated.

1 (b) *PROPERTY DISPOSAL.*—*The authority provided in*
2 *subsection (a) shall apply only after the Secretary of State*
3 *determines and reports to the Committees on Appropria-*
4 *tions that the equipment is no longer required to meet pro-*
5 *grammatic purposes in the designated country or region:*
6 *Provided, That any such transfer shall be subject to prior*
7 *consultation with, and the regular notification procedures*
8 *of, the Committees on Appropriations.*

9 (c) *AIRCRAFT COORDINATION.*—

10 (1) *The uses of aircraft purchased or leased by*
11 *the Department of State and the United States Agen-*
12 *cy for International Development (USAID) with*
13 *funds made available in this Act or prior Acts mak-*
14 *ing appropriations for the Department of State, for-*
15 *foreign operations, and related programs shall be coordi-*
16 *nated under the authority of the appropriate Chief of*
17 *Mission: Provided, That such aircraft may be used to*
18 *transport, on a reimbursable or non-reimbursable*
19 *basis, Federal and non-Federal personnel supporting*
20 *Department of State and USAID programs and ac-*
21 *tivities: Provided further, That official travel for other*
22 *agencies for other purposes may be supported on a re-*
23 *imbursable basis, or without reimbursement when*
24 *traveling on a space available basis: Provided further,*
25 *That funds received by the Department of State for*

1 (b) *CLUSTER MUNITIONS.*—No military assistance
2 shall be furnished for cluster munitions, no defense export
3 license for cluster munitions may be issued, and no cluster
4 munitions or cluster munitions technology shall be sold or
5 transferred, unless—

6 (1) the submunitions of the cluster munitions,
7 after arming, do not result in more than 1 percent
8 unexploded ordnance across the range of intended
9 operational environments, and the agreement applica-
10 ble to the assistance, transfer, or sale of such cluster
11 munitions or cluster munitions technology specifies
12 that the cluster munitions will only be used against
13 clearly defined military targets and will not be used
14 where civilians are known to be present or in areas
15 normally inhabited by civilians; or

16 (2) such assistance, license, sale, or transfer is
17 for the purpose of demilitarizing or permanently dis-
18 posing of such cluster munitions.

19 *PROHIBITION ON PUBLICITY OR PROPAGANDA*

20 *SEC. 7055.* No part of any appropriation contained
21 in this Act shall be used for publicity or propaganda pur-
22 poses within the United States not authorized before the
23 date of the enactment of this Act by Congress: Provided,
24 That not to exceed \$25,000 may be made available to carry
25 out the provisions of section 316 of the International Secu-

1 *ity and Development Cooperation Act of 1980 (Public Law*
2 *96–533).*

3 *CONSULAR IMMUNITY*

4 *SEC. 7056. The Secretary of State, with the concur-*
5 *rence of the Attorney General, may, on the basis of reci-*
6 *procity and under such terms and conditions as the Sec-*
7 *retary may determine, specify privileges and immunities*
8 *for a consular post, the members of a consular post and*
9 *their families which result in more favorable or less favor-*
10 *able treatment than is provided in the Vienna Convention*
11 *on Consular Relations, of April 24, 1963 (T.I.A.S. 6820),*
12 *entered into force for the United States December 24, 1969:*
13 *Provided, That prior to exercising the authority of this sec-*
14 *tion, the Secretary shall consult with the appropriate con-*
15 *gressional committees on the circumstances that may war-*
16 *rant the need for privileges and immunities providing more*
17 *favorable or less favorable treatment specified under such*
18 *Convention.*

19 *UNITED STATES AGENCY FOR INTERNATIONAL*

20 *DEVELOPMENT MANAGEMENT*

21 *SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of the*
22 *funds made available in title III of this Act pursuant to*
23 *or to carry out the provisions of part I of the Foreign Assist-*
24 *ance Act of 1961, including funds appropriated under the*
25 *heading “Assistance for Europe, Eurasia and Central*

1 *Asia*”, may be used by the United States Agency for Inter-
2 *national Development (USAID) to hire and employ indi-*
3 *viduals in the United States and overseas on a limited ap-*
4 *pointment basis pursuant to the authority of sections 308*
5 *and 309 of the Foreign Service Act of 1980.*

6 (b) *RESTRICTIONS.—*

7 (1) *The number of individuals hired in any fis-*
8 *cal year pursuant to the authority contained in sub-*
9 *section (a) may not exceed 175.*

10 (2) *The authority to hire individuals contained*
11 *in subsection (a) shall expire on September 30, 2017.*

12 (c) *CONDITIONS.—The authority of subsection (a)*
13 *should only be used to the extent that an equivalent number*
14 *of positions that are filled by personal services contractors*
15 *or other non-direct hire employees of USAID, who are com-*
16 *pensated with funds appropriated to carry out part I of*
17 *the Foreign Assistance Act of 1961, including funds appro-*
18 *riated under the heading “Assistance for Europe, Eurasia*
19 *and Central Asia”, are eliminated.*

20 (d) *PROGRAM ACCOUNT CHARGED.—The account*
21 *charged for the cost of an individual hired and employed*
22 *under the authority of this section shall be the account to*
23 *which the responsibilities of such individual primarily re-*
24 *late: Provided, That funds made available to carry out this*
25 *section may be transferred to, and merged with, funds ap-*

1 *propriated by this Act in title II under the heading “Oper-*
2 *ating Expenses”.*

3 *(e) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-*
4 *viduals hired and employed by USAID, with funds made*
5 *available in this Act or prior Acts making appropriations*
6 *for the Department of State, foreign operations, and related*
7 *programs, pursuant to the authority of section 309 of the*
8 *Foreign Service Act of 1980, may be extended for a period*
9 *of up to 4 years notwithstanding the limitation set forth*
10 *in such section.*

11 *(f) DISASTER SURGE CAPACITY.—Funds appropriated*
12 *under title III of this Act to carry out part I of the Foreign*
13 *Assistance Act of 1961, including funds appropriated under*
14 *the heading “Assistance for Europe, Eurasia and Central*
15 *Asia”, may be used, in addition to funds otherwise avail-*
16 *able for such purposes, for the cost (including the support*
17 *costs) of individuals detailed to or employed by USAID*
18 *whose primary responsibility is to carry out programs in*
19 *response to natural disasters, or man-made disasters subject*
20 *to the regular notification procedures of the Committees on*
21 *Appropriations.*

22 *(g) PERSONAL SERVICES CONTRACTORS.—Funds ap-*
23 *propriated by this Act to carry out chapter 1 of part I,*
24 *chapter 4 of part II, and section 667 of the Foreign Assist-*
25 *ance Act of 1961, and title II of the Food for Peace Act*

1 *(Public Law 83–480), may be used by USAID to employ*
2 *up to 40 personal services contractors in the United States,*
3 *notwithstanding any other provision of law, for the purpose*
4 *of providing direct, interim support for new or expanded*
5 *overseas programs and activities managed by the agency*
6 *until permanent direct hire personnel are hired and*
7 *trained: Provided, That not more than 15 of such contrac-*
8 *tors shall be assigned to any bureau or office: Provided fur-*
9 *ther, That such funds appropriated to carry out title II of*
10 *the Food for Peace Act (Public Law 83–480), may be made*
11 *available only for personal services contractors assigned to*
12 *the Office of Food for Peace.*

13 *(h) SMALL BUSINESS.—In entering into multiple*
14 *award indefinite-quantity contracts with funds appro-*
15 *riated by this Act, USAID may provide an exception to*
16 *the fair opportunity process for placing task orders under*
17 *such contracts when the order is placed with any category*
18 *of small or small disadvantaged business.*

19 *(i) SENIOR FOREIGN SERVICE LIMITED APPOINT-*
20 *MENTS.—Individuals hired pursuant to the authority pro-*
21 *vided by section 7059(o) of the Department of State, For-*
22 *ign Operations, and Related Programs Appropriations*
23 *Act, 2011 (division F of Public Law 111–117) may be as-*
24 *signed to or support programs in Afghanistan or Pakistan*
25 *with funds made available in this Act and prior Acts mak-*

1 *ing appropriations for the Department of State, foreign op-*
2 *erations, and related programs.*

3 *GLOBAL HEALTH ACTIVITIES*

4 *SEC. 7058. (a) IN GENERAL.—Funds appropriated by*
5 *titles III and IV of this Act that are made available for*
6 *bilateral assistance for child survival activities or disease*
7 *programs including activities relating to research on, and*
8 *the prevention, treatment and control of, HIV/AIDS may*
9 *be made available notwithstanding any other provision of*
10 *law except for provisions under the heading “Global Health*
11 *Programs” and the United States Leadership Against HIV/*
12 *AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat.*
13 *711; 22 U.S.C. 7601 et seq.), as amended: Provided, That*
14 *of the funds appropriated under title III of this Act, not*
15 *less than \$575,000,000 should be made available for family*
16 *planning/reproductive health, including in areas where*
17 *population growth threatens biodiversity or endangered spe-*
18 *cies.*

19 *(b) GLOBAL FUND.—Of the funds appropriated by this*
20 *Act that are available for a contribution to the Global Fund*
21 *to Fight AIDS, Tuberculosis and Malaria (Global Fund),*
22 *10 percent should be withheld from obligation until the Sec-*
23 *retary of State determines and reports to the Committees*
24 *on Appropriations that the Global Fund is—*

1 (1) *maintaining and implementing a policy of*
2 *transparency, including the authority of the Global*
3 *Fund Office of the Inspector General (OIG) to publish*
4 *OIG reports on a public Web site;*

5 (2) *providing sufficient resources to maintain an*
6 *independent OIG that—*

7 (A) *reports directly to the Board of the*
8 *Global Fund;*

9 (B) *maintains a mandate to conduct thor-*
10 *ough investigations and programmatic audits,*
11 *free from undue interference; and*

12 (C) *compiles regular, publicly published au-*
13 *ditions and investigations of financial, pro-*
14 *grammatic, and reporting aspects of the Global*
15 *Fund, its grantees, recipients, sub-recipients, and*
16 *Local Fund Agents;*

17 (3) *effectively implementing and enforcing poli-*
18 *cies and procedures which reflect best practices for the*
19 *protection of whistleblowers from retaliation, includ-*
20 *ing best practices for—*

21 (A) *protection against retaliation for inter-*
22 *nal and lawful public disclosures;*

23 (B) *legal burdens of proof;*

24 (C) *statutes of limitation for reporting re-*
25 *taliation;*

1 (D) access to independent adjudicative bod-
2 ies, including external arbitration; and

3 (E) results that eliminate the effects of prov-
4 en retaliation; and

5 (4) implementing the recommendations con-
6 tained in the Consolidated Transformation Plan ap-
7 proved by the Board of the Global Fund on November
8 21, 2011:

9 *Provided, That such withholding shall not be in addition*
10 *to funds that are withheld from the Global Fund in fiscal*
11 *year 2016 pursuant to the application of any other provi-*
12 *sion contained in this or any other Act.*

13 (c) *CONTAGIOUS INFECTIOUS DISEASE OUTBREAKS.—*
14 *If the Secretary of State determines and reports to the Com-*
15 *mittees on Appropriations that an international infectious*
16 *disease outbreak is sustained, severe, and is spreading inter-*
17 *nationally, or that it is in the national interest to respond*
18 *to a Public Health Emergency of International Concern,*
19 *funds made available under title III of this Act may be*
20 *made available to combat such infectious disease or public*
21 *health emergency: Provided, That funds made available*
22 *pursuant to the authority of this subsection shall be subject*
23 *to prior consultation with, and the regular notification pro-*
24 *cedures of, the Committees on Appropriations.*

GENDER EQUALITY

1
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”, and “International*
20 *Narcotics Control and Law Enforcement” should be made*
21 *available to support a multi-year strategy to expand, and*
22 *improve coordination of, United States Government efforts*
23 *to empower women as equal partners in conflict prevention,*
24 *peace building, transitional processes, and reconstruction*
25 *efforts in countries affected by conflict or in political transi-*

1 *tion, and to ensure the equitable provision of relief and re-*
2 *covery assistance to women and girls.*

3 *SECTOR ALLOCATIONS*

4 *SEC. 7060. (a) BASIC EDUCATION AND HIGHER EDU-*
5 *CATION.—*

6 *(1) BASIC EDUCATION.—*

7 *(A) Of the funds appropriated under title*
8 *III of this Act, not less than \$800,000,000 should*
9 *be made available for assistance for basic edu-*
10 *cation, and such funds may be made available*
11 *notwithstanding any provision of law that re-*
12 *stricts assistance to foreign countries, except for*
13 *the conditions provided in this subsection: Pro-*
14 *vided, That such funds should only be used to*
15 *implement the stated objectives of basic education*
16 *programs for each Country Development Co-*
17 *operation Strategy or similar strategy regarding*
18 *basic education established by the United States*
19 *Agency for International Development (USAID).*

20 *(B) Not later than 30 days after enactment*
21 *of this Act, the USAID Administrator shall re-*
22 *port to the Committees on Appropriations on the*
23 *status of cumulative unobligated balances and*
24 *obligated, but unexpended, balances in each*
25 *country where USAID provides basic education*

1 assistance and such report shall also include de-
2 tails on the types of contracts and grants pro-
3 vided and the goals and objectives of such assist-
4 ance: Provided, That the USAID Administrator
5 shall update such report on a monthly basis dur-
6 ing fiscal year 2016: Provided further, That if
7 the USAID Administrator determines that any
8 unobligated balances of funds specifically des-
9 ignated for assistance for basic education in
10 prior Acts making appropriations for the De-
11 partment of State, foreign operations, and re-
12 lated programs are in excess of the absorptive ca-
13 pacity of recipient countries, such funds may be
14 made available for other programs authorized
15 under chapter 1 of part I of the Foreign Assist-
16 ance Act of 1961, notwithstanding such funding
17 designation: Provided further, That the authority
18 of the previous proviso shall be subject to prior
19 consultation with, and the regular notification
20 procedures of, the Committees on Appropria-
21 tions.

22 (C) Of the funds appropriated under title
23 III of this Act for assistance for basic education
24 programs, not less than \$70,000,000 shall be

1 *made available for a contribution to multilateral*
2 *partnerships that support education.*

3 (2) *HIGHER EDUCATION.*—*Of the funds appro-*
4 *propriated by title III of this Act, not less than*
5 *\$225,000,000 shall be made available for assistance*
6 *for higher education, including not less than*
7 *\$35,000,000 for new partnerships between higher edu-*
8 *cation institutions in the United States and devel-*
9 *oping countries: Provided, That such funds may be*
10 *made available notwithstanding any other provision*
11 *of law that restricts assistance to foreign countries,*
12 *and shall be subject to the regular notification proce-*
13 *dures of the Committees on Appropriations.*

14 (b) *DEVELOPMENT PROGRAMS.*—*Of the funds appro-*
15 *propriated by this Act under the heading “Development Assist-*
16 *ance”, not less than \$26,000,000 shall be made available*
17 *for the American Schools and Hospitals Abroad program,*
18 *and not less than \$11,000,000 shall be made available for*
19 *cooperative development programs of USAID.*

20 (c) *ENVIRONMENT PROGRAMS.*—

21 (1) *AUTHORITY.*—*Funds appropriated by this*
22 *Act to carry out the provisions of sections 103*
23 *through 106, and chapter 4 of part II, of the Foreign*
24 *Assistance Act of 1961 may be used, notwithstanding*
25 *any other provision of law except for the provisions*

1 *of this subsection and only subject to the reporting*
2 *procedures of the Committees on Appropriations, to*
3 *support environment programs.*

4 (2) *CONSERVATION PROGRAMS AND LIMITA-*
5 *TIONS.—*

6 (A) *Of the funds appropriated under title*
7 *III of this Act, not less than \$265,000,000 shall*
8 *be made available for biodiversity conservation*
9 *programs.*

10 (B) *Not less than \$80,000,000 of the funds*
11 *appropriated under titles III and IV of this Act*
12 *shall be made available to combat the*
13 *transnational threat of wildlife poaching and*
14 *trafficking.*

15 (C) *None of the funds appropriated under*
16 *title IV of this Act may be made available for*
17 *training or other assistance for any military*
18 *unit or personnel that the Secretary of State de-*
19 *termines has been credibly alleged to have par-*
20 *ticipated in wildlife poaching or trafficking, un-*
21 *less the Secretary reports to the Committees on*
22 *Appropriations that to do so is in the national*
23 *security interests of the United States.*

24 (D) *Funds appropriated by this Act for bio-*
25 *diversity programs shall not be used to support*

1 *the expansion of industrial scale logging or any*
2 *other industrial scale extractive activity into*
3 *areas that were primary/intact tropical forests*
4 *as of December 30, 2013, and the Secretary of*
5 *the Treasury shall instruct the United States ex-*
6 *ecutive directors of each international financial*
7 *institutions (IFI) to vote against any financing*
8 *of any such activity.*

9 (3) *LARGE DAMS.*—*The Secretary of the Treas-*
10 *ury shall instruct the United States executive director*
11 *of each IFI that it is the policy of the United States*
12 *to vote in relation to any loan, grant, strategy, or*
13 *policy of such institution to support the construction*
14 *of any large dam consistent with the criteria set forth*
15 *in Senate Report 114–79, while also considering*
16 *whether the project involves important foreign policy*
17 *objectives.*

18 (4) *SUSTAINABLE LANDSCAPES.*—*Of the funds*
19 *appropriated under title III of this Act, not less than*
20 *\$123,500,000 shall be made available for sustainable*
21 *landscape programs.*

22 (5) *TRANSFER OF FUNDS.*—*Of the funds appro-*
23 *priated by this Act under the heading “Economic*
24 *Support Fund”, \$9,720,000 shall be transferred to,*
25 *and merged with, funds appropriated under the head-*

1 *ing “Contribution to the Strategic Climate Fund”,*
2 *and such transfer shall occur not later than 120 days*
3 *after the date of enactment of this Act.*

4 *(d) FOOD SECURITY AND AGRICULTURAL DEVELOP-*
5 *MENT.—*

6 *(1) Of the funds appropriated by title III of this*
7 *Act, not less than \$1,000,600,000 should be made*
8 *available for food security and agricultural develop-*
9 *ment programs, of which not less than \$50,000,000*
10 *shall be made available for the Feed the Future Inno-*
11 *vation Labs: Provided, That such funds may be made*
12 *available notwithstanding any other provision of law*
13 *to prevent or address food shortages, and for a United*
14 *States contribution to the endowment of the Global*
15 *Crop Diversity Trust.*

16 *(2) Funds appropriated under title III of this*
17 *Act may be made available as a contribution to the*
18 *Global Agriculture and Food Security Program if*
19 *such contribution will not cause the United States to*
20 *exceed 33 percent of the total amount of funds con-*
21 *tributed to such Program.*

22 *(e) MICROENTERPRISE AND MICROFINANCE.—Of the*
23 *funds appropriated by this Act, not less than \$265,000,000*
24 *should be made available for microenterprise and micro-*

1 *finance development programs for the poor, especially*
2 *women.*

3 (f) *PROGRAMS TO COMBAT TRAFFICKING IN PERSONS*
4 *AND MODERN SLAVERY.—*

5 (1) *TRAFFICKING IN PERSONS.—*

6 (A) *Of the funds appropriated by this Act*
7 *under the headings “Development Assistance”,*
8 *“Economic Support Fund”, “Assistance for Eu-*
9 *rope, Eurasia and Central Asia”, and “Inter-*
10 *national Narcotics Control and Law Enforce-*
11 *ment”, not less than \$60,000,000 shall be made*
12 *available for activities to combat trafficking in*
13 *persons internationally.*

14 (B) *Funds made available in the previous*
15 *paragraph shall be made available to support a*
16 *multifaceted approach to combat human traf-*
17 *ficking in Guatemala: Provided, That the Sec-*
18 *retary of State shall consult with the Committees*
19 *on Appropriations, not later than 30 days after*
20 *enactment of this Act, on the use of such funds.*

21 (2) *MODERN SLAVERY.—Of the funds appro-*
22 *priated by this Act under the headings “Development*
23 *Assistance” and “International Narcotics Control and*
24 *Law Enforcement”, in addition to funds made avail-*
25 *able pursuant to paragraph (1), \$25,000,000 shall be*

1 *made available for a grant or grants, to be awarded*
2 *on an open and competitive basis, to reduce the prev-*
3 *alence of modern slavery globally: Provided, That*
4 *such funds shall only be made available in fiscal year*
5 *2016 to carry out the End Modern Slavery Initiative*
6 *Act of 2015 (S. 553, 114th Congress), as reported to*
7 *the Senate, if such bill is enacted into law: Provided*
8 *further, That if such bill is not enacted into law in*
9 *fiscal year 2016, funds made available pursuant to*
10 *this subsection shall be made available for other pro-*
11 *grams to combat trafficking in persons and modern*
12 *slavery, following consultation with the appropriate*
13 *congressional committees.*

14 *(g) RECONCILIATION PROGRAMS.—Of the funds appro-*
15 *priated by this Act under the headings “Economic Support*
16 *Fund” and “Development Assistance”, not less than*
17 *\$26,000,000 shall be made available to support people-to-*
18 *people reconciliation programs which bring together indi-*
19 *viduals of different ethnic, religious, and political back-*
20 *grounds from areas of civil strife and war: Provided, That*
21 *the USAID Administrator shall consult with the Commit-*
22 *tees on Appropriations, prior to the initial obligation of*
23 *funds, on the uses of such funds, and such funds shall be*
24 *subject to the regular notification procedures of the Commit-*
25 *tees on Appropriations: Provided further, That to the max-*

1 *imum extent practicable, such funds shall be matched by*
2 *sources other than the United States Government.*

3 (h) *WATER AND SANITATION.*—*Of the funds appro-*
4 *riated by this Act, not less than \$400,000,000 shall be*
5 *made available for water supply and sanitation projects*
6 *pursuant to the Senator Paul Simon Water for the Poor*
7 *Act of 2005 (Public Law 109–121), of which not less than*
8 *\$145,000,000 shall be for programs in sub-Saharan Africa,*
9 *and of which not less than \$14,000,000 shall be made avail-*
10 *able for programs to design and build safe, public latrines*
11 *in Africa and Asia.*

12 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

13 *SEC. 7061. (a) TRANSFER.*—*Whenever the President*
14 *determines that it is in furtherance of the purposes of the*
15 *Foreign Assistance Act of 1961, up to a total of \$20,000,000*
16 *of the funds appropriated under title III of this Act may*
17 *be transferred to, and merged with, funds appropriated by*
18 *this Act for the Overseas Private Investment Corporation*
19 *Program Account, to be subject to the terms and conditions*
20 *of that account: Provided, That such funds shall not be*
21 *available for administrative expenses of the Overseas Pri-*
22 *vate Investment Corporation: Provided further, That des-*
23 *ignated funding levels in this Act shall not be transferred*
24 *pursuant to this section: Provided further, That the exercise*

1 *of such authority shall be subject to the regular notification*
2 *procedures of the Committees on Appropriations.*

3 (b) *AUTHORITY.*—*Notwithstanding section 235(a)(2)*
4 *of the Foreign Assistance Act of 1961, the authority of sub-*
5 *sections (a) through (c) of section 234 of such Act shall re-*
6 *main in effect until September 30, 2016.*

7 *ARMS TRADE TREATY*

8 *SEC. 7062. None of the funds appropriated by this Act*
9 *may be obligated or expended to implement the Arms Trade*
10 *Treaty until the Senate approves a resolution of ratification*
11 *for the Treaty.*

12 *COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE*

13 *POPULATIONS OR INTERNALLY DISPLACED PERSONS*

14 *SEC. 7063. Funds appropriated by this Act under the*
15 *headings “Development Assistance” and “Economic Sup-*
16 *port Fund” shall be made available for programs in coun-*
17 *tries affected by significant populations of internally dis-*
18 *placed persons or refugees to—*

19 (1) *expand and improve host government social*
20 *services and basic infrastructure to accommodate the*
21 *needs of such populations and persons;*

22 (2) *alleviate the social and economic strains*
23 *placed on host communities;*

24 (3) *improve coordination of such assistance in a*
25 *more effective and sustainable manner; and*

EXTRADITION

1
2 *SEC. 7067. (a) LIMITATION.—None of the funds appro-*
3 *priated in this Act may be used to provide assistance (other*
4 *than funds provided under the headings “International Dis-*
5 *aster Assistance”, “Complex Crises Fund”, “International*
6 *Narcotics Control and Law Enforcement”, “Migration and*
7 *Refugee Assistance”, “United States Emergency Refugee*
8 *and Migration Assistance Fund”, and “Nonproliferation,*
9 *Anti-terrorism, Demining and Related Assistance”)* for the
10 *central government of a country which has notified the De-*
11 *partment of State of its refusal to extradite to the United*
12 *States any individual indicted for a criminal offense for*
13 *which the maximum penalty is life imprisonment without*
14 *the possibility of parole or for killing a law enforcement*
15 *officer, as specified in a United States extradition request.*

16 *(b) CLARIFICATION.—Subsection (a) shall only apply*
17 *to the central government of a country with which the*
18 *United States maintains diplomatic relations and with*
19 *which the United States has an extradition treaty and the*
20 *government of that country is in violation of the terms and*
21 *conditions of the treaty.*

22 *(c) WAIVER.—The Secretary of State may waive the*
23 *restriction in subsection (a) on a case-by-case basis if the*
24 *Secretary certifies to the Committees on Appropriations*

1 *that such waiver is important to the national interests of*
2 *the United States.*

3 *COMMERCIAL LEASING OF DEFENSE ARTICLES*

4 *SEC. 7068. Notwithstanding any other provision of*
5 *law, and subject to the regular notification procedures of*
6 *the Committees on Appropriations, the authority of section*
7 *23(a) of the Arms Export Control Act may be used to pro-*
8 *vide financing to Israel, Egypt, and the North Atlantic*
9 *Treaty Organization (NATO), and major non-NATO allies*
10 *for the procurement by leasing (including leasing with an*
11 *option to purchase) of defense articles from United States*
12 *commercial suppliers, not including Major Defense Equip-*
13 *ment (other than helicopters and other types of aircraft hav-*
14 *ing possible civilian application), if the President deter-*
15 *mines that there are compelling foreign policy or national*
16 *security reasons for those defense articles being provided by*
17 *commercial lease rather than by government-to-government*
18 *sale under such Act.*

19 *INDEPENDENT STATES OF THE FORMER SOVIET UNION*

20 *SEC. 7069. (a) ASSISTANCE FOR UKRAINE.—Of the*
21 *funds appropriated by this Act under titles III through VI,*
22 *not less than \$658,185,000 shall be made available for as-*
23 *sistance for Ukraine.*

24 *(b) LIMITATION.—None of the funds appropriated by*
25 *this Act may be made available for assistance for a govern-*

1 *ment of an Independent State of the former Soviet Union*
2 *if that government directs any action in violation of the*
3 *territorial integrity or national sovereignty of any other*
4 *Independent State of the former Soviet Union, such as those*
5 *violations included in the Helsinki Final Act: Provided,*
6 *That except as otherwise provided in section 7070(a) of this*
7 *Act, funds may be made available without regard to the*
8 *restriction in this subsection if the President determines*
9 *that to do so is in the national security interest of the*
10 *United States: Provided further, That prior to executing the*
11 *authority contained in this subsection the Department of*
12 *State shall consult with the Committees on Appropriations*
13 *on how such assistance supports the national security inter-*
14 *est of the United States.*

15 *(c) SECTION 907 OF THE FREEDOM SUPPORT ACT.—*
16 *Section 907 of the FREEDOM Support Act shall not apply*
17 *to—*

18 *(1) activities to support democracy or assistance*
19 *under title V of the FREEDOM Support Act and sec-*
20 *tion 1424 of the Defense Against Weapons of Mass*
21 *Destruction Act of 1996 (50 U.S.C. 2333) or non-pro-*
22 *liferation assistance;*

23 *(2) any assistance provided by the Trade and*
24 *Development Agency under section 661 of the Foreign*
25 *Assistance Act of 1961 (22 U.S.C. 2421);*

1 *paragraph if the Secretary certifies to such Commit-*
2 *tees that to do so is in the national interest of the*
3 *United States, and includes a justification for such*
4 *interest.*

5 *(2) None of the funds appropriated by this Act*
6 *may be made available for—*

7 *(A) the implementation of any action or*
8 *policy that recognizes the sovereignty of the Rus-*
9 *sian Federation over Crimea;*

10 *(B) the facilitation, financing, or guarantee*
11 *of United States Government investments in Cri-*
12 *mea, if such activity includes the participation*
13 *of Russian Government officials, or other Rus-*
14 *sian owned or controlled financial entities; or*

15 *(C) assistance for Crimea, if such assistance*
16 *includes the participation of Russian Govern-*
17 *ment officials, or other Russian owned or con-*
18 *trolled financial entities.*

19 *(3) The Secretary of the Treasury shall instruct*
20 *the United States executive directors of each inter-*
21 *national financial institution to vote against any as-*
22 *sistance by such institution (including but not lim-*
23 *ited to any loan, credit, or guarantee) for any pro-*
24 *gram that violates the sovereignty or territorial integ-*
25 *egrity of Ukraine.*

1 (4) *The requirements and limitations of this sub-*
2 *section shall cease to be in effect if the Secretary of*
3 *State certifies and reports to the Committees on Ap-*
4 *propriations that the Government of Ukraine has re-*
5 *established sovereignty over Crimea.*

6 (c) *ASSISTANCE TO REDUCE VULNERABILITY AND*
7 *PRESSURE.—Funds appropriated by this Act for assistance*
8 *for the Eastern Partnership countries shall be made avail-*
9 *able to advance the implementation of Association Agree-*
10 *ments and trade agreements with the European Union, and*
11 *to reduce their vulnerability to external economic and polit-*
12 *ical pressure from the Russian Federation.*

13 (d) *DEMOCRACY PROGRAMS.—Funds appropriated by*
14 *this Act shall be made available to support the advancement*
15 *of democracy and the rule of law in the Russian Federation,*
16 *including to promote Internet freedom, and shall also be*
17 *made available to support the democracy and rule of law*
18 *strategy required by section 7071(d) of the Department of*
19 *State, Foreign Operations, and Related Programs Appro-*
20 *priations Act, 2014 (division K of Public Law 113–76).*

21 (e) *REPORTS.—Not later than 45 days after enactment*
22 *of this Act, the Secretary of State shall update the reports*
23 *required by section 7071(b)(2), (c), and (e) of the Depart-*
24 *ment of State, Foreign Operations, and Related Programs*

1 *Appropriations Act, 2014 (division K of Public Law 113–*
2 *76).*

3 *INTERNATIONAL MONETARY FUND*

4 *SEC. 7071. (a) EXTENSIONS.—The terms and condi-*
5 *tions of sections 7086(b) (1) and (2) and 7090(a) of the*
6 *Department of State, Foreign Operations, and Related Pro-*
7 *grams Appropriations Act, 2010 (division F of Public Law*
8 *111–117) shall apply to this Act.*

9 *(b) REPAYMENT.—The Secretary of the Treasury shall*
10 *instruct the United States Executive Director of the Inter-*
11 *national Monetary Fund (IMF) to seek to ensure that any*
12 *loan will be repaid to the IMF before other private creditors.*

13 *SPECIAL DEFENSE ACQUISITION FUND*

14 *SEC. 7072. Not to exceed \$900,000,000 may be obli-*
15 *gated pursuant to section 51(c)(2) of the Arms Export Con-*
16 *trol Act for the purposes of the Special Defense Acquisition*
17 *Fund (Fund), to remain available for obligation until Sep-*
18 *tember 30, 2018: Provided, That the provision of defense*
19 *articles and defense services to foreign countries or inter-*
20 *national organizations from the Fund shall be subject to*
21 *the concurrence of the Secretary of State.*

22 *COUNTERING FOREIGN FIGHTERS AND VIOLENT EXTREMIST*
23 *ORGANIZATIONS*

24 *SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS AND*
25 *VIOLENT EXTREMIST ORGANIZATIONS.—Funds appro-*

1 *priated under titles III and IV of this Act shall be made*
2 *available for programs to—*

3 (1) *counter the flow of foreign fighters to coun-*
4 *tries in which violent extremists or violent extremist*
5 *organizations operate, including those entities des-*
6 *ignated as foreign terrorist organizations (FTOs)*
7 *pursuant to section 219 of the Immigration and Na-*
8 *tionality Act (Public Law 82–814), including through*
9 *programs with partner governments and multilateral*
10 *organizations to—*

11 (A) *counter recruitment campaigns by such*
12 *entities;*

13 (B) *detect and disrupt foreign fighter travel,*
14 *particularly at points of origin;*

15 (C) *implement antiterrorism programs;*

16 (D) *secure borders, including points of infil-*
17 *tration and exfiltration by such entities;*

18 (E) *implement and establish criminal laws*
19 *and policies to counter foreign fighters; and*

20 (F) *arrest, investigate, prosecute, and incar-*
21 *cerate terrorist suspects, facilitators, and fin-*
22 *anciers; and*

23 (2) *reduce public support for violent extremists*
24 *or violent extremist organizations, including FTOs,*

1 *by addressing the specific drivers of radicalization,*
2 *including through such activities as—*

3 *(A) public messaging campaigns to damage*
4 *their appeal;*

5 *(B) programs to engage communities and*
6 *populations at risk of violent extremist*
7 *radicalization and recruitment;*

8 *(C) counter-radicalization and de-*
9 *radicalization activities for potential and former*
10 *violent extremists and returning foreign fighters,*
11 *including in prisons;*

12 *(D) law enforcement training programs;*
13 *and*

14 *(E) capacity building for civil society orga-*
15 *nizations to combat radicalization in local com-*
16 *munities.*

17 *(b) STRENGTHENING THE STATE SYSTEM.—*

18 *(1) Funds appropriated under titles III and IV*
19 *of this Act shall be made available for programs to*
20 *strengthen the state system and counter violent ex-*
21 *tremists and violent extremist organizations, includ-*
22 *ing FTOs, by supporting security and governance*
23 *programs in countries whose stability and legitimacy*
24 *are directly threatened by violence against state insti-*
25 *tutions by such entities, including at the national*

1 *and local levels, and in fragile states bordering such*
2 *countries.*

3 *(2) Programs funded pursuant to paragraph (1)*
4 *shall prioritize activities to improve governance, in-*
5 *cluding by—*

6 *(A) promoting civil society;*

7 *(B) strengthening the rule of law;*

8 *(C) professionalizing security services;*

9 *(D) increasing transparency and account-*
10 *ability;*

11 *(E) combating corruption; and*

12 *(F) protecting human rights.*

13 *(c) REQUIREMENTS.—*

14 *(1) The Secretary of State shall ensure that the*
15 *programs described in subsection (a) are coordinated*
16 *with and complement the efforts of other United*
17 *States Government agencies and international part-*
18 *ners, and that such programs are consistent with all*
19 *applicable laws, regulations, and policies regarding*
20 *the use of foreign assistance funds: Provided, That the*
21 *Secretary shall also ensure that information gained*
22 *through the conduct of programs described in sub-*
23 *section (a)(1) is shared in a timely manner with rel-*
24 *evant United States Government agencies and other*
25 *international partners, as appropriate.*

1 (2) *Prior to the obligation of funds appropriated*
2 *by this Act and made available for the purposes of*
3 *this section, the Secretary of State shall ensure that*
4 *mechanisms are in place for appropriate monitoring,*
5 *oversight, and control of such assistance: Provided,*
6 *That the Secretary shall promptly inform the appro-*
7 *priate congressional committees of each significant in-*
8 *stance in which assistance provided for such purposes*
9 *has been compromised, including the amount and*
10 *type of assistance affected, a description of the inci-*
11 *dent and parties involved, and an explanation of the*
12 *response of the Department of State.*

13 (3) *Funds appropriated by this Act that are*
14 *made available for programs described in subsection*
15 *(a) shall be subject to the regular notification proce-*
16 *dures of the Committees on Appropriations, and are*
17 *subject to the additional requirements contained*
18 *under section 7073 in the explanatory statement de-*
19 *scribed in section 4 (in the matter preceding division*
20 *A of this Consolidated Act): Provided, That for the*
21 *purposes of funds appropriated by this Act that are*
22 *made available for countering violent extremism, as*
23 *justified to the Committees on Appropriations in the*
24 *Congressional Budget Justification, Foreign Oper-*
25 *ations, Fiscal Year 2016, such funds shall only be*

1 *of such determination, the basis for such determination and*
2 *any resulting changes to program and policy.*

3 *BUDGET DOCUMENTS*

4 *SEC. 7076. (a) OPERATING PLANS.—Not later than 45*
5 *days after the date of enactment of this Act, each depart-*
6 *ment, agency, or organization funded in titles I, II, and*
7 *VI of this Act, and the Department of the Treasury and*
8 *Independent Agencies funded in title III of this Act, includ-*
9 *ing the Inter-American Foundation and the United States*
10 *African Development Foundation, shall submit to the Com-*
11 *mittees on Appropriations an operating plan for funds ap-*
12 *propriated to such department, agency, or organization in*
13 *such titles of this Act, or funds otherwise available for obli-*
14 *gation in fiscal year 2016, that provides details of the uses*
15 *of such funds at the program, project, and activity level:*
16 *Provided, That such plans shall include, as applicable, a*
17 *comparison between the most recent congressional directives*
18 *or approved funding levels and the funding levels proposed*
19 *by the department or agency; and a clear, concise, and in-*
20 *formative description/justification: Provided further, That*
21 *if such department, agency, or organization receives an ad-*
22 *ditional amount under the same heading in title VIII of*
23 *this Act, operating plans required by this subsection shall*
24 *include consolidated information on all such funds: Pro-*
25 *vided further, That operating plans that include changes*

1 *in levels of funding for programs, projects, and activities*
2 *specified in the congressional budget justification, in this*
3 *Act, or amounts specifically designated in the respective ta-*
4 *bles included in the explanatory statement described in sec-*
5 *tion 4 (in the matter preceding division A of this Consoli-*
6 *dated Act), as applicable, shall be subject to the notification*
7 *and reprogramming requirements of section 7015 of this*
8 *Act.*

9 (b) *SPEND PLANS.*—

10 (1) *Prior to the initial obligation of funds, the*
11 *Secretary of State or Administrator of the United*
12 *States Agency for International Development*
13 *(USAID), as appropriate, shall submit to the Com-*
14 *mittees on Appropriations a detailed spend plan for*
15 *funds made available by this Act, for—*

16 (A) *assistance for Afghanistan, Lebanon,*
17 *Pakistan, and the West Bank and Gaza;*

18 (B) *Power Africa and the regional security*
19 *initiatives listed under this heading in the ex-*
20 *planatory statement described in section 4 (in*
21 *the matter preceding division A of this Consoli-*
22 *dated Act): Provided, That the spend plan for*
23 *such initiatives shall include the amount of as-*
24 *sistance planned for each country by account, to*
25 *the maximum extent practicable; and*

1 (C) *democracy programs and sectors enu-*
2 *merated in subsections (a), (c)(2), (d)(1), (e), (f),*
3 *and (h) of section 7060 of this Act.*

4 (2) *Not later than 45 days after enactment of*
5 *this Act, the Secretary of the Treasury shall submit*
6 *to the Committees on Appropriations a detailed spend*
7 *plan for funds made available by this Act under the*
8 *heading “Department of the Treasury, International*
9 *Affairs Technical Assistance” in title III.*

10 (c) *SPENDING REPORT.—Not later than 45 days after*
11 *enactment of this Act, the USAID Administrator shall sub-*
12 *mit to the Committees on Appropriations a detailed report*
13 *on spending of funds made available during fiscal year*
14 *2015 under the heading “Development Credit Authority”.*

15 (d) *NOTIFICATIONS.—The spend plans referenced in*
16 *subsection (b) shall not be considered as meeting the notifi-*
17 *cation requirements in this Act or under section 634A of*
18 *the Foreign Assistance Act of 1961.*

19 (e) *CONGRESSIONAL BUDGET JUSTIFICATION.—*

20 (1) *The congressional budget justification for De-*
21 *partment of State operations and foreign operations*
22 *shall be provided to the Committees on Appropria-*
23 *tions concurrent with the date of submission of the*
24 *President’s budget for fiscal year 2017: Provided,*
25 *That the appendices for such justification shall be*

1 *provided to the Committees on Appropriations not*
2 *later than 10 calendar days thereafter.*

3 (2) *The Secretary of State and the USAID Ad-*
4 *ministrator shall include in the congressional budget*
5 *justification a detailed justification for multi-year*
6 *availability for any funds requested under the head-*
7 *ings “Diplomatic and Consular Programs” and “Op-*
8 *erating Expenses”.*

9 *REPORTS AND RECORDS MANAGEMENT*

10 *SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—*

11 (1) *REQUIREMENT.—Any agency receiving funds*
12 *made available by this Act shall, subject to para-*
13 *graphs (2) and (3), post on the publicly available Web*
14 *site of such agency any report required by this Act to*
15 *be submitted to the Committees on Appropriations,*
16 *upon a determination by the head of such agency that*
17 *to do so is in the national interest.*

18 (2) *EXCEPTIONS.—Paragraph (1) shall not*
19 *apply to a report if—*

20 (A) *the public posting of such report would*
21 *compromise national security, including the con-*
22 *duct of diplomacy; or*

23 (B) *the report contains proprietary, privi-*
24 *leged, or sensitive information.*

1 (3) *TIMING AND INTENTION.*—*The head of the*
2 *agency posting such report shall, unless otherwise pro-*
3 *vided for in this Act, do so only after such report has*
4 *been made available to the Committees on Appropria-*
5 *tions for not less than 45 days: Provided, That any*
6 *report required by this Act to be submitted to the*
7 *Committees on Appropriations shall include informa-*
8 *tion from the submitting agency on whether such re-*
9 *port will be publicly posted.*

10 (b) *REQUESTS FOR DOCUMENTS.*—*None of the funds*
11 *appropriated or made available pursuant to titles III*
12 *through VI of this Act shall be available to a nongovern-*
13 *mental organization, including any contractor, which fails*
14 *to provide upon timely request any document, file, or record*
15 *necessary to the auditing requirements of the Department*
16 *of State and the United States Agency for International*
17 *Development (USAID).*

18 (c) *RECORDS MANAGEMENT.*—

19 (1) *LIMITATION AND DIRECTIVES.*—

20 (A) *None of the funds appropriated by this*
21 *Act under the headings “Diplomatic and Con-*
22 *sular Programs” and “Capital Investment*
23 *Fund” in title I, and “Operating Expenses” in*
24 *title II that are made available to the Depart-*
25 *ment of State and USAID may be made avail-*

1 *able to support the use or establishment of email*
2 *accounts or email servers created outside the .gov*
3 *domain or not fitted for automated records man-*
4 *agement as part of a Federal government records*
5 *management program in contravention of the*
6 *Presidential and Federal Records Act Amend-*
7 *ments of 2014 (Public Law 113–187).*

8 *(B) The Secretary of State and USAID Ad-*
9 *ministrator shall—*

10 *(i) update the policies, directives, and*
11 *oversight necessary to comply with Federal*
12 *statutes, regulations, and presidential exec-*
13 *utive orders and memoranda concerning the*
14 *preservation of all records made or received*
15 *in the conduct of official business, including*
16 *record emails, instant messaging, and other*
17 *online tools;*

18 *(ii) use funds appropriated by this Act*
19 *under the headings “Diplomatic and Con-*
20 *sular Programs” and “Capital Investment*
21 *Fund” in title I, and “Operating Expenses”*
22 *in title II, as appropriate, to improve Fed-*
23 *eral records management pursuant to the*
24 *Federal Records Act (44 U.S.C. Chapters*
25 *21, 29, 31, and 33) and other applicable*

1 *Federal records management statutes, regu-*
2 *lations, or policies for the Department of*
3 *State and USAID;*

4 *(iii) direct departing employees that*
5 *all Federal records generated by such em-*
6 *ployees, including senior officials, belong to*
7 *the Federal Government; and*

8 *(iv) measurably improve the response*
9 *time for identifying and retrieving Federal*
10 *records.*

11 (2) *REPORT.*—*Not later than 30 days after en-*
12 *actment of this Act, the Secretary of State and*
13 *USAID Administrator shall each submit a report to*
14 *the Committees on Appropriations and to the Na-*
15 *tional Archives and Records Administration detail-*
16 *ing, as appropriate and where applicable—*

17 *(A) the policy of each agency regarding the*
18 *use or the establishment of email accounts or*
19 *email servers created outside the .gov domain or*
20 *not fitted for automated records management as*
21 *part of a Federal government records manage-*
22 *ment program;*

23 *(B) the extent to which each agency is in*
24 *compliance with applicable Federal records man-*
25 *agement statutes, regulations, and policies; and*

1 (C) the steps required, including steps al-
2 ready taken, and the associated costs, to—

3 (i) comply with paragraph (1)(B) of
4 this subsection;

5 (ii) ensure that all employees at every
6 level have been instructed in procedures and
7 processes to ensure that the documentation
8 of their official duties is captured, pre-
9 served, managed, protected, and accessible
10 in official Government systems of the De-
11 partment of State and USAID;

12 (iii) implement the recommendations
13 of the Office of Inspector General, United
14 States Department of State (OIG), in the
15 March 2015 Review of State Messaging and
16 Archive Retrieval Toolset and Record Email
17 (ISP-1-15-15) and any recommendations
18 from the OIG review of the records manage-
19 ment practices of the Department of State
20 requested by the Secretary on March 25,
21 2015, if completed;

22 (iv) reduce the backlog of Freedom of
23 Information Act and Congressional over-
24 sight requests, and measurably improve the
25 response time for answering such requests;

1 (v) *strengthen cyber security measures*
2 *to mitigate vulnerabilities, including those*
3 *resulting from the use of personal email ac-*
4 *counts or servers outside the .gov domain;*
5 *and*

6 (vi) *codify in the Foreign Affairs Man-*
7 *ual and Automated Directives System the*
8 *updates referenced in paragraph (1)(B) of*
9 *this subsection, where appropriate.*

10 (3) *REPORT ASSESSMENT.—Not later than 180*
11 *days after the submission of the reports required by*
12 *paragraph (2), the Comptroller General of the United*
13 *States, in consultation with National Archives and*
14 *Records Administration, as appropriate, shall con-*
15 *duct an assessment of such reports, and shall consult*
16 *with the Committees on Appropriations on the scope*
17 *and requirements of such assessment.*

18 (4) *FUNDING.—Of funds appropriated by this*
19 *Act under the heading “Capital Investment Fund” in*
20 *title I, \$10,000,000 shall be withheld from obligation*
21 *until the Secretary submits the report required by*
22 *paragraph (2).*

23 GLOBAL INTERNET FREEDOM

24 SEC. 7078. (a) *FUNDING.—Of the funds available for*
25 *obligation during fiscal year 2016 under the headings*

1 *“International Broadcasting Operations”, “Economic Sup-*
2 *port Fund”, “Democracy Fund”, and “Assistance for Eu-*
3 *rope, Euraisa and Central Asia”, not less than \$50,500,000*
4 *shall be made available for programs to promote Internet*
5 *freedom globally: Provided, That such programs shall be*
6 *prioritized for countries whose governments restrict freedom*
7 *of expression on the Internet, and that are important to*
8 *the national interests of the United States: Provided further,*
9 *That funds made available pursuant to this section shall*
10 *be matched, to the maximum extent practicable, by sources*
11 *other than the United States Government, including from*
12 *the private sector.*

13 **(b) REQUIREMENTS.**—*Funds made available pursuant*
14 *to subsection (a) shall be—*

15 **(1)** *coordinated with other democracy, govern-*
16 *ance, and broadcasting programs funded by this Act*
17 *under the headings “International Broadcasting Op-*
18 *erations”, “Economic Support Fund”, “Democracy*
19 *Fund”, “Complex Crises Fund”, and “Assistance for*
20 *Europe, Eurasia and Central Asia”, and shall be in-*
21 *corporated into country assistance, democracy pro-*
22 *motion, and broadcasting strategies, as appropriate;*

23 **(2)** *made available to the Bureau of Democracy,*
24 *Human Rights, and Labor, Department of State for*
25 *programs to implement the May 2011, International*

1 *Strategy for Cyberspace and the comprehensive strat-*
2 *egy to promote Internet freedom and access to infor-*
3 *mation in Iran, as required by section 414 of the*
4 *Iran Threat Reduction and Syria Human Rights Act*
5 *of 2012 (22 U.S.C. 8754);*

6 (3) *made available to the Broadcasting Board of*
7 *Governors (BBG) to provide tools and techniques to*
8 *access the Web sites of BBG broadcasters that are*
9 *censored, and to work with such broadcasters to pro-*
10 *mote and distribute such tools and techniques, includ-*
11 *ing digital security techniques;*

12 (4) *made available for programs that support the*
13 *efforts of civil society to counter the development of*
14 *repressive Internet-related laws and regulations, in-*
15 *cluding countering threats to Internet freedom at*
16 *international organizations; to combat violence*
17 *against bloggers and other users; and to enhance dig-*
18 *ital security training and capacity building for de-*
19 *mocracy activists;*

20 (5) *made available for research of key threats to*
21 *Internet freedom; the continued development of tech-*
22 *nologies that provide or enhance access to the Inter-*
23 *net, including circumvention tools that bypass Inter-*
24 *net blocking, filtering, and other censorship techniques*
25 *used by authoritarian governments; and maintenance*

1 *of the technological advantage of the United States*
2 *Government over such censorship techniques: Pro-*
3 *vided, That the Secretary of State, in consultation*
4 *with the BBG Chairman, shall coordinate any such*
5 *research and development programs with other rel-*
6 *evant United States Government departments and*
7 *agencies in order to share information, technologies,*
8 *and best practices, and to assess the effectiveness of*
9 *such technologies; and*

10 *(6) coordinated by the Assistant Secretary of*
11 *State for Democracy, Human Rights, and Labor, De-*
12 *partment of State, except that the uses of such funds*
13 *made available under the heading “International*
14 *Broadcasting Operations” shall be the responsibility*
15 *of the BBG Chairman.*

16 *(c) COORDINATION AND SPEND PLANS.—After con-*
17 *sultation among the relevant agency heads to coordinate*
18 *and de-conflict planned activities, but not later than 90*
19 *days after enactment of this Act, the Secretary of State and*
20 *the BBG Chairman shall submit to the Committees on Ap-*
21 *propriations spend plans for funds made available by this*
22 *Act for programs to promote Internet freedom globally,*
23 *which shall include a description of safeguards established*
24 *by relevant agencies to ensure that such programs are not*
25 *used for illicit purposes: Provided, That the Department of*

1 *State spend plan shall include funding for all such pro-*
2 *grams for all relevant Department of State and USAID of-*
3 *fices and bureaus: Provided further, That prior to the obli-*
4 *gation of such funds, such offices and bureaus shall consult*
5 *with the Assistant Secretary for Democracy, Human*
6 *Rights, and Labor, Department of State, to ensure that such*
7 *programs support the Department of State Internet freedom*
8 *strategy.*

9 *DISABILITY PROGRAMS*

10 *SEC. 7079. (a) ASSISTANCE.—Funds appropriated by*
11 *this Act under the heading “Economic Support Fund” shall*
12 *be made available for programs and activities administered*
13 *by the United States Agency for International Development*
14 *(USAID) to address the needs and protect and promote the*
15 *rights of people with disabilities in developing countries,*
16 *including initiatives that focus on independent living, eco-*
17 *nomie self-sufficiency, advocacy, education, employment,*
18 *transportation, sports, and integration of individuals with*
19 *disabilities, including for the cost of translation.*

20 *(b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUP-*
21 *PORT.—Of the funds made available pursuant to this sec-*
22 *tion, 5 percent may be used for USAID for management,*
23 *oversight, and technical support.*

1 *IMPACT ON JOBS IN THE UNITED STATES*

2 *SEC. 7080. None of the funds appropriated or other-*
3 *wise made available under titles III through VI of this Act*
4 *may be obligated or expended to provide—*

5 *(1) any financial incentive to a business enter-*
6 *prise currently located in the United States for the*
7 *purpose of inducing such an enterprise to relocate*
8 *outside the United States if such incentive or induce-*
9 *ment is likely to reduce the number of employees of*
10 *such business enterprise in the United States because*
11 *United States production is being replaced by such*
12 *enterprise outside the United States;*

13 *(2) assistance for any program, project, or activ-*
14 *ity that contributes to the violation of internationally*
15 *recognized workers' rights, as defined in section*
16 *507(4) of the Trade Act of 1974, of workers in the re-*
17 *cipient country, including any designated zone or*
18 *area in that country: Provided, That the application*
19 *of section 507(4)(D) and (E) of such Act should be*
20 *commensurate with the level of development of the re-*
21 *cipient country and sector, and shall not preclude as-*
22 *sistance for the informal sector in such country, micro*
23 *and small-scale enterprise, and smallholder agri-*
24 *culture;*

1 (3) any assistance to an entity outside the
2 United States if such assistance is for the purpose of
3 directly relocating or transferring jobs from the
4 United States to other countries and adversely im-
5 pacts the labor force in the United States; or

6 (4) for the enforcement of any rule, regulation,
7 policy, or guidelines implemented pursuant to—

8 (A) the third proviso of subsection 7079(b)
9 of the Consolidated Appropriations Act, 2010;

10 (B) the modification proposed by the Over-
11 seas Private Investment Corporation in Novem-
12 ber 2013 to the Corporation's Environmental
13 and Social Policy Statement relating to coal; or

14 (C) the Supplemental Guidelines for High
15 Carbon Intensity Projects approved by the Ex-
16 port-Import Bank of the United States on De-
17 cember 12, 2013,

18 when enforcement of such rule, regulation, policy, or
19 guidelines would prohibit, or have the effect of prohib-
20 iting, any coal-fired or other power-generation project
21 the purpose of which is to: (i) provide affordable elec-
22 tricity in International Development Association
23 (IDA)-eligible countries and IDA-blend countries; and
24 (ii) increase exports of goods and services from the

1 *United States or prevent the loss of jobs from the*
2 *United States.*

3 *COUNTRY FOCUS AND SELECTIVITY*

4 *SEC. 7081. (a) TRANSITION PLAN REQUIREMENT.—*

5 *Any bilateral country assistance strategy developed after the*
6 *date of enactment of this Act for the provision of assistance*
7 *for a foreign country shall include a transition plan identi-*
8 *fying end goals and options for winding down, within a*
9 *targeted period of years, such bilateral assistance: Provided,*
10 *That such transition plan shall be developed by the Sec-*
11 *retary of State, in consultation with the Administrator of*
12 *the United States Agency for International Development*
13 *(USAID), the heads of other relevant Federal agencies, and*
14 *officials of such foreign government and representatives of*
15 *civil society, as appropriate.*

16 *(b) TARGETED TRANSITIONS.—Not later than 180*
17 *days after enactment of this Act, the Secretary of State, in*
18 *consultation with the USAID Administrator, the heads of*
19 *other relevant Federal agencies, and the Committees on Ap-*
20 *propriations, shall select at least one country in which to*
21 *establish and implement a transition program to seek to*
22 *reduce dependency on bilateral foreign assistance and create*
23 *greater self-sufficiency for such country: Provided, That any*
24 *such selection shall be of a country receiving assistance with*
25 *funds appropriated under titles III and IV of this Act and*

1 *prior Acts making appropriations for the Department of*
2 *State, foreign operations, and related programs that—*

3 *(1) is a long-time recipient of such assistance;*

4 *(2) has demonstrated, or has been assessed to*
5 *possess, the capacity for self-sufficiency; and*

6 *(3) is not impacted by conflict or crisis, includ-*
7 *ing large numbers of internally displaced persons or*
8 *significant refugee populations resulting from such*
9 *conflict or crisis:*

10 *Provided further, That the Secretary shall consult with the*
11 *Committees on Appropriations prior to the selection of any*
12 *such country, and on the goals and targets for such program*
13 *to be established in the selected country: Provided further,*
14 *That such transition should exclude funding for democracy*
15 *and humanitarian assistance programs: Provided further,*
16 *That assistance may be resumed or continued for any such*
17 *selected country if the Secretary determines and reports to*
18 *the Committees on Appropriations that to do so is impor-*
19 *tant to the national interest of the United States, and such*
20 *report provides an explanation of such interest being served.*

21 *UNITED NATIONS POPULATION FUND*

22 *SEC. 7082. (a) CONTRIBUTION.—Of the funds made*
23 *available under the heading “International Organizations*
24 *and Programs” in this Act for fiscal year 2016, \$32,500,000*

1 *shall be made available for the United Nations Population*
2 *Fund (UNFPA).*

3 **(b) AVAILABILITY OF FUNDS.**—*Funds appropriated by*
4 *this Act for UNFPA, that are not made available for*
5 *UNFPA because of the operation of any provision of law,*
6 *shall be transferred to the “Global Health Programs” ac-*
7 *count and shall be made available for family planning, ma-*
8 *ternal, and reproductive health activities, subject to the reg-*
9 *ular notification procedures of the Committees on Appro-*
10 *priations.*

11 **(c) PROHIBITION ON USE OF FUNDS IN CHINA.**—*None*
12 *of the funds made available by this Act may be used by*
13 *UNFPA for a country program in the People’s Republic*
14 *of China.*

15 **(d) CONDITIONS ON AVAILABILITY OF FUNDS.**—*Funds*
16 *made available by this Act for UNFPA may not be made*
17 *available unless—*

18 **(1)** *UNFPA maintains funds made available by*
19 *this Act in an account separate from other accounts*
20 *of UNFPA and does not commingle such funds with*
21 *other sums; and*

22 **(2)** *UNFPA does not fund abortions.*

23 **(e) REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR**
24 **WITHHOLDING OF FUNDS.**—

1 *wide Security Protection and shall remain available until*
2 *expended: Provided, That the Secretary of State may trans-*
3 *fer up to \$10,000,000 of the total funds made available*
4 *under this heading to any other appropriation of any de-*
5 *partment or agency of the United States, upon the concur-*
6 *rence of the head of such department or agency, to support*
7 *operations in and assistance for Afghanistan and to carry*
8 *out the provisions of the Foreign Assistance Act of 1961:*
9 *Provided further, That any such transfer shall be treated*
10 *as a reprogramming of funds under subsections (a) and (b)*
11 *of section 7015 of this Act and shall not be available for*
12 *obligation or expenditure except in compliance with the*
13 *procedures set forth in that section: Provided further, That*
14 *up to \$15,000,000 of the funds appropriated under this*
15 *heading in this title may be made available for Conflict*
16 *Stabilization Operations and for related reconstruction and*
17 *stabilization assistance to prevent or respond to conflict or*
18 *civil strife in foreign countries or regions, or to enable tran-*
19 *sition from such strife: Provided further, 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 *tion as authorized: 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 *INTERNATIONAL ORGANIZATIONS*

7 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

8 *For an additional amount for “Contributions to Inter-*
9 *national Organizations”, \$101,728,000: 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 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

15 *ACTIVITIES*

16 *For an additional amount for “Contributions for*
17 *International Peacekeeping Activities”, \$1,794,088,000, to*
18 *remain available until September 30, 2017: 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.*

1 *RELATED AGENCY*
2 *BROADCASTING BOARD OF GOVERNORS*
3 *INTERNATIONAL BROADCASTING OPERATIONS*

4 *For an additional amount for “International Broad-*
5 *casting Operations”, \$10,700,000, to remain available until*
6 *September 30, 2017: 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 *UNITED STATES AGENCY FOR INTERNATIONAL*
12 *DEVELOPMENT*

13 *FUNDS APPROPRIATED TO THE PRESIDENT*
14 *OPERATING EXPENSES*

15 *For an additional amount for “Operating Expenses”,*
16 *\$139,262,000, to remain available until September 30,*
17 *2017: 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.*

1 *BILATERAL ECONOMIC ASSISTANCE*2 *FUNDS APPROPRIATED TO THE PRESIDENT*3 *INTERNATIONAL DISASTER ASSISTANCE*

4 *For an additional amount for “International Disaster*
5 *Assistance”, \$1,919,421,000, 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 *TRANSITION INITIATIVES*

12 *For an additional amount for “Transition Initia-*
13 *tives”, \$37,000,000, to remain available until expended:*
14 *Provided, That such amount is designated by the Congress*
15 *for Overseas Contingency Operations/Global War on Ter-*
16 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*
17 *Budget and Emergency Deficit Control Act of 1985.*

18 *COMPLEX CRISES FUND*

19 *For an additional amount for “Complex Crises Fund”,*
20 *\$20,000,000, to remain available until expended: Provided,*
21 *That such amount is designated by the Congress for Over-*
22 *seas Contingency Operations/Global War on Terrorism pur-*
23 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
24 *and Emergency Deficit Control Act of 1985.*

1 *ECONOMIC SUPPORT FUND*

2 *For an additional amount for “Economic Support*
3 *Fund”, \$2,422,673,000, to remain available until Sep-*
4 *tember 30, 2017: 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 *ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA*

10 *For an additional amount for “Assistance for Europe,*
11 *Eurasia and Central Asia”, \$438,569,000, to remain avail-*
12 *able until September 30, 2017: Provided, That such amount*
13 *is designated by the Congress for Overseas Contingency Op-*
14 *erations/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 *DEPARTMENT OF STATE*18 *MIGRATION AND REFUGEE ASSISTANCE*

19 *For an additional amount for “Migration and Refugee*
20 *Assistance” to respond to refugee crises, including in Africa,*
21 *the Near East, South and Central Asia, and Europe and*
22 *Eurasia, \$2,127,114,000, to remain available until ex-*
23 *pended, except that such funds shall not be made available*
24 *for the resettlement costs of refugees in the United States:*
25 *Provided, 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 *INTERNATIONAL SECURITY ASSISTANCE*

5 *DEPARTMENT OF STATE*

6 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

7 *ENFORCEMENT*

8 *For an additional amount for “International Nar-*
9 *cotics Control and Law Enforcement”, \$371,650,000, to re-*
10 *main available until September 30, 2017: Provided, That*
11 *such amount is designated by the Congress for Overseas*
12 *Contingency Operations/Global War on Terrorism pursu-*
13 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
14 *Emergency Deficit Control Act of 1985.*

15 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*

16 *RELATED PROGRAMS*

17 *For an additional amount for “Nonproliferation,*
18 *Anti-terrorism, Demining and Related Programs”,*
19 *\$379,091,000, to remain available until September 30,*
20 *2017: 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 *PEACEKEEPING OPERATIONS*

2 *For an additional amount for “Peacekeeping Oper-*
3 *ations”, \$469,269,000, to remain available until September*
4 *30, 2017: 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: Provided further, That funds available for obligation*
9 *under this heading in this Act may be used to pay assessed*
10 *expenses of international peacekeeping activities in Soma-*
11 *lia, subject to the regular notification procedures of the*
12 *Committees on Appropriations, except that such expenses*
13 *shall not exceed the level described in the final proviso under*
14 *the heading “Contributions for International Peacekeeping*
15 *Activities” in title I of this Act.*

16 *FUNDS APPROPRIATED TO THE PRESIDENT*17 *FOREIGN MILITARY FINANCING PROGRAM*

18 *For an additional amount for “Foreign Military Fi-*
19 *nancing Program”, \$1,288,176,000, to remain available*
20 *until September 30, 2017: Provided, That such amount is*
21 *designated by the Congress for Overseas Contingency Oper-*
22 *ations/Global War on Terrorism pursuant to section*
23 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
24 *Deficit Control Act of 1985.*

1 *GENERAL PROVISIONS*2 *ADDITIONAL APPROPRIATIONS*

3 *SEC. 8001. Notwithstanding any other provision of*
4 *law, funds appropriated in this title are in addition to*
5 *amounts appropriated or otherwise made available in this*
6 *Act for fiscal year 2016.*

7 *EXTENSION OF AUTHORITIES AND CONDITIONS*

8 *SEC. 8002. Unless otherwise provided for in this Act,*
9 *the additional amounts appropriated by this title to appro-*
10 *priations accounts in this Act shall be available under the*
11 *authorities and conditions applicable to such appropria-*
12 *tions accounts.*

13 *TRANSFER AUTHORITY*

14 *SEC. 8003. (a)(1) Funds appropriated by this title in*
15 *this Act under the headings “Transition Initiatives”,*
16 *“Complex Crises Fund”, “Economic Support Fund”, and*
17 *“Assistance for Europe, Eurasia and Central Asia” may*
18 *be transferred to, and merged with, funds appropriated by*
19 *this title under such headings.*

20 *(2) Funds appropriated by this title in this Act under*
21 *the headings “International Narcotics Control and Law*
22 *Enforcement”, “Nonproliferation, Anti-terrorism,*
23 *Demining and Related Programs”, “Peacekeeping Oper-*
24 *ations”, and “Foreign Military Financing Program” may*

1 *be transferred to, and merged with, funds appropriated by*
2 *this title under such headings.*

3 (3) *Of the funds appropriated by this title under the*
4 *heading “International Disaster Assistance”, up to*
5 *\$600,000,000 may be transferred to, and merged with,*
6 *funds appropriated by this title under the heading “Migra-*
7 *tion and Refugee Assistance”.*

8 (b) *Notwithstanding any other provision of this sec-*
9 *tion, not to exceed \$15,000,000 from funds appropriated*
10 *under the heading “Foreign Military Financing Program”*
11 *by this title in this Act and made available for the Europe*
12 *and Eurasia Regional program may be transferred to, and*
13 *merged with, funds previously made available under the*
14 *heading “Global Security Contingency Fund” which shall*
15 *be available only for programs in the Europe and Eurasia*
16 *region.*

17 (c) *The transfer authority provided in subsection (a)*
18 *may only be exercised to address contingencies.*

19 (d) *The transfer authority provided in subsections (a)*
20 *and (b) shall be subject to prior consultation with, and the*
21 *regular notification procedures of, the Committees on Ap-*
22 *propriations: Provided, That such transfer authority is in*
23 *addition to any transfer authority otherwise available*
24 *under any other provision of law, including section 610 of*

1 *the Foreign Assistance Act of 1961 which may be exercised*
2 *by the Secretary of State for the purposes of this title.*

3

TITLE IX

4

OTHER MATTERS

5

MULTILATERAL ASSISTANCE

6

INTERNATIONAL MONETARY PROGRAMS

7

UNITED STATES QUOTA, INTERNATIONAL MONETARY FUND

8

DIRECT LOAN PROGRAM ACCOUNT

9

10 *For an increase in the United States quota in the*
11 *International Monetary Fund, the dollar equivalent of*
12 *40,871,800,000 Special Drawing Rights, to remain avail-*
13 *able until expended: Provided, That notwithstanding the*
14 *provisos under the heading “International Assistance Pro-*
15 *grams—International Monetary Programs—United States*
16 *Quota, International Monetary Fund” in the Supplemental*
17 *Appropriations Act, 2009 (Public Law 111–32), the costs*
18 *of the amounts provided under this heading in this Act and*
19 *in Public Law 111–32 shall be estimated on a present value*
20 *basis, excluding administrative costs and any incidental ef-*
21 *fects on governmental receipts or outlays: Provided further,*
22 *That for purposes of the previous proviso, the discount rate*
23 *for purposes of the present value calculation shall be the*
24 *appropriate interest rate on marketable Treasury securities,*
25 *adjusted for market risk: Provided further, That such*
amount is designated by the Congress as an emergency re-

1 *quirement pursuant to section 251(b)(2)(A)(i) of the Bal-*
2 *anced Budget and Emergency Deficit Control Act of 1985,*
3 *as amended: Provided further, That such amount shall be*
4 *available only if the President designates such amount, and*
5 *the related amount to be rescinded under the heading*
6 *“Loans to the International Monetary Fund Direct Loan*
7 *Program Account”, as an emergency requirement pursuant*
8 *to section 251(b)(2)(A)(i) and transmits such designation*
9 *to the Congress.*

10 *LOANS TO THE INTERNATIONAL MONETARY FUND*

11 *DIRECT LOAN PROGRAM ACCOUNT*

12 *(INCLUDING RESCISSION OF FUNDS)*

13 *Of the amounts provided under the heading “Inter-*
14 *national Assistance Programs—International Monetary*
15 *Programs—Loans to International Monetary Fund” in the*
16 *Supplemental Appropriations Act, 2009 (Public Law 111–*
17 *32), the dollar equivalent of 40,871,800,000 Special Draw-*
18 *ing Rights is hereby permanently rescinded as of the date*
19 *when the rollback of the United States credit arrangement*
20 *in the New Arrangements to Borrow of the International*
21 *Monetary Fund is effective, but no earlier than when the*
22 *increase of the United States quota authorized in section*
23 *72 of the Bretton Woods Agreements Act (22 U.S.C. 286*
24 *et seq.) becomes effective: Provided, That notwithstanding*
25 *the second through fourth provisos under the heading*

1 *“International Assistance Programs—International Mone-*
2 *tary Programs—Loans to International Monetary Fund”*
3 *in Public Law 111–32, the costs of the amounts under this*
4 *heading in this Act and in Public Law 111–32 shall be*
5 *estimated on a present value basis, excluding administra-*
6 *tive costs and any incidental effects on governmental re-*
7 *ceipts or outlays: Provided further, That for purposes of the*
8 *previous proviso, the discount rate for purposes of the*
9 *present value calculation shall be the appropriate interest*
10 *rate on marketable Treasury securities, adjusted for market*
11 *risk: Provided further, That such amount is designated by*
12 *the Congress as an emergency requirement pursuant to sec-*
13 *tion 251(b)(2)(A)(i) of the Balanced Budget and Emergency*
14 *Deficit Control Act of 1985, as amended: Provided further,*
15 *That such amount shall be rescinded only if the President*
16 *designates such amount as an emergency requirement pur-*
17 *suant to section 251(b)(2)(A)(i) and transmits such des-*
18 *ignation to the Congress.*

19 **GENERAL PROVISIONS**

20 **LIMITATIONS ON AND EXPIRATION OF AUTHORITY WITH**
21 **RESPECT TO NEW ARRANGEMENTS TO BORROW**

22 **SEC. 9001.** *Section 17 of the Bretton Woods Agree-*
23 *ments Act (22 U.S.C. 286e–2) is amended—*

24 *(1) in subsection (a) by adding at the end the*
25 *following:*

1 “(5) *The authority to make loans under this sec-*
2 *tion shall expire on December 16, 2022.*”;

3 (2) *in subsection (b), in paragraphs (1) and (2),*
4 *by inserting before the end period the following: “,*
5 *only to the extent that amounts available for such*
6 *loans are not rescinded by an Act of Congress*”;

7 (3) *by adding the following subsection (e), which*
8 *shall be effective from the first day of the next period*
9 *of renewal of the NAB decision after enactment of this*
10 *Act:*

11 “(e) *New Requirement for Activation of the New Ar-*
12 *rangements to Borrow*

13 “(1) *The Secretary of the Treasury shall include*
14 *in the certification and report required by para-*
15 *graphs (a)(1), (a)(2), (b)(1), and (b)(2) of this section*
16 *prior to activation an additional certification and re-*
17 *port that—*

18 “(A) *the one-year forward commitment ca-*
19 *capacity of the IMF (excluding borrowed resources)*
20 *is expected to fall below 100,000,000,000 Special*
21 *Drawing Rights during the period of the NAB*
22 *activation; and*

23 “(B) *activation of the NAB is in the United*
24 *States strategic economic interest with the rea-*
25 *sons and analysis for that determination.*

1 “(2) *Prior to submitting any certification and*
 2 *report required by paragraphs (a)(1), (a)(2), (b)(1),*
 3 *and (b)(2) of this section, the Secretary of the Treas-*
 4 *ury shall consult with the appropriate congressional*
 5 *committees.”; and*

6 (4) *by adding at the end the following:*

7 “(f) *In this section, the term ‘appropriate congres-*
 8 *sional committees’ means the Committees on Appropria-*
 9 *tions and Foreign Relations of the Senate and the Commit-*
 10 *tees on Appropriations and Financial Services of the House*
 11 *of Representatives.”.*

12 *ACCEPTANCE OF AMENDMENTS TO ARTICLES OF*

13 *AGREEMENT; QUOTA INCREASE*

14 *SEC. 9002. The Bretton Woods Agreements Act (22*
 15 *U.S.C. 286 et seq.) is amended by adding at the end the*
 16 *following:*

17 **“SEC. 71. ACCEPTANCE OF AMENDMENTS TO THE ARTICLES**
 18 **OF AGREEMENT OF THE FUND.**

19 *“The United States Governor of the Fund may accept*
 20 *the amendments to the Articles of Agreement of the Fund*
 21 *as proposed in resolution 66–2 of the Board of Governors*
 22 *of the Fund.*

23 **“SEC. 72. QUOTA INCREASE.**

24 *“(a) IN GENERAL.—The United States Governor of the*
 25 *Fund may consent to an increase in the quota of the United*

1 *States in the Fund equivalent to 40,871,800,000 Special*
2 *Drawing Rights.*

3 “(b) *SUBJECT TO APPROPRIATIONS.—The authority*
4 *provided by subsection (a) shall be effective only to such*
5 *extent or in such amounts as are provided in advance in*
6 *appropriations Acts.”.*

7 *REPORT ON METHODOLOGY USED FOR CONGRESSIONAL*
8 *BUDGET OFFICE COST ESTIMATES*

9 *SEC. 9003. (a) REPORT.—Not later than 180 days*
10 *after the date of enactment of this Act, the Director of the*
11 *Congressional Budget Office shall submit a report to the*
12 *appropriate congressional committees on the methodology*
13 *used and rationale for incorporating market risk in cost*
14 *estimates for the International Monetary Fund: Provided,*
15 *That for the purposes of this subsection, the term “appro-*
16 *priate congressional committees” means—*

17 *(1) the Committees on Appropriations, Budget,*
18 *Banking, Housing and Urban Affairs, and Foreign*
19 *Relations of the Senate; and*

20 *(2) the Committees on Appropriations, Budget,*
21 *and Financial Services of the House of Representa-*
22 *tives.*

23 *(b) REQUIREMENTS.—The report submitted pursuant*
24 *to subsection (a) shall include matters relevant to the eval-*
25 *uation of the budgetary effects of the participation of the*

1 *United States in the International Monetary Fund, includ-*
2 *ing the risks associated with—*

3 (1) *the current participation of the United*
4 *States in the International Monetary Fund, including*
5 *the market risk of the Fund;*

6 (2) *countries borrowing from the Fund;*

7 (3) *the various loan instruments and assistance*
8 *activities of the Fund; and*

9 (4) *past participation of the United States in the*
10 *International Monetary Fund, including the histor-*
11 *ical net cost to the government of previous quota in-*
12 *creases.*

13 (c) *REVIEW.—Following the submission of the report*
14 *required by subsection (a), the Committees on Appropria-*
15 *tions and Budget of the Senate and the Committees on Ap-*
16 *propriations and Budget of the House of Representatives*
17 *shall review the Congressional Budget Office’s market risk*
18 *scoring methodology and consider options for modifying the*
19 *budgetary treatment of new appropriations to the Inter-*
20 *national Monetary Fund: Provided, That in conducting*
21 *such review, such committees should consult with other in-*
22 *terested parties, including the Office of Management and*
23 *Budget and the Congressional Budget Office.*

1 *REQUIRED CONSULTATIONS WITH CONGRESS IN ADVANCE*
2 *OF CONSIDERATION OF EXCEPTIONAL ACCESS LENDING*

3 *SEC. 9004. (a) IN GENERAL.—The United States Ex-*
4 *ecutive Director of the International Monetary Fund (the*
5 *Fund) (or any designee of the Executive Director) may not*
6 *vote for the approval of an exceptional access loan to be*
7 *provided by the Fund to a country unless, not later than*
8 *7 days before voting to approve that loan (subject to sub-*
9 *section (c)), the Secretary of the Treasury submits to the*
10 *Committees on Appropriations and Foreign Relations of the*
11 *Senate and the Committees on Appropriations and Finan-*
12 *cial Services of the House of Representatives—*

13 *(1) a report on the exceptional access program*
14 *under which the loan is to be provided, including a*
15 *description of the size and tenor of the program; and*

16 *(2) a debt sustainability analysis and related*
17 *documentation justifying the need for the loan.*

18 *(b) ELEMENTS.—A debt sustainability analysis under*
19 *subsection (a)(2) with respect to an exceptional access loan*
20 *shall include the following:*

21 *(1) any assumptions for growth of the gross do-*
22 *mestic product of the country that may receive the*
23 *loan;*

1 (2) *an estimate of whether the public debt of that*
2 *country is sustainable in the medium term, consistent*
3 *with the exceptional access lending rules of the Fund;*

4 (3) *an estimate of the prospects of that country*
5 *for regaining access to private capital markets; and*

6 (4) *an evaluation of the probability of the success*
7 *of providing the exceptional access loan.*

8 (c) *EXTRAORDINARY CIRCUMSTANCES.—The Secretary*
9 *may submit the report and analysis required by subsection*
10 *(a) to the Committees on Appropriations and Foreign Rela-*
11 *tions of the Senate and the Committees on Appropriations*
12 *and Financial Services of the House of Representatives not*
13 *later than 2 business days after a decision by the Executive*
14 *Board of the Fund to approve an exceptional access loan*
15 *only if the Secretary—*

16 (1) *determines and certifies that—*

17 (A) *an emergency exists in the country that*
18 *applied for the loan and that country requires*
19 *immediate assistance to avoid disrupting orderly*
20 *financial markets; or*

21 (B) *other extraordinary circumstances exist*
22 *that warrant delaying the submission of the re-*
23 *port and analysis; and*

1 (2) *submits with the report and analysis a de-*
2 *tailed explanation of the emergency or extraordinary*
3 *circumstances and the reasons for the delay.*

4 (d) *FORM OF REPORT AND ANALYSIS.*—*The report and*
5 *debt sustainability analysis and related documentation re-*
6 *quired by subsection (a) may be submitted in classified*
7 *form.*

8 *REPEAL OF SYSTEMIC RISK EXEMPTION TO LIMITATIONS*
9 *TO ACCESS POLICY OF THE INTERNATIONAL MONE-*
10 *TARY FUND*

11 *SEC. 9005. (a) POSITION OF THE UNITED STATES.*—
12 *The Secretary of the Treasury shall direct the United States*
13 *Executive Director of the International Monetary Fund (the*
14 *Fund) to use the voice and vote of the United States to urge*
15 *the Executive Board of the Fund to repeal the systemic risk*
16 *exemption to the debt sustainability criterion of the Fund’s*
17 *exceptional access framework, as set forth in paragraph 3(b)*
18 *of Decision No. 14064-(08/18) of the Fund (relating to ac-*
19 *cess policy and limits in the credit tranches and under the*
20 *extended Fund facility and overall access to the Fund’s gen-*
21 *eral resources, and exceptional access policy).*

22 (b) *REPORT REQUIRED.*—*The quota increase author-*
23 *ized by the amendments made by section 9002 shall not be*
24 *disbursed until the Secretary of the Treasury reports to the*
25 *Committees on Appropriations and Foreign Relations of the*

1 *Senate and the Committees on Appropriations and Finan-*
2 *cial Services of the House of Representatives that the United*
3 *States has taken all necessary steps to secure repeal of the*
4 *systemic risk exemption to the framework described in sub-*
5 *section (a).*

6 *ANNUAL REPORT ON LENDING, SURVEILLANCE, OR TECH-*
7 *NICAL ASSISTANCE POLICIES OF THE INTERNATIONAL*
8 *MONETARY FUND*

9 *SEC. 9006. Not later than one year after the date of*
10 *the enactment of this Act, and annually thereafter until*
11 *2025, the Secretary of the Treasury shall submit to the*
12 *Committees on Appropriations and Foreign Relations of the*
13 *Senate and the Committees on Appropriations and Finan-*
14 *cial Services of the House of Representatives a written re-*
15 *port that includes—*

16 *(1) a description of any changes in the policies*
17 *of the International Monetary Fund (the Fund) with*
18 *respect to lending, surveillance, or technical assist-*
19 *ance;*

20 *(2) an analysis of whether those changes, if any,*
21 *increase or decrease the risk to United States finan-*
22 *cial commitments to the Fund;*

23 *(3) an analysis of any new or ongoing excep-*
24 *tional access loans of the Fund in place during the*
25 *year preceding the submission of the report; and*

1 (4) a description of any changes to the excep-
2 tional access policies of the Fund.

3 *REPORT ON IMPROVING UNITED STATES PARTICIPATION*
4 *IN THE INTERNATIONAL MONETARY FUND*

5 *SEC. 9007. Not later than 180 days after the date of*
6 *the enactment of this Act, the Secretary of the Treasury*
7 *shall submit to the Committees on Appropriations and For-*
8 *oreign Relations of the Senate and the Committees on Appro-*
9 *priations and Financial Services of the House of Represent-*
10 *atives a written report on ways to improve the effectiveness,*
11 *and mitigate the risks, of United States participation in*
12 *the International Monetary Fund (the Fund) that includes*
13 *the following:*

14 (1) *An analysis of recent changes to the surveil-*
15 *lance products and policies of the Fund and whether*
16 *those products and policies effectively address the*
17 *shortcomings of surveillance by the Fund in the peri-*
18 *ods preceding the global financial crisis that began in*
19 *2008 and the European debt crisis that began in*
20 *2009.*

21 (2) *A discussion of ways to better encourage*
22 *countries to implement policy recommendations of the*
23 *Fund, including—*

24 (A) *whether the implementation rate of such*
25 *policy recommendations would increase if the*

1 *Fund provided regular status reports on whether*
2 *countries have implemented its policy rec-*
3 *ommendations; and*

4 *(B) whether or not lending by the Fund*
5 *should be limited to countries that have taken*
6 *necessary steps to implement such policy rec-*
7 *ommendations, including an analysis of the po-*
8 *tential effectiveness of that limitation.*

9 *(3) An analysis of the transparency policy of the*
10 *Fund, ways that transparency policy can be im-*
11 *proved, and whether such improvements would be ben-*
12 *eficial.*

13 *(4) A detailed analysis of the riskiness of excep-*
14 *tional access loans provided by the Fund, including—*

15 *(A) whether the additional interest rate sur-*
16 *charge is working as intended to discourage large*
17 *and prolonged use of resources of the Fund; and*

18 *(B) whether it would be beneficial for the*
19 *Fund to require collateral when making excep-*
20 *tional access loans, and how requiring collateral*
21 *would affect the make-up of exceptional access*
22 *loans and the demand for such loans.*

23 *(5) A description of how the classification of*
24 *loans provided by the Fund would change if Fund*
25 *quotas were increased under the amendments to the*

1 *Articles of Agreement of the Fund proposed in resolu-*
2 *tion 66–2 of the Board of Governors of the Fund, in-*
3 *cluding an assessment of how the quota increase*
4 *would affect the classification of exceptional access*
5 *loans outstanding as of the date of the report and*
6 *whether the quota increase would lead to revisions of*
7 *the classification of such loans.*

8 (6) *A discussion and analysis of lessons learned*
9 *from the lending arrangements that included the*
10 *Fund, the European Commission, and the European*
11 *Central Bank (commonly referred to as the “Troika”)*
12 *during the European debt crisis.*

13 (7) *An analysis of the risks or benefits of in-*
14 *creasing the transparency of the technical assistance*
15 *projects of the Fund, including a discussion of—*

16 (A) *the advantages and disadvantages of the*
17 *current technical assistance disclosure policies of*
18 *the Fund;*

19 (B) *how technical assistance from the Fund*
20 *could be better used to prevent crises from hap-*
21 *pening in the future; and*

22 (C) *whether and how the Fund coordinates*
23 *technical assistance projects with other organiza-*
24 *tions, including the United States Department of*
25 *the Treasury, to avoid duplication of efforts.*

1 *be available for the Office of Public Affairs; not to exceed*
2 *\$1,737,000 shall be available for the Office of the Executive*
3 *Secretariat; not to exceed \$1,434,000 shall be available for*
4 *the Office of Small and Disadvantaged Business Utiliza-*
5 *tion; not to exceed \$10,793,000 shall be available for the*
6 *Office of Intelligence, Security, and Emergency Response;*
7 *and not to exceed \$16,280,000 shall be available for the Of-*
8 *fice of the Chief Information Officer: Provided, That the*
9 *Secretary of Transportation is authorized to transfer funds*
10 *appropriated for any office of the Office of the Secretary*
11 *to any other office of the Office of the Secretary: Provided*
12 *further, That no appropriation for any office shall be in-*
13 *creased or decreased by more than 5 percent by all such*
14 *transfers: Provided further, That notice of any change in*
15 *funding greater than 5 percent shall be submitted for ap-*
16 *proval to the House and Senate Committees on Appropria-*
17 *tions: Provided further, That not to exceed \$60,000 shall*
18 *be for allocation within the Department for official recep-*
19 *tion and representation expenses as the Secretary may de-*
20 *termine: Provided further, That notwithstanding any other*
21 *provision of law, excluding fees authorized in Public Law*
22 *107–71, there may be credited to this appropriation up to*
23 *\$2,500,000 in funds received in user fees: Provided further,*
24 *That none of the funds provided in this Act shall be avail-*
25 *able for the position of Assistant Secretary for Public Af-*

1 *fairs: Provided further, That not later than 60 days after*
2 *the date of enactment of this Act, the Secretary of Transpor-*
3 *tation shall transmit to Congress the final Comprehensive*
4 *Truck Size and Weight Limits Study, as required by section*
5 *32801 of Public Law 112–141.*

6 *RESEARCH AND TECHNOLOGY*

7 *For necessary expenses related to the Office of the As-*
8 *stant Secretary for Research and Technology,*
9 *\$13,000,000, of which \$8,218,000 shall remain available*
10 *until September 30, 2018: Provided, That there may be*
11 *credited to this appropriation, to be available until ex-*
12 *pended, funds received from States, counties, municipali-*
13 *ties, other public authorities, and private sources for ex-*
14 *penses incurred for training: Provided further, That any*
15 *reference in law, regulation, judicial proceedings, or else-*
16 *where to the Research and Innovative Technology Adminis-*
17 *tration shall continue to be deemed to be a reference to the*
18 *Office of the Assistant Secretary for Research and Tech-*
19 *nology of the Department of Transportation.*

20 *NATIONAL INFRASTRUCTURE INVESTMENTS*

21 *For capital investments in surface transportation in-*
22 *frastructure, \$500,000,000, to remain available through*
23 *September 30, 2019: Provided, That the Secretary of Trans-*
24 *portation shall distribute funds provided under this heading*
25 *as discretionary grants to be awarded to a State, local gov-*

1 ernment, transit agency, or a collaboration among such en-
2 tities on a competitive basis for projects that will have a
3 significant impact on the Nation, a metropolitan area, or
4 a region: Provided further, That projects eligible for funding
5 provided under this heading shall include, but not be lim-
6 ited to, highway or bridge projects eligible under title 23,
7 United States Code; public transportation projects eligible
8 under chapter 53 of title 49, United States Code; passenger
9 and freight rail transportation projects; and port infra-
10 structure investments (including inland port infrastructure
11 and land ports of entry): Provided further, That the Sec-
12 retary may use up to 20 percent of the funds made available
13 under this heading for the purpose of paying the subsidy
14 and administrative costs of projects eligible for Federal
15 credit assistance under chapter 6 of title 23, United States
16 Code, if the Secretary finds that such use of the funds would
17 advance the purposes of this paragraph: Provided further,
18 That in distributing funds provided under this heading, the
19 Secretary shall take such measures so as to ensure an equi-
20 table geographic distribution of funds, an appropriate bal-
21 ance in addressing the needs of urban and rural areas, and
22 the investment in a variety of transportation modes: Pro-
23 vided further, That a grant funded under this heading shall
24 be not less than \$5,000,000 and not greater than
25 \$100,000,000: Provided further, That not more than 20 per-

1 cent of the funds made available under this heading may
2 be awarded to projects in a single State: Provided further,
3 That the Federal share of the costs for which an expenditure
4 is made under this heading shall be, at the option of the
5 recipient, up to 80 percent: Provided further, That the Sec-
6 retary shall give priority to projects that require a contribu-
7 tion of Federal funds in order to complete an overall financ-
8 ing package: Provided further, That not less than 20 percent
9 of the funds provided under this heading shall be for projects
10 located in rural areas: Provided further, That for projects
11 located in rural areas, the minimum grant size shall be
12 \$1,000,000 and the Secretary may increase the Federal
13 share of costs above 80 percent: Provided further, That
14 projects conducted using funds provided under this heading
15 must comply with the requirements of subchapter IV of
16 chapter 31 of title 40, United States Code: Provided further,
17 That the Secretary shall conduct a new competition to select
18 the grants and credit assistance awarded under this head-
19 ing: Provided further, That the Secretary may retain up
20 to \$20,000,000 of the funds provided under this heading,
21 and may transfer portions of those funds to the Administra-
22 tors of the Federal Highway Administration, the Federal
23 Transit Administration, the Federal Railroad Administra-
24 tion and the Maritime Administration, to fund the award

1 *and oversight of grants and credit assistance made under*
2 *the National Infrastructure Investments program.*

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, \$5,000,000, to remain*
7 *available through September 30, 2017.*

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, implementation of enhanced security*
17 *controls on network devices, and enhancement of cyber secu-*
18 *rity workforce training tools, \$8,000,000, to remain avail-*
19 *able through September 30, 2017.*

20 *OFFICE OF CIVIL RIGHTS*

21 *For necessary expenses of the Office of Civil Rights,*
22 *\$9,678,000.*

1 *loan principal, any part of which is to be guaranteed, not*
2 *to exceed \$18,367,000.*

3 *In addition, for administrative expenses to carry out*
4 *the guaranteed loan program, \$597,000.*

5 *MINORITY BUSINESS OUTREACH*

6 *For necessary expenses of Minority Business Resource*
7 *Center outreach activities, \$3,084,000, to remain available*
8 *until September 30, 2017: Provided, That notwithstanding*
9 *49 U.S.C. 332, these funds may be used for business oppor-*
10 *tunities related to any mode of transportation.*

11 *PAYMENTS TO AIR CARRIERS*

12 *(AIRPORT AND AIRWAY TRUST FUND)*

13 *In addition to funds made available from any other*
14 *source to carry out the essential air service program under*
15 *49 U.S.C. 41731 through 41742, \$175,000,000, to be derived*
16 *from the Airport and Airway Trust Fund, to remain avail-*
17 *able until expended: Provided, That in determining between*
18 *or among carriers competing to provide service to a commu-*
19 *nity, the Secretary may consider the relative subsidy re-*
20 *quirements of the carriers: Provided further, That basic es-*
21 *sential air service minimum requirements shall not include*
22 *the 15-passenger capacity requirement under subsection*
23 *41732(b)(3) of title 49, United States Code: Provided fur-*
24 *ther, That none of the funds in this Act or any other Act*
25 *shall be used to enter into a new contract with a community*

1 *located less than 40 miles from the nearest small hub air-*
2 *port before the Secretary has negotiated with the commu-*
3 *nity over a local cost share: Provided further, That amounts*
4 *authorized to be distributed for the essential air service pro-*
5 *gram under subsection 41742(b) of title 49, United States*
6 *Code, shall be made available immediately from amounts*
7 *otherwise provided to the Administrator of the Federal*
8 *Aviation Administration: Provided further, That the Ad-*
9 *ministrator may reimburse such amounts from fees credited*
10 *to the account established under section 45303 of title 49,*
11 *United States Code.*

12 *ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY*
13 *OF TRANSPORTATION*

14 *SEC. 101. None of the funds made available in this*
15 *Act to the Department of Transportation may be obligated*
16 *for the Office of the Secretary of Transportation to approve*
17 *assessments or reimbursable agreements pertaining to funds*
18 *appropriated to the modal administrations in this Act, ex-*
19 *cept for activities underway on the date of enactment of*
20 *this Act, unless such assessments or agreements have com-*
21 *pleted the normal reprogramming process for Congressional*
22 *notification.*

23 *SEC. 102. Notwithstanding section 3324 of title 31,*
24 *United States Code, in addition to authority provided by*
25 *section 327 of title 49, United States Code, the Depart-*

1 *ment's Working Capital Fund is hereby authorized to pro-*
2 *vide payments in advance to vendors that are necessary to*
3 *carry out the Federal transit pass transportation fringe*
4 *benefit program under Executive Order 13150 and section*
5 *3049 of Public Law 109-59: Provided, That the Depart-*
6 *ment shall include adequate safeguards in the contract with*
7 *the vendors to ensure timely and high-quality performance*
8 *under the contract.*

9 *SEC. 103. The Secretary shall post on the Web site of*
10 *the Department of Transportation a schedule of all meetings*
11 *of the Credit Council, including the agenda for each meet-*
12 *ing, and require the Credit Council to record the decisions*
13 *and actions of each meeting.*

14 *SEC. 104. In addition to authority provided by section*
15 *327 of title 49, United States Code, the Department's Work-*
16 *ing Capital Fund is hereby authorized to provide partial*
17 *or full payments in advance and accept subsequent reim-*
18 *bursements from all Federal agencies for transit benefit dis-*
19 *tribution services that are necessary to carry out the Fed-*
20 *eral transit pass transportation fringe benefit program*
21 *under Executive Order No. 13150 and section 3049 of Pub-*
22 *lic Law 109-59: Provided, That the Department shall*
23 *maintain a reasonable operating reserve in the Working*
24 *Capital Fund, to be expended in advance to provide unin-*
25 *terrupted transit benefits to Government employees, pro-*

1 *vided that such reserve will not exceed one month of benefits*
2 *payable: Provided further, that such reserve may be used*
3 *only for the purpose of providing for the continuation of*
4 *transit benefits, provided that the Working Capital Fund*
5 *will be fully reimbursed by each customer agency for the*
6 *actual cost of the transit benefit.*

7 *FEDERAL AVIATION ADMINISTRATION*

8 *OPERATIONS*

9 *(AIRPORT AND AIRWAY TRUST FUND)*

10 *For necessary expenses of the Federal Aviation Admin-*
11 *istration, not otherwise provided for, including operations*
12 *and research activities related to commercial space trans-*
13 *portation, administrative expenses for research and develop-*
14 *ment, establishment of air navigation facilities, the oper-*
15 *ation (including leasing) and maintenance of aircraft, sub-*
16 *sidizing the cost of aeronautical charts and maps sold to*
17 *the public, lease or purchase of passenger motor vehicles for*
18 *replacement only, in addition to amounts made available*
19 *by Public Law 112-95, \$9,909,724,000 of which*
20 *\$7,922,000,000 shall be derived from the Airport and Air-*
21 *way Trust Fund, of which not to exceed \$7,505,293,000*
22 *shall be available for air traffic organization activities; not*
23 *to exceed \$1,258,411,000 shall be available for aviation safe-*
24 *ty activities; not to exceed \$17,800,000 shall be available*
25 *for commercial space transportation activities; not to exceed*

1 \$760,500,000 shall be available for finance and manage-
2 ment activities; not to exceed \$60,089,000 shall be available
3 for NextGen and operations planning activities; not to ex-
4 ceed \$100,880,000 shall be available for security and haz-
5 ardous materials safety; and not to exceed \$206,751,000
6 shall be available for staff offices: Provided, That not to ex-
7 ceed 2 percent of any budget activity, except for aviation
8 safety budget activity, may be transferred to any budget
9 activity under this heading: Provided further, That no
10 transfer may increase or decrease any appropriation by
11 more than 2 percent: Provided further, That any transfer
12 in excess of 2 percent shall be treated as a reprogramming
13 of funds under section 405 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 not later than March 31 of each fiscal year hereafter,
17 the Administrator of the Federal Aviation Administration
18 shall transmit to Congress an annual update to the report
19 submitted to Congress in December 2004 pursuant to sec-
20 tion 221 of Public Law 108–176: Provided further, That
21 the amount herein appropriated shall be reduced by
22 \$100,000 for each day after March 31 that such report has
23 not been submitted to the Congress: Provided further, That
24 not later than March 31 of each fiscal year hereafter, the
25 Administrator shall transmit to Congress a companion re-

1 port that describes a comprehensive strategy for staffing,
2 hiring, and training flight standards and aircraft certifi-
3 cation staff in a format similar to the one utilized for the
4 controller staffing plan, including stated attrition estimates
5 and numerical hiring goals by fiscal year: Provided further,
6 That the amount herein appropriated shall be reduced by
7 \$100,000 per day for each day after March 31 that such
8 report has not been submitted to Congress: Provided further,
9 That funds may be used to enter into a grant agreement
10 with a nonprofit standard-setting organization to assist in
11 the development of aviation safety standards: Provided fur-
12 ther, That none of the funds in this Act shall be available
13 for new applicants for the second career training program:
14 Provided further, That none of the funds in this Act shall
15 be available for the Federal Aviation Administration to fi-
16 nalize or implement any regulation that would promulgate
17 new aviation user fees not specifically authorized by law
18 after the date of the enactment of this Act: Provided further,
19 That there may be credited to this appropriation, as offset-
20 ting collections, funds received from States, counties, mu-
21 nicipalities, foreign authorities, other public authorities,
22 and private sources for expenses incurred in the provision
23 of agency services, including receipts for the maintenance
24 and operation of air navigation facilities, and for issuance,
25 renewal or modification of certificates, including airman,

1 *aircraft, and repair station certificates, or for tests related*
2 *thereto, or for processing major repair or alteration forms:*
3 *Provided further, That of the funds appropriated under this*
4 *heading, not less than \$154,400,000 shall be for the contract*
5 *tower program, including the contract tower cost share pro-*
6 *gram: Provided further, That none of the funds in this Act*
7 *for aeronautical charting and cartography are available for*
8 *activities conducted by, or coordinated through, the Work-*
9 *ing Capital Fund: Provided further, That not later than*
10 *60 days after enactment of this Act, the Administrator shall*
11 *review and update the agency's "Community Involvement*
12 *Manual" related to new air traffic procedures, public out-*
13 *reach and community involvement: Provided further, That*
14 *the Administrator shall complete and implement a plan*
15 *which enhances community involvement techniques and*
16 *proactively addresses concerns associated with performance*
17 *based navigation projects: Provided further, That the Ad-*
18 *ministrator shall transmit, in electronic format, the com-*
19 *munity involvement manual and plan to the House and*
20 *Senate Committees on Appropriations, the House Com-*
21 *mittee on Transportation and Infrastructure, and the Sen-*
22 *ate Committee on Commerce, Science and Transportation*
23 *not later than 180 days after enactment of this Act.*

1 *FACILITIES AND EQUIPMENT*2 *(AIRPORT AND AIRWAY TRUST FUND)*

3 *For necessary expenses, not otherwise provided for, for*
4 *acquisition, establishment, technical support services, im-*
5 *provement by contract or purchase, and hire of national*
6 *airspace systems and experimental facilities and equip-*
7 *ment, as authorized under part A of subtitle VII of title*
8 *49, United States Code, including initial acquisition of nec-*
9 *essary sites by lease or grant; engineering and service test-*
10 *ing, including construction of test facilities and acquisition*
11 *of necessary sites by lease or grant; construction and fur-*
12 *nishing of quarters and related accommodations for officers*
13 *and employees of the Federal Aviation Administration sta-*
14 *tioned at remote localities where such accommodations are*
15 *not available; and the purchase, lease, or transfer of aircraft*
16 *from funds available under this heading, including aircraft*
17 *for aviation regulation and certification; to be derived from*
18 *the Airport and Airway Trust Fund, \$2,855,000,000, of*
19 *which \$470,049,000 shall remain available until September*
20 *30, 2016, and \$2,384,951,000 shall remain available until*
21 *September 30, 2018: Provided, That there may be credited*
22 *to this appropriation funds received from States, counties,*
23 *municipalities, other public authorities, and private*
24 *sources, for expenses incurred in the establishment, im-*
25 *provement, and modernization of national airspace sys-*

1 *tems: Provided further, That no later than March 31, the*
2 *Secretary of Transportation shall transmit to the Congress*
3 *an investment plan for the Federal Aviation Administra-*
4 *tion which includes funding for each budget line item for*
5 *fiscal years 2017 through 2021, with total funding for each*
6 *year of the plan constrained to the funding targets for those*
7 *years as estimated and approved by the Office of Manage-*
8 *ment and Budget: Provided further, That the amount herein*
9 *appropriated shall be reduced by \$100,000 per day for each*
10 *day after March 31 that such report has not been submitted*
11 *to Congress.*

12 *RESEARCH, ENGINEERING, AND DEVELOPMENT*

13 *(AIRPORT AND AIRWAY TRUST FUND)*

14 *For necessary expenses, not otherwise provided for, for*
15 *research, engineering, and development, as authorized*
16 *under part A of subtitle VII of title 49, United States Code,*
17 *including construction of experimental facilities and acqui-*
18 *sition of necessary sites by lease or grant, \$166,000,000, to*
19 *be derived from the Airport and Airway Trust Fund and*
20 *to remain available until September 30, 2018: Provided,*
21 *That there may be credited to this appropriation as offset-*
22 *ting collections, funds received from States, counties, mu-*
23 *nicipalities, other public authorities, and private sources,*
24 *which shall be available for expenses incurred for research,*
25 *engineering, and development.*

1 GRANTS-IN-AID FOR AIRPORTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (AIRPORT AND AIRWAY TRUST FUND)
5 (INCLUDING TRANSFER OF FUNDS)

6 *For liquidation of obligations incurred for grants-in-*
7 *aid for airport planning and development, and noise com-*
8 *patibility planning and programs as authorized under sub-*
9 *chapter I of chapter 471 and subchapter I of chapter 475*
10 *of title 49, United States Code, and under other law author-*
11 *izing such obligations; for procurement, installation, and*
12 *commissioning of runway incursion prevention devices and*
13 *systems at airports of such title; for grants authorized under*
14 *section 41743 of title 49, United States Code; and for in-*
15 *spection activities and administration of airport safety pro-*
16 *grams, including those related to airport operating certifi-*
17 *cates under section 44706 of title 49, United States Code,*
18 *\$3,600,000,000, to be derived from the Airport and Airway*
19 *Trust Fund and to remain available until expended: Pro-*
20 *vided, That none of the funds under this heading shall be*
21 *available for the planning or execution of programs the obli-*
22 *gations for which are in excess of \$3,350,000,000 in fiscal*
23 *year 2016, notwithstanding section 47117(g) of title 49,*
24 *United States Code: Provided further, That none of the*
25 *funds under this heading shall be available for the replace-*

1 *ment of baggage conveyor systems, reconfiguration of ter-*
2 *minimal baggage areas, or other airport improvements that*
3 *are necessary to install bulk explosive detection systems:*
4 *Provided further, That notwithstanding section 47109(a) of*
5 *title 49, United States Code, the Government's share of al-*
6 *lowable project costs under paragraph (2) for subgrants or*
7 *paragraph (3) of that section shall be 95 percent for a*
8 *project at other than a large or medium hub airport that*
9 *is a successive phase of a multi-phased construction project*
10 *for which the project sponsor received a grant in fiscal year*
11 *2011 for the construction project: Provided further, That*
12 *notwithstanding any other provision of law, of funds lim-*
13 *ited under this heading, not more than \$107,100,000 shall*
14 *be obligated for administration, not less than \$15,000,000*
15 *shall be available for the Airport Cooperative Research Pro-*
16 *gram, not less than \$31,000,000 shall be available for Air-*
17 *port Technology Research, and \$5,000,000, to remain avail-*
18 *able until expended, shall be available and transferred to*
19 *"Office of the Secretary, Salaries and Expenses" to carry*
20 *out the Small Community Air Service Development Pro-*
21 *gram: Provided further, That in addition to airports eligi-*
22 *ble under section 41743 of title 49, such program may in-*
23 *clude the participation of an airport that serves a commu-*
24 *nity or consortium that is not larger than a small hub air-*
25 *port, according to FAA hub classifications effective at the*

1 *time the Office of the Secretary issues a request for pro-*
2 *posals.*

3 *ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION*

4 *ADMINISTRATION*

5 *SEC. 110. None of the funds in this Act may be used*
6 *to compensate in excess of 600 technical staff-years under*
7 *the federally funded research and development center con-*
8 *tract between the Federal Aviation Administration and the*
9 *Center for Advanced Aviation Systems Development during*
10 *fiscal year 2016.*

11 *SEC. 111. None of the funds in this Act shall be used*
12 *to pursue or adopt guidelines or regulations requiring air-*
13 *port sponsors to provide to the Federal Aviation Adminis-*
14 *tration without cost building construction, maintenance,*
15 *utilities and expenses, or space in airport sponsor-owned*
16 *buildings for services relating to air traffic control, air*
17 *navigation, or weather reporting: Provided, That the prohi-*
18 *bition of funds in this section does not apply to negotiations*
19 *between the agency and airport sponsors to achieve agree-*
20 *ment on “below-market” rates for these items or to grant*
21 *assurances that require airport sponsors to provide land*
22 *without cost to the FAA for air traffic control facilities.*

23 *SEC. 112. The Administrator of the Federal Aviation*
24 *Administration may reimburse amounts made available to*
25 *satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49*

1 *U.S.C. 45303 and any amount remaining in such account*
2 *at the close of that fiscal year may be made available to*
3 *satisfy section 41742(a)(1) for the subsequent fiscal year.*

4 *SEC. 113. Amounts collected under section 40113(e) of*
5 *title 49, United States Code, shall be credited to the appro-*
6 *priation current at the time of collection, to be merged with*
7 *and available for the same purposes of such appropriation.*

8 *SEC. 114. None of the funds in this Act shall be avail-*
9 *able for paying premium pay under subsection 5546(a) of*
10 *title 5, United States Code, to any Federal Aviation Admin-*
11 *istration employee unless such employee actually performed*
12 *work during the time corresponding to such premium pay.*

13 *SEC. 115. None of the funds in this Act may be obli-*
14 *gated or expended for an employee of the Federal Aviation*
15 *Administration to purchase a store gift card or gift certifi-*
16 *cate through use of a Government-issued credit card.*

17 *SEC. 116. The Secretary shall apportion to the sponsor*
18 *of an airport that received scheduled or unscheduled air*
19 *service from a large certified air carrier (as defined in part*
20 *241 of title 14 Code of Federal Regulations, or such other*
21 *regulations as may be issued by the Secretary under the*
22 *authority of section 41709) an amount equal to the min-*
23 *imum apportionment specified in 49 U.S.C. 47114(c), if*
24 *the Secretary determines that airport had more than 10,000*
25 *passenger boardings in the preceding calendar year, based*

1 *on data submitted to the Secretary under part 241 of title*
2 *14, Code of Federal Regulations.*

3 *SEC. 117. None of the funds in this Act may be obli-*
4 *gated or expended for retention bonuses for an employee of*
5 *the Federal Aviation Administration without the prior*
6 *written approval of the Assistant Secretary for Administra-*
7 *tion of the Department of Transportation.*

8 *SEC. 118. Notwithstanding any other provision of law,*
9 *none of the funds made available under this Act or any*
10 *prior Act may be used to implement or to continue to im-*
11 *plement any limitation on the ability of any owner or oper-*
12 *ator of a private aircraft to obtain, upon a request to the*
13 *Administrator of the Federal Aviation Administration, a*
14 *blocking of that owner's or operator's aircraft registration*
15 *number from any display of the Federal Aviation Adminis-*
16 *tration's Aircraft Situational Display to Industry data*
17 *that is made available to the public, except data made*
18 *available to a Government agency, for the noncommercial*
19 *flights of that owner or operator.*

20 *SEC. 119. None of the funds in this Act shall be avail-*
21 *able for salaries and expenses of more than nine political*
22 *and Presidential appointees in the Federal Aviation Ad-*
23 *ministration.*

24 *SEC. 119A. None of the funds made available under*
25 *this Act may be used to increase fees pursuant to section*

1 44721 of title 49, United States Code, until the FAA pro-
2 vides to the House and Senate Committees on Appropria-
3 tions a report that justifies all fees related to aeronautical
4 navigation products and explains how such fees are con-
5 sistent with Executive Order 13642.

6 *SEC. 119B. None of the funds in this Act may be used*
7 *to close a regional operations center of the Federal Aviation*
8 *Administration or reduce its services unless the Adminis-*
9 *trator notifies the House and Senate Committees on Appro-*
10 *priations not less than 90 full business days in advance.*

11 *SEC. 119C. None of the funds appropriated or limited*
12 *by this Act may be used to change weight restrictions or*
13 *prior permission rules at Teterboro airport in Teterboro,*
14 *New Jersey.*

15 *FEDERAL HIGHWAY ADMINISTRATION*

16 *LIMITATION ON ADMINISTRATIVE EXPENSES*

17 *(HIGHWAY TRUST FUND)*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *Not to exceed \$425,752,000, together with advances*
20 *and reimbursements received by the Federal Highway Ad-*
21 *ministration, shall be obligated for necessary expenses for*
22 *administration and operation of the Federal Highway Ad-*
23 *ministration. In addition, not to exceed \$3,248,000 shall*
24 *be transferred to the Appalachian Regional Commission in*
25 *accordance with section 104 of title 23, United States Code.*

1 *FEDERAL-AID HIGHWAYS*

2 *(LIMITATION ON OBLIGATIONS)*

3 *(HIGHWAY TRUST FUND)*

4 *Funds available for the implementation or execution*
5 *of Federal-aid highway and highway safety construction*
6 *programs authorized under titles 23 and 49, United States*
7 *Code, and the provisions of the Fixing America's Surface*
8 *Transportation Act shall not exceed total obligations of*
9 *\$42,361,000,000 for fiscal year 2016: Provided, That the*
10 *Secretary may collect and spend fees, as authorized by title*
11 *23, United States Code, to cover the costs of services of ex-*
12 *pert firms, including counsel, in the field of municipal and*
13 *project finance to assist in the underwriting and servicing*
14 *of Federal credit instruments and all or a portion of the*
15 *costs to the Federal Government of servicing such credit in-*
16 *struments: Provided further, That such fees are available*
17 *until expended to pay for such costs: Provided further, That*
18 *such amounts are in addition to administrative expenses*
19 *that are also available for such purpose, and are not subject*
20 *to any obligation limitation or the limitation on adminis-*
21 *trative expenses under section 608 of title 23, United States*
22 *Code.*

1 (LIQUIDATION OF CONTRACT AUTHORIZATION)

2 (HIGHWAY TRUST FUND)

3 For the payment of obligations incurred in carrying
4 out Federal-aid highway and highway safety construction
5 programs authorized under title 23, United States Code,
6 \$43,100,000,000 derived from the Highway Trust Fund
7 (other than the Mass Transit Account), to remain available
8 until expended.

9 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

10 ADMINISTRATION

11 SEC. 120. (a) For fiscal year 2016, the Secretary of
12 Transportation shall—

13 (1) not distribute from the obligation limitation
14 for Federal-aid highways—

15 (A) amounts authorized for administrative
16 expenses and programs by section 104(a) of title
17 23, United States Code; and

18 (B) amounts authorized for the Bureau of
19 Transportation Statistics;

20 (2) not distribute an amount from the obligation
21 limitation for Federal-aid highways that is equal to
22 the unobligated balance of amounts—

23 (A) made available from the Highway Trust
24 Fund (other than the Mass Transit Account) for
25 Federal-aid highway and highway safety con-

1 *struction programs for previous fiscal years the*
2 *funds for which are allocated by the Secretary*
3 *(or apportioned by the Secretary under sections*
4 *202 or 204 of title 23, United States Code); and*

5 *(B) for which obligation limitation was*
6 *provided in a previous fiscal year;*

7 *(3) determine the proportion that—*

8 *(A) the obligation limitation for Federal-aid*
9 *highways, less the aggregate of amounts not dis-*
10 *tributed under paragraphs (1) and (2) of this*
11 *subsection; bears to*

12 *(B) the total of the sums authorized to be*
13 *appropriated for the Federal-aid highway and*
14 *highway safety construction programs (other*
15 *than sums authorized to be appropriated for pro-*
16 *visions of law described in paragraphs (1)*
17 *through (11) of subsection (b) and sums author-*
18 *ized to be appropriated for section 119 of title*
19 *23, United States Code, equal to the amount re-*
20 *ferred to in subsection (b)(12) for such fiscal*
21 *year), less the aggregate of the amounts not dis-*
22 *tributed under paragraphs (1) and (2) of this*
23 *subsection;*

24 *(4) distribute the obligation limitation for Fed-*
25 *eral-aid highways, less the aggregate amounts not dis-*

1 *tributed under paragraphs (1) and (2), for each of the*
2 *programs (other than programs to which paragraph*
3 *(1) applies) that are allocated by the Secretary under*
4 *the Fixing America's Surface Transportation Act and*
5 *title 23, United States Code, or apportioned by the*
6 *Secretary under sections 202 or 204 of that title, by*
7 *multiplying—*

8 *(A) the proportion determined under para-*
9 *graph (3); by*

10 *(B) the amounts authorized to be appro-*
11 *priated for each such program for such fiscal*
12 *year; and*

13 *(5) distribute the obligation limitation for Fed-*
14 *eral-aid highways, less the aggregate amounts not dis-*
15 *tributed under paragraphs (1) and (2) and the*
16 *amounts distributed under paragraph (4), for Fed-*
17 *eral-aid highway and highway safety construction*
18 *programs that are apportioned by the Secretary*
19 *under title 23, United States Code (other than the*
20 *amounts apportioned for the National Highway Per-*
21 *formance Program in section 119 of title 23, United*
22 *States Code, that are exempt from the limitation*
23 *under subsection (b)(12) and the amounts appor-*
24 *tioned under sections 202 and 204 of that title) in the*
25 *proportion that—*

1 (A) amounts authorized to be appropriated
2 for the programs that are apportioned under title
3 23, United States Code, to each State for such
4 fiscal year; bears to

5 (B) the total of the amounts authorized to
6 be appropriated for the programs that are ap-
7 portioned under title 23, United States Code, to
8 all States for such fiscal year.

9 (b) *EXCEPTIONS FROM OBLIGATION LIMITATION.*—
10 The obligation limitation for Federal-aid highways shall
11 not apply to obligations under or for—

12 (1) section 125 of title 23, United States Code;

13 (2) section 147 of the Surface Transportation As-
14 sistance Act of 1978 (23 U.S.C. 144 note; 92 Stat.
15 2714);

16 (3) section 9 of the Federal-Aid Highway Act of
17 1981 (95 Stat. 1701);

18 (4) subsections (b) and (j) of section 131 of the
19 Surface Transportation Assistance Act of 1982 (96
20 Stat. 2119);

21 (5) subsections (b) and (c) of section 149 of the
22 Surface Transportation and Uniform Relocation As-
23 sistance Act of 1987 (101 Stat. 198);

1 (6) *sections 1103 through 1108 of the Intermodal*
2 *Surface Transportation Efficiency Act of 1991 (105*
3 *Stat. 2027);*

4 (7) *section 157 of title 23, United States Code*
5 *(as in effect on June 8, 1998);*

6 (8) *section 105 of title 23, United States Code*
7 *(as in effect for fiscal years 1998 through 2004, but*
8 *only in an amount equal to \$639,000,000 for each of*
9 *those fiscal years);*

10 (9) *Federal-aid highway programs for which ob-*
11 *ligation authority was made available under the*
12 *Transportation Equity Act for the 21st Century (112*
13 *Stat. 107) or subsequent Acts for multiple years or to*
14 *remain available until expended, but only to the ex-*
15 *tent that the obligation authority has not lapsed or*
16 *been used;*

17 (10) *section 105 of title 23, United States Code*
18 *(as in effect for fiscal years 2005 through 2012, but*
19 *only in an amount equal to \$639,000,000 for each of*
20 *those fiscal years);*

21 (11) *section 1603 of SAFETEA-LU (23 U.S.C.*
22 *118 note; 119 Stat. 1248), to the extent that funds ob-*
23 *ligated in accordance with that section were not sub-*
24 *ject to a limitation on obligations at the time at*

1 *which the funds were initially made available for ob-*
2 *ligation; and*

3 *(12) section 119 of title 23, United States Code*
4 *(but, for each of fiscal years 2013 through 2016, only*
5 *in an amount equal to \$639,000,000).*

6 *(c) REDISTRIBUTION OF UNUSED OBLIGATION AU-*
7 *THORITY.—Notwithstanding subsection (a), the Secretary*
8 *shall, after August 1 of such fiscal year—*

9 *(1) revise a distribution of the obligation limita-*
10 *tion made available under subsection (a) if an*
11 *amount distributed cannot be obligated during that*
12 *fiscal year; and*

13 *(2) redistribute sufficient amounts to those States*
14 *able to obligate amounts in addition to those pre-*
15 *viously distributed during that fiscal year, giving pri-*
16 *ority to those States having large unobligated bal-*
17 *ances of funds apportioned under sections 144 (as in*
18 *effect on the day before the date of enactment of Pub-*
19 *lic Law 112–141) and 104 of title 23, United States*
20 *Code.*

21 *(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO*
22 *TRANSPORTATION RESEARCH PROGRAMS.—*

23 *(1) IN GENERAL.—Except as provided in para-*
24 *graph (2), the obligation limitation for Federal-aid*

1 *highways shall apply to contract authority for trans-*
2 *portation research programs carried out under—*

3 *(A) chapter 5 of title 23, United States*

4 *Code; and*

5 *(B) title VI of the Fixing America's Surface*

6 *Transportation Act.*

7 *(2) EXCEPTION.—Obligation authority made*
8 *available under paragraph (1) shall—*

9 *(A) remain available for a period of 4 fiscal*

10 *years; and*

11 *(B) be in addition to the amount of any*

12 *limitation imposed on obligations for Federal-*

13 *aid highway and highway safety construction*

14 *programs for future fiscal years.*

15 *(e) REDISTRIBUTION OF CERTAIN AUTHORIZED*

16 *FUNDS.—*

17 *(1) IN GENERAL.—Not later than 30 days after*

18 *the date of distribution of obligation limitation under*

19 *subsection (a), the Secretary shall distribute to the*

20 *States any funds (excluding funds authorized for the*

21 *program under section 202 of title 23, United States*

22 *Code) that—*

23 *(A) are authorized to be appropriated for*

24 *such fiscal year for Federal-aid highway pro-*

25 *grams; and*

1 (B) the Secretary determines will not be al-
2 located to the States (or will not be apportioned
3 to the States under section 204 of title 23,
4 United States Code), and will not be available
5 for obligation, for such fiscal year because of the
6 imposition of any obligation limitation for such
7 fiscal year.

8 (2) *RATIO*.—Funds shall be distributed under
9 paragraph (1) in the same proportion as the distribu-
10 tion of obligation authority under subsection (a)(5).

11 (3) *AVAILABILITY*.—Funds distributed to each
12 State under paragraph (1) shall be available for any
13 purpose described in section 133(b) of title 23, United
14 States Code.

15 *SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-*
16 *ceived by the Bureau of Transportation Statistics from the*
17 *sale of data products, for necessary expenses incurred pur-*
18 *suant to chapter 63 of title 49, United States Code, may*
19 *be credited to the Federal-aid highways account for the pur-*
20 *pose of reimbursing the Bureau for such expenses: Provided,*
21 *That such funds shall be subject to the obligation limitation*
22 *for Federal-aid highway and highway safety construction*
23 *programs.*

24 *SEC. 122. Not less than 15 days prior to waiving,*
25 *under his or her statutory authority, any Buy America re-*

1 *quirement for Federal-aid highways projects, the Secretary*
2 *of Transportation shall make an informal public notice and*
3 *comment opportunity on the intent to issue such waiver and*
4 *the reasons therefor: Provided, That the Secretary shall pro-*
5 *vide an annual report to the House and Senate Committees*
6 *on Appropriations on any waivers granted under the Buy*
7 *America requirements.*

8 *SEC. 123. None of the funds in this Act to the Depart-*
9 *ment of Transportation may be used to provide credit as-*
10 *sistance unless not less than 3 days before any application*
11 *approval to provide credit assistance under sections 603*
12 *and 604 of title 23, United States Code, the Secretary of*
13 *Transportation provides notification in writing to the fol-*
14 *lowing committees: the House and Senate Committees on*
15 *Appropriations; the Committee on Environment and Public*
16 *Works and the Committee on Banking, Housing and Urban*
17 *Affairs of the Senate; and the Committee on Transportation*
18 *and Infrastructure of the House of Representatives: Pro-*
19 *vided, That such notification shall include, but not be lim-*
20 *ited to, the name of the project sponsor; a description of*
21 *the project; whether credit assistance will be provided as*
22 *a direct loan, loan guarantee, or line of credit; and the*
23 *amount of credit assistance.*

24 *SEC. 124. Section 127 of title 23, United States Code,*
25 *is amended—*

1 (1) in each of subsections (a)(11)(A) and (B) by
2 striking “through December 31, 2031”, and

3 (2) by inserting at the end the following:

4 “(t) *VEHICLES IN IDAHO.*—A vehicle limited or pro-
5 hibited under this section from operating on a segment of
6 the Interstate System in the State of Idaho may operate
7 on such a segment if such vehicle—

8 “(1) has a gross vehicle weight of 129,000 pounds
9 or less;

10 “(2) other than gross vehicle weight, complies
11 with the single axle, tandem axle, and bridge formula
12 limits set forth in subsection (a); and

13 “(3) is authorized to operate on such segment
14 under Idaho State law.”.

15 *SEC. 125. (a) A State or territory, as defined in section*
16 *165 of title 23, United States Code, may use for any project*
17 *eligible under section 133(b) of title 23 or section 165 of*
18 *title 23 and located within the boundary of the State or*
19 *territory any earmarked amount, and any associated obli-*
20 *gation limitation, provided that the Department of Trans-*
21 *portation for the State or territory for which the earmarked*
22 *amount was originally designated or directed notifies the*
23 *Secretary of Transportation of its intent to use its authority*
24 *under this section and submits a quarterly report to the*
25 *Secretary identifying the projects to which the funding*

1 *would be applied. Notwithstanding the original period of*
2 *availability of funds to be obligated under this section, such*
3 *funds and associated obligation limitation shall remain*
4 *available for obligation for a period of 3 fiscal years after*
5 *the fiscal year in which the Secretary of Transportation*
6 *is notified. The Federal share of the cost of a project carried*
7 *out with funds made available under this section shall be*
8 *the same as associated with the earmark.*

9 *(b) In this section, the term “earmarked amount”*
10 *means—*

11 *(1) congressionally directed spending, as defined*
12 *in rule XLIV of the Standing Rules of the Senate,*
13 *identified in a prior law, report, or joint explanatory*
14 *statement, which was authorized to be appropriated*
15 *or appropriated more than 10 fiscal years prior to*
16 *the fiscal year in which this Act becomes effective, and*
17 *administered by the Federal Highway Administra-*
18 *tion; or*

19 *(2) a congressional earmark, as defined in rule*
20 *XXI of the Rules of the House of Representatives iden-*
21 *tified in a prior law, report, or joint explanatory*
22 *statement, which was authorized to be appropriated*
23 *or appropriated more than 10 fiscal years prior to*
24 *the fiscal year in which this Act becomes effective, and*

1 *administered by the Federal Highway Administra-*
2 *tion.*

3 *(c) The authority under subsection (a) may be exer-*
4 *cised only for those projects or activities that have obligated*
5 *less than 10 percent of the amount made available for obli-*
6 *gation as of the effective date of this Act, and shall be ap-*
7 *plied to projects within the same general geographic area*
8 *within 50 miles for which the funding was designated, ex-*
9 *cept that a State or territory may apply such authority*
10 *to unexpended balances of funds from projects or activities*
11 *the State or territory certifies have been closed and for*
12 *which payments have been made under a final voucher.*

13 *(d) The Secretary shall submit consolidated reports of*
14 *the information provided by the States and territories each*
15 *quarter to the House and Senate Committees on Appropria-*
16 *tions.*

17 *SEC. 126. Notwithstanding any other provision of law,*
18 *the amount that the Secretary sets aside for fiscal year 2016*
19 *under section 130(e)(1) of title 23, United States Code, for*
20 *the elimination of hazards and the installation of protective*
21 *devices at railway-highway crossings shall be \$350,000,000.*

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(a)–*
9 *(c) of title 49, United States Code, and section 4134 of Pub-*
10 *lic Law 109–59, as amended by Public Law 112–141, as*
11 *amended by the Fixing America’s Surface Transportation*
12 *Act, \$267,400,000, to be derived from the Highway Trust*
13 *Fund (other than the Mass Transit Account), together with*
14 *advances and reimbursements received by the Federal Motor*
15 *Carrier Safety Administration, the sum of which shall re-*
16 *main available until expended: Provided, That funds avail-*
17 *able for implementation, execution or administration of*
18 *motor carrier safety operations and programs authorized*
19 *under title 49, United States Code, shall not exceed total*
20 *obligations of \$267,400,000 for “Motor Carrier Safety Oper-*
21 *ations and Programs” for fiscal year 2016, of which*
22 *\$9,000,000, to remain available for obligation until Sep-*
23 *tember 30, 2018, is for the research and technology pro-*
24 *gram, and of which \$34,545,000, to remain available for*
25 *obligation until September 30, 2018, is for information*

1 *management: Provided further, That \$1,000,000 shall be*
2 *made available for commercial motor vehicle operator*
3 *grants to carry out section 4134 of Public Law 109–59, as*
4 *amended by Public Law 112–141, as amended by the Fix-*
5 *ing America’s Surface Transportation Act.*

6 *MOTOR CARRIER SAFETY GRANTS*

7 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

8 *(LIMITATION ON OBLIGATIONS)*

9 *(HIGHWAY TRUST FUND)*

10 *For payment of obligations incurred in carrying out*
11 *sections 31102, 31104(a), 31106, 31107, 31109, 31309,*
12 *31313 of title 49, United States Code, and sections 4126*
13 *and 4128 of Public Law 109–59, as amended by Public*
14 *Law 112–141, as amended by the Fixing America’s Surface*
15 *Transportation Act, \$313,000,000, to be derived from the*
16 *Highway Trust Fund (other than the Mass Transit Ac-*
17 *count) and to remain available until expended: Provided,*
18 *That funds available for the implementation or execution*
19 *of motor carrier safety programs shall not exceed total obli-*
20 *gations of \$313,000,000 in fiscal year 2016 for “Motor Car-*
21 *rier Safety Grants”; of which \$218,000,000 shall be avail-*
22 *able for the motor carrier safety assistance program,*
23 *\$30,000,000 shall be available for commercial driver’s li-*
24 *cense program improvement grants, \$32,000,000 shall be*
25 *available for border enforcement grants, \$5,000,000 shall be*

1 *available for performance and registration information sys-*
2 *tem management grants, \$25,000,000 shall be available for*
3 *the commercial vehicle information systems and networks*
4 *deployment program, and \$3,000,000 shall be available for*
5 *safety data improvement grants: Provided further, That, of*
6 *the funds made available herein for the motor carrier safety*
7 *assistance program, \$32,000,000 shall be available for au-*
8 *ditions of new entrant motor carriers.*

9 *ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER*

10 *SAFETY ADMINISTRATION*

11 *SEC. 130. (a) Funds appropriated or limited in this*
12 *Act shall be subject to the terms and conditions stipulated*
13 *in section 350 of Public Law 107–87 and section 6901 of*
14 *Public Law 110–28.*

15 *(b) Section 350(d) of the Department of Transpor-*
16 *tation and Related Agencies Appropriation Act, 2002 (Pub-*
17 *lic Law 107–87) is hereby repealed.*

18 *SEC. 131. The Federal Motor Carrier Safety Adminis-*
19 *tration shall send notice of 49 CFR section 385.308 viola-*
20 *tions by certified mail, registered mail, or another manner*
21 *of delivery, which records the receipt of the notice by the*
22 *persons responsible for the violations.*

23 *SEC. 132. None of the funds limited or otherwise made*
24 *available under this Act, or any other Act, hereafter, shall*
25 *be used by the Secretary to enforce any regulation prohib-*

1 *iting a State from issuing a commercial learner's permit*
2 *to individuals under the age of eighteen if the State had*
3 *a law authorizing the issuance of commercial learner's per-*
4 *mits to individuals under eighteen years of age as of May*
5 *9, 2011.*

6 *SEC. 133. None of the funds appropriated or otherwise*
7 *made available by this Act or any other Act may be used*
8 *to implement, administer, or enforce sections 395.3(c) and*
9 *395.3(d) of title 49, Code of Federal Regulations, and such*
10 *section shall have no force or effect on submission of the*
11 *final report issued by the Secretary, as required by section*
12 *133 of division K of Public Law 113–235, unless the Sec-*
13 *retary and the Inspector General of the Department of*
14 *Transportation each review and determine that the final*
15 *report—*

16 *(1) meets the statutory requirements set forth in*
17 *such section; and*

18 *(2) establishes that commercial motor vehicle*
19 *drivers who operated under the restart provisions in*
20 *effect between July 1, 2013, and the day before the*
21 *date of enactment of such Public Law demonstrated*
22 *statistically significant improvement in all outcomes*
23 *related to safety, operator fatigue, driver health and*
24 *longevity, and work schedules, in comparison to com-*

1 *mercial motor vehicle drivers who operated under the*
2 *restart provisions in effect on June 30, 2013.*

3 *SEC. 134. None of the funds limited or otherwise made*
4 *available under the heading “Motor Carrier Safety Oper-*
5 *ations and Programs” may be used to deny an application*
6 *to renew a Hazardous Materials Safety Program permit for*
7 *a motor carrier based on that carrier’s Hazardous Mate-*
8 *rials Out-of-Service rate, unless the carrier has the oppor-*
9 *tunity to submit a written description of corrective actions*
10 *taken, and other documentation the carrier wishes the Sec-*
11 *retary to consider, including submitting a corrective action*
12 *plan, and the Secretary determines the actions or plan is*
13 *insufficient to address the safety concerns that resulted in*
14 *that Hazardous Materials Out-of-Service rate.*

15 *SEC. 135. None of the funds made available by this*
16 *Act or previous appropriations Acts under the heading*
17 *“Motor Carrier Safety Operations and Programs” shall be*
18 *used to pay for costs associated with design, development,*
19 *testing, or implementation of a wireless roadside inspection*
20 *program until 180 days after the Secretary of Transpor-*
21 *tation certifies to the House and Senate Committees on Ap-*
22 *propriations that such program does not conflict with exist-*
23 *ing non-Federal electronic screening systems, create capa-*
24 *bilities already available, or require additional statutory*
25 *authority to incorporate generated inspection data into*

1 *safety determinations or databases, and has restrictions to*
2 *specifically address privacy concerns of affected motor car-*
3 *riers and operators: Provided, That nothing in this section*
4 *shall be construed as affecting the Department's ongoing re-*
5 *search efforts in this area.*

6 *SEC. 136. Section 13506(a) of title 49, United States*
7 *Code, is amended:*

- 8 *(1) in subsection (14) by striking "or";*
9 *(2) in subsection (15) by striking "." and insert-*
10 *ing "; or"; and*
11 *(3) by inserting at the end, "(16) the transpor-*
12 *tation of passengers by 9 to 15 passenger motor vehi-*
13 *cles operated by youth or family camps that provide*
14 *recreational or educational activities."*

15 *SEC. 137. (a) IN GENERAL.—Section 31112(c)(5) of*
16 *title 49, United States Code, is amended—*

- 17 *(1) by striking "Nebraska may" and inserting*
18 *"Nebraska and Kansas may"; and*
19 *(2) by striking "the State of Nebraska" and in-*
20 *serting "the relevant state".*

21 *(b) CONFORMING AND TECHNICAL AMENDMENTS.—*
22 *Section 31112(c) of such title is amended—*

- 23 *(1) by striking the subsection designation and*
24 *heading and inserting the following:*

1 “(c) *SPECIAL RULES FOR WYOMING, OHIO, ALASKA,*
2 *IOWA, NEBRASKA, AND KANSAS.—*”;

3 (2) *by striking “; and” at the end of paragraph*

4 (3) *and inserting a semicolon; and*

5 (3) *by striking the period at the end of para-*
6 *graph (4) and inserting “; and”.*

7 *NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*

8 *OPERATIONS AND RESEARCH*

9 *For expenses necessary to discharge the functions of the*
10 *Secretary, with respect to traffic and highway safety au-*
11 *thorized under chapter 301 and part C of subtitle VI of*
12 *title 49, United States Code, \$152,800,000, of which*
13 *\$20,000,000 shall remain available through September 30,*
14 *2017.*

15 *OPERATIONS AND RESEARCH*

16 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

17 *(LIMITATION ON OBLIGATIONS)*

18 *(HIGHWAY TRUST FUND)*

19 *For payment of obligations incurred in carrying out*
20 *the provisions of 23 U.S.C. 403, and chapter 303 of title*
21 *49, United States Code, \$142,900,000, to be derived from*
22 *the Highway Trust Fund (other than the Mass Transit Ac-*
23 *count) and to remain available until expended: Provided,*
24 *That none of the funds in this Act shall be available for*
25 *the planning or execution of programs the total obligations*

1 *for which, in fiscal year 2016, are in excess of \$142,900,000,*
2 *of which \$137,800,000 shall be for programs authorized*
3 *under 23 U.S.C. 403 and \$5,100,000 shall be for the Na-*
4 *tional Driver Register authorized under chapter 303 of title*
5 *49, United States Code: Provided further, That within the*
6 *\$142,900,000 obligation limitation for operations and re-*
7 *search, \$20,000,000 shall remain available until September*
8 *30, 2017, and shall be in addition to the amount of any*
9 *limitation imposed on obligations for future years.*

10 *HIGHWAY TRAFFIC SAFETY GRANTS*
11 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*
12 *(LIMITATION ON OBLIGATIONS)*
13 *(HIGHWAY TRUST FUND)*

14 *For payment of obligations incurred in carrying out*
15 *provisions of 23 U.S.C. 402, 404, and 405, and section*
16 *4001(a)(6) of the Fixing America's Surface Transportation*
17 *Act, to remain available until expended, \$573,332,000, to*
18 *be derived from the Highway Trust Fund (other than the*
19 *Mass Transit Account): Provided, That none of the funds*
20 *in this Act shall be available for the planning or execution*
21 *of programs the total obligations for which, in fiscal year*
22 *2016, are in excess of \$573,332,000 for programs authorized*
23 *under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6)*
24 *of the Fixing America's Surface Transportation Act, of*
25 *which \$243,500,000 shall be for "Highway Safety Pro-*

1 grams” under 23 U.S.C. 402; \$274,700,000 shall be for
2 “National Priority Safety Programs” under 23 U.S.C. 405;
3 \$29,300,000 shall be for “High Visibility Enforcement Pro-
4 gram” under 23 U.S.C. 404; \$25,832,000 shall be for “Ad-
5 ministrative Expenses” under section 4001(a)(6) of the Fix-
6 ing America’s Surface Transportation Act: Provided fur-
7 ther, That none of these funds shall be used for construction,
8 rehabilitation, or remodeling costs, or for office furnishings
9 and fixtures for State, local or private buildings or struc-
10 tures: Provided further, That not to exceed \$500,000 of the
11 funds made available for “National Priority Safety Pro-
12 grams” under 23 U.S.C. 405 for “Impaired Driving Coun-
13 termeasures” (as described in subsection (d) of that section)
14 shall be available for technical assistance to the States: Pro-
15 vided further, That with respect to the “Transfers” provi-
16 sion under 23 U.S.C. 405(a)(1)(G), any amounts trans-
17 ferred to increase the amounts made available under section
18 402 shall include the obligation authority for such amounts:
19 Provided further, That the Administrator shall notify the
20 House and Senate Committees on Appropriations of any
21 exercise of the authority granted under the previous proviso
22 or under 23 U.S.C. 405(a)(1)(G) within five days.

1 *ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY*2 *TRAFFIC SAFETY ADMINISTRATION*

3 *SEC. 140. An additional \$130,000 shall be made avail-*
4 *able to the National Highway Traffic Safety Administra-*
5 *tion, out of the amount limited for section 402 of title 23,*
6 *United States Code, to pay for travel and related expenses*
7 *for State management reviews and to pay for core com-*
8 *petency development training and related expenses for high-*
9 *way safety staff.*

10 *SEC. 141. The limitations on obligations for the pro-*
11 *grams of the National Highway Traffic Safety Administra-*
12 *tion set in this Act shall not apply to obligations for which*
13 *obligation authority was made available in previous public*
14 *laws but only to the extent that the obligation authority*
15 *has not lapsed or been used.*

16 *SEC. 142. None of the funds made available by this*
17 *Act may be used to obligate or award funds for the National*
18 *Highway Traffic Safety Administration's National Road-*
19 *side Survey.*

20 *SEC. 143. None of the funds made available by this*
21 *Act may be used to mandate global positioning system*
22 *(GPS) tracking in private passenger motor vehicles without*
23 *providing full and appropriate consideration of privacy*
24 *concerns under 5 U.S.C. chapter 5, subchapter II.*

1 *FEDERAL RAILROAD ADMINISTRATION*2 *SAFETY AND OPERATIONS*

3 *For necessary expenses of the Federal Railroad Admin-*
4 *istration, not otherwise provided for, \$199,000,000, of which*
5 *\$15,900,000 shall remain available until expended.*

6 *RAILROAD RESEARCH AND DEVELOPMENT*

7 *For necessary expenses for railroad research and devel-*
8 *opment, \$39,100,000, to remain available until expended.*

9 *RAILROAD REHABILITATION AND IMPROVEMENT FINANCING*
10 *PROGRAM*

11 *The Secretary of Transportation is authorized to issue*
12 *direct loans and loan guarantees pursuant to sections 501*
13 *through 504 of the Railroad Revitalization and Regulatory*
14 *Reform Act of 1976 (Public Law 94–210), as amended, such*
15 *authority to exist as long as any such direct loan or loan*
16 *guarantee is outstanding. Provided, That pursuant to sec-*
17 *tion 502 of such Act, as amended, no new direct loans or*
18 *loan guarantee commitments shall be made using Federal*
19 *funds for the credit risk premium during fiscal year 2016.*

20 *RAILROAD SAFETY GRANTS*

21 *For necessary expenses related to railroad safety*
22 *grants, \$50,000,000, to remain available until expended, of*
23 *which not to exceed \$25,000,000 shall be available to carry*
24 *out 49 U.S.C. 20167, as in effect the day before the enact-*
25 *ment of the Passenger Rail Reform and Investment Act of*

1 *2015 (division A, title XI of the Fixing America's Surface*
2 *Transportation Act); and not to exceed \$25,000,000 shall*
3 *be made available to carry out 49 U.S.C. 20158.*

4 *OPERATING GRANTS TO THE NATIONAL RAILROAD*
5 *PASSENGER CORPORATION*

6 *To enable the Secretary of Transportation to make*
7 *quarterly grants to the National Railroad Passenger Cor-*
8 *poration, in amounts based on the Secretary's assessment*
9 *of the Corporation's seasonal cash flow requirements, for the*
10 *operation of intercity passenger rail, as authorized by sec-*
11 *tion 101 of the Passenger Rail Investment and Improve-*
12 *ment Act of 2008 (division B of Public Law 110-432), as*
13 *in effect the day before the enactment of the Passenger Rail*
14 *Reform and Investment Act of 2015 (division A, title XI*
15 *of the Fixing America's Surface Transportation Act),*
16 *\$288,500,000, to remain available until expended: Pro-*
17 *vided, That the amounts available under this paragraph*
18 *shall be available for the Secretary to approve funding to*
19 *cover operating losses for the Corporation only after receiv-*
20 *ing and reviewing a grant request for each specific train*
21 *route: Provided further, That each such grant request shall*
22 *be accompanied by a detailed financial analysis, revenue*
23 *projection, and capital expenditure projection justifying the*
24 *Federal support to the Secretary's satisfaction: Provided*
25 *further, That not later than 60 days after enactment of this*

1 *Act, the Corporation shall transmit, in electronic format,*
2 *to the Secretary and the House and Senate Committees on*
3 *Appropriations the annual budget, business plan, the 5-*
4 *Year Financial Plan for fiscal year 2016 required under*
5 *section 204 of the Passenger Rail Investment and Improve-*
6 *ment Act of 2008 and the comprehensive fleet plan for all*
7 *Amtrak rolling stock: Provided further, That the budget,*
8 *business plan and the 5-Year Financial Plan shall include*
9 *annual information on the maintenance, refurbishment, re-*
10 *placement, and expansion for all Amtrak rolling stock con-*
11 *sistent with the comprehensive fleet plan: Provided further,*
12 *That the Corporation shall provide monthly performance*
13 *reports in an electronic format which shall describe the*
14 *work completed to date, any changes to the business plan,*
15 *and the reasons for such changes as well as progress against*
16 *the milestones and target dates of the 2012 performance im-*
17 *provement plan: Provided further, That the Corporation's*
18 *budget, business plan, 5-Year Financial Plan, semiannual*
19 *reports, monthly reports, comprehensive fleet plan and all*
20 *supplemental reports or plans comply with requirements in*
21 *Public Law 112-55: Provided further, That none of the*
22 *funds provided in this Act may be used to support any*
23 *route on which Amtrak offers a discounted fare of more than*
24 *50 percent off the normal peak fare: Provided further, That*
25 *the preceding proviso does not apply to routes where the*

1 *operating loss as a result of the discount is covered by a*
2 *State and the State participates in the setting of fares.*

3 *CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL*
4 *RAILROAD PASSENGER CORPORATION*

5 *To enable the Secretary of Transportation to make*
6 *grants to the National Railroad Passenger Corporation for*
7 *capital investments as authorized by sections 101(c), 102,*
8 *and 219(b) of the Passenger Rail Investment and Improve-*
9 *ment Act of 2008 (division B of Public Law 110–432), as*
10 *in effect the day before the enactment of the Passenger Rail*
11 *Reform and Investment Act of 2015 (division A, title XI*
12 *of the Fixing America’s Surface Transportation Act),*
13 *\$1,101,500,000, to remain available until expended, of*
14 *which not to exceed \$160,200,000 shall be for debt service*
15 *obligations as authorized by section 102 of such Act: Pro-*
16 *vided, That of the amounts made available under this head-*
17 *ing, not less than \$50,000,000 shall be made available to*
18 *bring Amtrak-served facilities and stations into compliance*
19 *with the Americans with Disabilities Act: Provided further,*
20 *That after an initial distribution of up to \$200,000,000,*
21 *which shall be used by the Corporation as a working capital*
22 *account, all remaining funds shall be provided to the Cor-*
23 *poration only on a reimbursable basis: Provided further,*
24 *That of the amounts made available under this heading,*
25 *up to \$50,000,000 may be used by the Secretary to subsidize*

1 *operating losses of the Corporation should the funds pro-*
2 *vided under the heading “Operating Grants to the National*
3 *Railroad Passenger Corporation” be insufficient to meet*
4 *operational costs for fiscal year 2016: Provided further,*
5 *That the Secretary may retain up to one-half of 1 percent*
6 *of the funds provided under this heading to fund the costs*
7 *of project management and oversight of activities author-*
8 *ized by subsections 101(a) and 101(c) of division B of Pub-*
9 *lic Law 110–432, of which up to \$500,000 may be available*
10 *for technical assistance for States, the District of Columbia,*
11 *and other public entities responsible for the implementation*
12 *of section 209 of division B of Public Law 110–432: Pro-*
13 *vided further, That the Secretary shall approve funding for*
14 *capital expenditures, including advance purchase orders of*
15 *materials, for the Corporation only after receiving and re-*
16 *viewing a grant request for each specific capital project jus-*
17 *tifying the Federal support to the Secretary’s satisfaction:*
18 *Provided further, That except as otherwise provided herein,*
19 *none of the funds under this heading may be used to sub-*
20 *sidize operating losses of the Corporation: Provided further,*
21 *That none of the funds under this heading may be used*
22 *for capital projects not approved by the Secretary of Trans-*
23 *portation or on the Corporation’s fiscal year 2016 business*
24 *plan: Provided further, That in addition to the project man-*
25 *agement oversight funds authorized under section 101(d) of*

1 *division B of Public Law 110–432, the Secretary may re-*
2 *tain up to an additional \$3,000,000 of the funds provided*
3 *under this heading to fund expenses associated with imple-*
4 *menting section 212 of division B of Public Law 110–432,*
5 *including the amendments made by section 212 to section*
6 *24905 of title 49, United States Code: Provided further,*
7 *That Amtrak shall conduct a business case analysis on cap-*
8 *ital investments that exceed \$10,000,000 in life-cycle costs:*
9 *Provided further, That each contract for a capital acquisi-*
10 *tion that exceeds \$10,000,000 in life-cycle costs shall state*
11 *that funding is subject to the availability of appropriated*
12 *funds provided by an appropriations Act.*

13 *ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD*

14 *ADMINISTRATION*

15 *(INCLUDING RESCISSIONS)*

16 *SEC. 150. The Secretary of Transportation may re-*
17 *ceive and expend cash, or receive and utilize spare parts*
18 *and similar items, from non-United States Government*
19 *sources to repair damages to or replace United States Gov-*
20 *ernment owned automated track inspection cars and equip-*
21 *ment as a result of third-party liability for such damages,*
22 *and any amounts collected under this section shall be cred-*
23 *ited directly to the Safety and Operations account of the*
24 *Federal Railroad Administration, and shall remain avail-*
25 *able until expended for the repair, operation and mainte-*

1 nance of automated track inspection cars and equipment
2 in connection with the automated track inspection program.

3 *SEC. 151. None of the funds provided to the National*
4 *Railroad Passenger Corporation may be used to fund any*
5 *overtime costs in excess of \$35,000 for any individual em-*
6 *ployee: Provided, That the President of Amtrak may waive*
7 *the cap set in the previous proviso for specific employees*
8 *when the President of Amtrak determines such a cap poses*
9 *a risk to the safety and operational efficiency of the system:*
10 *Provided further, That the President of Amtrak shall report*
11 *to the House and Senate Committees on Appropriations*
12 *each quarter of the calendar year on waivers granted to em-*
13 *ployees and amounts paid above the cap for each month*
14 *within such quarter and delineate the reasons each waiver*
15 *was granted: Provided further, That the President of Am-*
16 *trak shall report to the House and Senate Committees on*
17 *Appropriations by March 1, 2016, a summary of all over-*
18 *time payments incurred by the Corporation for 2015 and*
19 *the three prior calendar years: Provided further, That such*
20 *summary shall include the total number of employees that*
21 *received waivers and the total overtime payments the Cor-*
22 *poration paid to those employees receiving waivers for each*
23 *month for 2015 and for the three prior calendar years.*

24 *SEC. 152. Of the unobligated balances of funds avail-*
25 *able to the Federal Railroad Administration from the*

1 “Railroad Research and Development” account, \$1,960,000
2 is permanently rescinded: Provided, That such amounts are
3 made available to enable the Secretary of Transportation
4 to assist Class II and Class III railroads with eligible
5 projects pursuant to sections 501 through 504 of the Rail-
6 road Revitalization and Regulatory Reform Act of 1976
7 (Public Law 94–210), as amended: Provided further, That
8 such funds shall be available for applicant expenses in pre-
9 paring to apply and applying for direct loans and loan
10 guarantees: Provided further, That these funds shall remain
11 available until expended.

12 SEC. 153. Of the unobligated balances of funds avail-
13 able to the Federal Railroad Administration, the following
14 funds are hereby rescinded: \$5,000,000 of the unobligated
15 balances of funds made available to fund expenses associ-
16 ated with implementing section 212 of division B of Public
17 Law 110–432 in the Capital and Debt Service Grants to
18 the National Railroad Passenger Corporation account of the
19 Consolidated and Further Continuing Appropriations Act,
20 2015; and \$14,163,385 of the unobligated balances of funds
21 made available from the following accounts in the specified
22 amounts—“Grants to the National Railroad Passenger
23 Corporation”, \$267,019; “Next Generation High-Speed
24 Rail”, \$4,944,504; “Rail Line Relocation and Improvement
25 Program”, \$2,241,385; and “Safety and Operations”,

1 \$6,710,477: *Provided, That such amounts are made avail-*
2 *able to enable the Secretary of Transportation to make*
3 *grants to the National Railroad Passenger Corporation as*
4 *authorized by section 101(c) of the Passenger Rail Invest-*
5 *ment and Improvement Act of 2008 (division B of Public*
6 *Law 110–432) for state-of-good-repair backlog and infra-*
7 *structure improvements on Northeast Corridor shared-use*
8 *infrastructure identified in the Northeast Corridor Infra-*
9 *structure and Operations Advisory Commission’s approved*
10 *5-year capital plan: Provided further, That these funds*
11 *shall remain available until expended and shall be available*
12 *for grants in an amount not to exceed 50 percent of the*
13 *total project cost, with the required matching funds to be*
14 *provided consistent with the Commission’s cost allocation*
15 *policy.*

16 *FEDERAL TRANSIT ADMINISTRATION*

17 *ADMINISTRATIVE EXPENSES*

18 *For necessary administrative expenses of the Federal*
19 *Transit Administration’s programs authorized by chapter*
20 *53 of title 49, United States Code, \$108,000,000, of which*
21 *not more than \$6,500,000 shall be available to carry out*
22 *the provisions of 49 U.S.C. 5329 and not less than*
23 *\$1,000,000 shall be available to carry out the provisions*
24 *of 49 U.S.C. 5326: Provided, That none of the funds pro-*
25 *vided or limited in this Act may be used to create a perma-*

1 *ment office of transit security under this heading: Provided*
2 *further, That upon submission to the Congress of the fiscal*
3 *year 2017 President's budget, the Secretary of Transpor-*
4 *tation shall transmit to Congress the annual report on New*
5 *Starts, including proposed allocations for fiscal year 2017.*

6 *TRANSIT FORMULA GRANTS*

7 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

8 *(LIMITATION ON OBLIGATIONS)*

9 *(HIGHWAY TRUST FUND)*

10 *For payment of obligations incurred in the Federal*
11 *Public Transportation Assistance Program in this account,*
12 *and for payment of obligations incurred in carrying out*
13 *the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312,*
14 *5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as*
15 *amended by the Fixing America's Surface Transportation*
16 *Act, and section 20005(b) of Public Law 112-141, and sec-*
17 *tion 3006(b) of the Fixing America's Surface Transpor-*
18 *tation Act, \$10,400,000,000, to be derived from the Mass*
19 *Transit Account of the Highway Trust Fund and to remain*
20 *available until expended: Provided, That funds available for*
21 *the implementation or execution of programs authorized*
22 *under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318,*
23 *5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the*
24 *Fixing America's Surface Transportation Act, and section*
25 *20005(b) of Public Law 112-141, and section 3006(b) of*

1 *the Fixing America's Surface Transportation Act, shall not*
2 *exceed total obligations of \$9,347,604,639 in fiscal year*
3 *2016.*

4 *CAPITAL INVESTMENT GRANTS*

5 *For necessary expenses to carry out 49 U.S.C. 5309,*
6 *\$2,177,000,000, to remain available until expended.*

7 *GRANTS TO THE WASHINGTON METROPOLITAN AREA*

8 *TRANSIT AUTHORITY*

9 *For grants to the Washington Metropolitan Area Tran-*
10 *sit Authority as authorized under section 601 of division*
11 *B of Public Law 110-432, \$150,000,000, to remain avail-*
12 *able until expended: Provided, That the Secretary of Trans-*
13 *portation shall approve grants for capital and preventive*
14 *maintenance expenditures for the Washington Metropolitan*
15 *Area Transit Authority only after receiving and reviewing*
16 *a request for each specific project: Provided further, That*
17 *prior to approving such grants, the Secretary shall certify*
18 *that the Washington Metropolitan Area Transit Authority*
19 *is making progress to improve its safety management sys-*
20 *tem in response to the Federal Transit Administration's*
21 *2015 safety management inspection: Provided further, That*
22 *prior to approving such grants, the Secretary shall certify*
23 *that the Washington Metropolitan Area Transit Authority*
24 *is making progress toward full implementation of the cor-*
25 *rective actions identified in the 2014 Financial Manage-*

1 *ment Oversight Review Report: Provided further, That the*
2 *Secretary shall determine that the Washington Metropolitan*
3 *Area Transit Authority has placed the highest priority on*
4 *those investments that will improve the safety of the system*
5 *before approving such grants: Provided further, That the*
6 *Secretary, in order to ensure safety throughout the rail sys-*
7 *tem, may waive the requirements of section 601(e)(1) of title*
8 *VI of Public Law 110–432 (112 Stat. 4968).*

9 *ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT*

10 *ADMINISTRATION*

11 *(INCLUDING RESCISSION)*

12 *SEC. 160. The limitations on obligations for the pro-*
13 *grams of the Federal Transit Administration shall not*
14 *apply to any authority under 49 U.S.C. 5338, previously*
15 *made available for obligation, or to any other authority pre-*
16 *viously made available for obligation.*

17 *SEC. 161. Notwithstanding any other provision of law,*
18 *funds appropriated or limited by this Act under the heading*
19 *“Fixed Guideway Capital Investment” of the Federal Tran-*
20 *sit Administration for projects specified in this Act or iden-*
21 *tified in reports accompanying this Act not obligated by*
22 *September 30, 2020, and other recoveries, shall be directed*
23 *to projects eligible to use the funds for the purposes for*
24 *which they were originally provided.*

1 *SEC. 162. Notwithstanding any other provision of law,*
2 *any funds appropriated before October 1, 2015, under any*
3 *section of chapter 53 of title 49, United States Code, that*
4 *remain available for expenditure, may be transferred to and*
5 *administered under the most recent appropriation heading*
6 *for any such section.*

7 *SEC. 163. Notwithstanding any other provision of law,*
8 *none of the funds made available in this Act shall be used*
9 *to enter into a full funding grant agreement for a project*
10 *with a New Starts share greater than 60 percent.*

11 *SEC. 164. (a) LOSS OF ELIGIBILITY.—Except as pro-*
12 *vided in subsection (b), none of the funds in this or any*
13 *other Act may be available to advance in any way a new*
14 *light or heavy rail project towards a full funding grant*
15 *agreement as defined by 49 U.S.C. 5309 for the Metropoli-*
16 *tan Transit Authority of Harris County, Texas if the pro-*
17 *posed capital project is constructed on or planned to be con-*
18 *structed on Richmond Avenue west of South Shepherd Drive*
19 *or on Post Oak Boulevard north of Richmond Avenue in*
20 *Houston, Texas.*

21 *(b) EXCEPTION FOR A NEW ELECTION.—The Metro-*
22 *politan Transit Authority of Harris County, Texas, may*
23 *attempt to construct or construct a new fixed guideway cap-*
24 *ital project, including light rail, in the locations referred*
25 *to in subsection (a) if—*

1 (1) voters in the jurisdiction that includes such
2 locations approve a ballot proposition that specifies
3 routes on Richmond Avenue west of South Shepherd
4 Drive or on Post Oak Boulevard north of Richmond
5 Avenue in Houston, Texas; and

6 (2) the proposed construction of such routes is
7 part of a comprehensive, multi-modal, service-area
8 wide transportation plan that includes multiple addi-
9 tional segments of fixed guideway capital projects, in-
10 cluding light rail for the jurisdiction set forth in the
11 ballot proposition. The ballot language shall include
12 reasonable cost estimates, sources of revenue to be used
13 and the total amount of bonded indebtedness to be in-
14 curred as well as a description of each route and the
15 beginning and end point of each proposed transit
16 project.

17 SEC. 165. Of the unobligated amounts made available
18 for fiscal year 2012 or prior fiscal years to carry out the
19 discretionary bus and bus facilities and new fixed guideway
20 capital projects programs under 49 U.S.C. 5309 and the
21 discretionary job access and reverse commute program
22 under section 3037 of the Transportation Equity Act for
23 the 21st Century, \$25,397,797 is hereby rescinded.

24 SEC. 166. Until September 15, 2016, the Secretary
25 may not enforce regulations related to charter bus service

1 *under part 604 of title 49, Code of Federal Regulations,*
2 *for any transit agency that, during fiscal year 2008 was*
3 *both initially granted a 60-day period to come into compli-*
4 *ance with part 604, and then was subsequently granted an*
5 *exception from said part: Provided, That notwithstanding*
6 *49 U.S.C. 5323(t), such transit agency may receive its allo-*
7 *cation of urbanized area formula funds apportioned in ac-*
8 *cordance with 49 U.S.C. 5336.*

9 *SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION*

10 *The Saint Lawrence Seaway Development Corpora-*
11 *tion is hereby authorized to make such expenditures, within*
12 *the limits of funds and borrowing authority available to*
13 *the Corporation, and in accord with law, and to make such*
14 *contracts and commitments without regard to fiscal year*
15 *limitations as provided by section 104 of the Government*
16 *Corporation Control Act, as amended, as may be necessary*
17 *in carrying out the programs set forth in the Corporation's*
18 *budget for the current fiscal year.*

19 *OPERATIONS AND MAINTENANCE*

20 *(HARBOR MAINTENANCE TRUST FUND)*

21 *For necessary expenses to conduct the operations,*
22 *maintenance, and capital asset renewal activities of those*
23 *portions of the St. Lawrence Seaway owned, operated, and*
24 *maintained by the Saint Lawrence Seaway Development*

1 Corporation, \$28,400,000, to be derived from the Harbor
2 Maintenance Trust Fund, pursuant to Public Law 99-662.

3 *MARITIME ADMINISTRATION*

4 *MARITIME SECURITY PROGRAM*

5 *For necessary expenses to maintain and preserve a*
6 *U.S.-flag merchant fleet to serve the national security needs*
7 *of the United States, \$210,000,000, to remain available*
8 *until expended.*

9 *OPERATIONS AND TRAINING*

10 *For necessary expenses of operations and training ac-*
11 *tivities authorized by law, \$171,155,000, of which*
12 *\$22,000,000 shall remain available until expended for*
13 *maintenance and repair of training ships at State Mari-*
14 *time Academies, and of which \$5,000,000 shall remain*
15 *available until expended for National Security Multi-Mis-*
16 *sion Vessel design for State Maritime Academies and Na-*
17 *tional Security, and of which \$2,400,000 shall remain*
18 *available through September 30, 2017, for the Student In-*
19 *centive Program at State Maritime Academies, and of*
20 *which \$1,200,000 shall remain available until expended for*
21 *training ship fuel assistance payments, and of which*
22 *\$18,000,000 shall remain available until expended for fa-*
23 *cilities maintenance and repair, equipment, and capital*
24 *improvements at the United States Merchant Marine Acad-*
25 *emy, and of which \$3,000,000 shall remain available*

1 *through September 30, 2017, for Maritime Environment*
2 *and Technology Assistance grants, contracts, and coopera-*
3 *tive agreement, and of which \$5,000,000 shall remain avail-*
4 *able until expended for the Short Sea Transportation Pro-*
5 *gram (America's Marine Highways) to make grants for the*
6 *purposes provided in title 46 sections 55601(b)(1) and*
7 *55601(b)(3): Provided, That amounts apportioned for the*
8 *United States Merchant Marine Academy shall be available*
9 *only upon allotments made personally by the Secretary of*
10 *Transportation or the Assistant Secretary for Budget and*
11 *Programs: Provided further, That the Superintendent, Dep-*
12 *uty Superintendent and the Director of the Office of Re-*
13 *source Management of the United States Merchant Marine*
14 *Academy may not be allotment holders for the United States*
15 *Merchant Marine Academy, and the Administrator of the*
16 *Maritime Administration shall hold all allotments made by*
17 *the Secretary of Transportation or the Assistant Secretary*
18 *for Budget and Programs under the previous proviso: Pro-*
19 *vided further, That 50 percent of the funding made avail-*
20 *able for the United States Merchant Marine Academy under*
21 *this heading shall be available only after the Secretary, in*
22 *consultation with the Superintendent and the Maritime Ad-*
23 *ministrator, completes a plan detailing by program or ac-*
24 *tivity how such funding will be expended at the Academy,*
25 *and this plan is submitted to the House and Senate Com-*

1 *mittees on Appropriations: Provided further, That not later*
2 *than January 12, 2016, the Administrator of the Maritime*
3 *Administration shall transmit to the House and Senate*
4 *Committees on Appropriations the annual report on sexual*
5 *assault and sexual harassment at the United States Mer-*
6 *chant Marine Academy as required pursuant to section*
7 *3507 of Public Law 110–417.*

8 *ASSISTANCE TO SMALL SHIPYARDS*

9 *To make grants to qualified shipyards as authorized*
10 *under section 54101 of title 46, United States Code, as*
11 *amended by Public Law 113–281, \$5,000,000 to remain*
12 *available until expended: Provided, That the Secretary shall*
13 *issue the Notice of Funding Availability no later than 15*
14 *days after enactment of this Act: Provided further, That*
15 *from applications submitted under the previous proviso, the*
16 *Secretary of Transportation shall make grants no later than*
17 *120 days after enactment of this Act in such amounts as*
18 *the Secretary determines: Provided further, That not to ex-*
19 *ceed 2 percent of the funds appropriated under this heading*
20 *shall be available for necessary costs of grant administra-*
21 *tion.*

22 *SHIP DISPOSAL*

23 *For necessary expenses related to the disposal of obso-*
24 *lete vessels in the National Defense Reserve Fleet of the Mar-*

1 *itime Administration, \$5,000,000, to remain available*
2 *until expended.*

3 *MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM*

4 *ACCOUNT*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the cost of guaranteed loans, as authorized,*
7 *\$8,135,000, of which \$5,000,000 shall remain available*
8 *until expended: Provided, That such costs, including the*
9 *cost of modifying such loans, shall be as defined in section*
10 *502 of the Congressional Budget Act of 1974, as amended:*
11 *Provided further, That not to exceed \$3,135,000 shall be*
12 *available for administrative expenses to carry out the guar-*
13 *anteed loan program, which shall be transferred to and*
14 *merged with the appropriations for “Operations and Train-*
15 *ing”, Maritime Administration.*

16 *ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION*

17 *SEC. 170. Notwithstanding any other provision of this*
18 *Act, in addition to any existing authority, the Maritime*
19 *Administration is authorized to furnish utilities and serv-*
20 *ices and make necessary repairs in connection with any*
21 *lease, contract, or occupancy involving Government prop-*
22 *erty under control of the Maritime Administration: Pro-*
23 *vided, That payments received therefor shall be credited to*
24 *the appropriation charged with the cost thereof and shall*
25 *remain available until expended: Provided further, That*

1 rental payments under any such lease, contract, or occu-
2 pancy for items other than such utilities, services, or repairs
3 shall be covered into the Treasury as miscellaneous receipts.

4 *SEC. 171. None of the funds available or appropriated*
5 *in this Act shall be used by the United States Department*
6 *of Transportation or the United States Maritime Adminis-*
7 *tration to negotiate or otherwise execute, enter into, facili-*
8 *tate or perform fee-for-service contracts for vessel disposal,*
9 *scrapping or recycling, unless there is no qualified domestic*
10 *ship recycler that will pay any sum of money to purchase*
11 *and scrap or recycle a vessel owned, operated or managed*
12 *by the Maritime Administration or that is part of the Na-*
13 *tional Defense Reserve Fleet: Provided, That such sales of-*
14 *fers must be consistent with the solicitation and provide*
15 *that the work will be performed in a timely manner at a*
16 *facility qualified within the meaning of section 3502 of*
17 *Public Law 106–398: Provided further, That nothing con-*
18 *tained herein shall affect the Maritime Administration’s*
19 *authority to award contracts at least cost to the Federal*
20 *Government and consistent with the requirements of 54*
21 *U.S.C. 308704, section 3502, or otherwise authorized under*
22 *the Federal Acquisition Regulation.*

1 *PIPELINE AND HAZARDOUS MATERIALS SAFETY*2 *ADMINISTRATION*3 *OPERATIONAL EXPENSES*

4 *For necessary operational expenses of the Pipeline and*
5 *Hazardous Materials Safety Administration, \$21,000,000:*
6 *Provided, That no later than 90 days after the date of enact-*
7 *ment of this Act, the Secretary of Transportation shall ini-*
8 *tiate a rulemaking to expand the applicability of com-*
9 *prehensive oil spill response plans, and shall issue a final*
10 *rule no later than one year after the date of enactment of*
11 *this Act.*

12 *HAZARDOUS MATERIALS SAFETY*

13 *For expenses necessary to discharge the hazardous ma-*
14 *terials safety functions of the Pipeline and Hazardous Ma-*
15 *terials Safety Administration, \$55,619,000, of which*
16 *\$7,570,000 shall remain available until September 30,*
17 *2018: Provided, That up to \$800,000 in fees collected under*
18 *49 U.S.C. 5108(g) shall be deposited in the general fund*
19 *of the Treasury as offsetting receipts: Provided further, That*
20 *there may be credited to this appropriation, to be available*
21 *until expended, funds received from States, counties, mu-*
22 *nicipalities, other public authorities, and private sources*
23 *for expenses incurred for training, for reports publication*
24 *and dissemination, and for travel expenses incurred in per-*

1 *formance of hazardous materials exemptions and approvals*
2 *functions.*

3 *PIPELINE SAFETY*

4 *(PIPELINE SAFETY FUND)*

5 *(OIL SPILL LIABILITY TRUST FUND)*

6 *For expenses necessary to conduct the functions of the*
7 *pipeline safety program, for grants-in-aid to carry out a*
8 *pipeline safety program, as authorized by 49 U.S.C. 60107,*
9 *and to discharge the pipeline program responsibilities of*
10 *the Oil Pollution Act of 1990, \$146,623,000, of which*
11 *\$22,123,000 shall be derived from the Oil Spill Liability*
12 *Trust Fund and shall remain available until September 30,*
13 *2018; and of which \$124,500,000 shall be derived from the*
14 *Pipeline Safety Fund, of which \$59,835,000 shall remain*
15 *available until September 30, 2018: Provided, That not less*
16 *than \$1,058,000 of the funds provided under this heading*
17 *shall be for the One-Call state grant program: Provided fur-*
18 *ther, That not less than \$1,000,000 of the funds provided*
19 *under this heading shall be for the finalization and imple-*
20 *mentation of rules required under section 60102(n) of title*
21 *49, United States Code, and section 8(b)(3) of the Pipeline*
22 *Safety, Regulatory Certainty, and Job Creation Act of 2011*
23 *(49 U.S.C. 60108 note; 125 Stat. 1911).*

1 *EMERGENCY PREPAREDNESS GRANTS*2 *(EMERGENCY PREPAREDNESS FUND)*

3 *For necessary expenses to carryout 49 U.S.C. 5128(b),*
4 *\$188,000, to be derived from the Emergency Preparedness*
5 *Fund, to remain available until September 30, 2017: Pro-*
6 *vided, That notwithstanding the fiscal year limitation spec-*
7 *ified in 49 U.S.C. 5116, not more than \$28,318,000 shall*
8 *be made available for obligation in fiscal year 2016 from*
9 *amounts made available by 49 U.S.C. 5116(h), and 5128(b)*
10 *and (c): Provided further, That notwithstanding 49 U.S.C.*
11 *5116(h)(4), not more than 4 percent of the amounts made*
12 *available from this account shall be available to pay admin-*
13 *istrative costs: Provided further, That none of the funds*
14 *made available by 49 U.S.C. 5116(h), 5128(b), or 5128(c)*
15 *shall be made available for obligation by individuals other*
16 *than the Secretary of Transportation, or his or her designee:*
17 *Provided further, That notwithstanding 49 U.S.C. 5128(b)*
18 *and (c) and the current year obligation limitation, prior*
19 *year recoveries recognized in the current year shall be avail-*
20 *able to develop a hazardous materials response training*
21 *curriculum for emergency responders, including response*
22 *activities for the transportation of crude oil, ethanol and*
23 *other flammable liquids by rail, consistent with National*
24 *Fire Protection Association standards, and to make such*
25 *training available through an electronic format: Provided*

1 *further, That the prior year recoveries made available under*
2 *this heading shall also be available to carry out 49 U.S.C.*
3 *5116(a)(1)(C) and 5116(i).*

4 *OFFICE OF INSPECTOR GENERAL*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the Office of the Inspector*
7 *General to carry out the provisions of the Inspector General*
8 *Act of 1978, as amended, \$87,472,000: Provided, That the*
9 *Inspector General shall have all necessary authority, in car-*
10 *rying out the duties specified in the Inspector General Act,*
11 *as amended (5 U.S.C. App. 3), to investigate allegations*
12 *of fraud, including false statements to the government (18*
13 *U.S.C. 1001), by any person or entity that is subject to*
14 *regulation by the Department of Transportation: Provided*
15 *further, That the funds made available under this heading*
16 *may be used to investigate, pursuant to section 41712 of*
17 *title 49, United States Code: (1) unfair or deceptive prac-*
18 *tices and unfair methods of competition by domestic and*
19 *foreign air carriers and ticket agents; and (2) the compli-*
20 *ance of domestic and foreign air carriers with respect to*
21 *item (1) of this proviso.*

22 *SURFACE TRANSPORTATION BOARD*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Surface Transportation*
25 *Board, including services authorized by 5 U.S.C. 3109,*

1 \$32,375,000: *Provided, That notwithstanding any other*
2 *provision of law, not to exceed \$1,250,000 from fees estab-*
3 *lished by the Chairman of the Surface Transportation*
4 *Board shall be credited to this appropriation as offsetting*
5 *collections and used for necessary and authorized expenses*
6 *under this heading: Provided further, That the sum herein*
7 *appropriated from the general fund shall be reduced on a*
8 *dollar-for-dollar basis as such offsetting collections are re-*
9 *ceived during fiscal year 2016, to result in a final appro-*
10 *priation from the general fund estimated at no more than*
11 *\$31,125,000.*

12 *GENERAL PROVISIONS—DEPARTMENT OF*
13 *TRANSPORTATION*

14 *SEC. 180. During the current fiscal year, applicable*
15 *appropriations to the Department of Transportation shall*
16 *be available for maintenance and operation of aircraft; hire*
17 *of passenger motor vehicles and aircraft; purchase of liabil-*
18 *ity insurance for motor vehicles operating in foreign coun-*
19 *tries on official department business; and uniforms or al-*
20 *lowances therefor, as authorized by law (5 U.S.C. 5901–*
21 *5902).*

22 *SEC. 181. Appropriations contained in this Act for the*
23 *Department of Transportation shall be available for services*
24 *as authorized by 5 U.S.C. 3109, but at rates for individuals*

1 *not to exceed the per diem rate equivalent to the rate for*
2 *an Executive Level IV.*

3 *SEC. 182. None of the funds in this Act shall be avail-*
4 *able for salaries and expenses of more than 110 political*
5 *and Presidential appointees in the Department of Trans-*
6 *portation: Provided, That none of the personnel covered by*
7 *this provision may be assigned on temporary detail outside*
8 *the Department of Transportation.*

9 *SEC. 183. (a) No recipient of funds made available in*
10 *this Act shall disseminate personal information (as defined*
11 *in 18 U.S.C. 2725(3)) obtained by a State department of*
12 *motor vehicles in connection with a motor vehicle record*
13 *as defined in 18 U.S.C. 2725(1), except as provided in 18*
14 *U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.*

15 *(b) Notwithstanding subsection (a), the Secretary shall*
16 *not withhold funds provided in this Act for any grantee*
17 *if a State is in noncompliance with this provision.*

18 *SEC. 184. Funds received by the Federal Highway Ad-*
19 *ministration and Federal Railroad Administration from*
20 *States, counties, municipalities, other public authorities,*
21 *and private sources for expenses incurred for training may*
22 *be credited respectively to the Federal Highway Adminis-*
23 *tration's "Federal-Aid Highways" account and to the Fed-*
24 *eral Railroad Administration's "Safety and Operations"*

1 *account, except for State rail safety inspectors participating*
2 *in training pursuant to 49 U.S.C. 20105.*

3 *SEC. 185. None of the funds in this Act to the Depart-*
4 *ment of Transportation may be used to make a loan, loan*
5 *guarantee, line of credit, or grant unless the Secretary of*
6 *Transportation notifies the House and Senate Committees*
7 *on Appropriations not less than 3 full business days before*
8 *any project competitively selected to receive a discretionary*
9 *grant award, any discretionary grant award, letter of in-*
10 *tent, loan commitment, loan guarantee commitment, line*
11 *of credit commitment, or full funding grant agreement to-*
12 *taling \$750,000 or more is announced by the department*
13 *or its modal administrations from—*

14 *(1) any discretionary grant or federal credit pro-*
15 *gram of the Federal Highway Administration includ-*
16 *ing the emergency relief program;*

17 *(2) the airport improvement program of the Fed-*
18 *eral Aviation Administration;*

19 *(3) any program of the Federal Railroad Admin-*
20 *istration;*

21 *(4) any program of the Federal Transit Admin-*
22 *istration other than the formula grants and fixed*
23 *guideway modernization programs;*

24 *(5) any program of the Maritime Administra-*
25 *tion; or*

1 (6) any funding provided under the headings
2 “National Infrastructure Investments” in this Act:
3 *Provided, That the Secretary gives concurrent notification*
4 *to the House and Senate Committees on Appropriations for*
5 *any “quick release” of funds from the emergency relief pro-*
6 *gram: Provided further, That no notification shall involve*
7 *funds that are not available for obligation.*

8 *SEC. 186. Rebates, refunds, incentive payments, minor*
9 *fees and other funds received by the Department of Trans-*
10 *portation from travel management centers, charge card pro-*
11 *grams, the subleasing of building space, and miscellaneous*
12 *sources are to be credited to appropriations of the Depart-*
13 *ment of Transportation and allocated to elements of the De-*
14 *partment of Transportation using fair and equitable cri-*
15 *teria and such funds shall be available until expended.*

16 *SEC. 187. Amounts made available in this or any other*
17 *Act that the Secretary determines represent improper pay-*
18 *ments by the Department of Transportation to a third-*
19 *party contractor under a financial assistance award, which*
20 *are recovered pursuant to law, shall be available—*

21 (1) to reimburse the actual expenses incurred by
22 the Department of Transportation in recovering im-
23 proper payments; and

24 (2) to pay contractors for services provided in re-
25 covering improper payments or contractor support in

1 *the implementation of the Improper Payments Infor-*
2 *mation Act of 2002: Provided, That amounts in excess*
3 *of that required for paragraphs (1) and (2)—*

4 *(A) shall be credited to and merged with the*
5 *appropriation from which the improper pay-*
6 *ments were made, and shall be available for the*
7 *purposes and period for which such appropria-*
8 *tions are available: Provided further, That where*
9 *specific project or accounting information associ-*
10 *ated with the improper payment or payments is*
11 *not readily available, the Secretary may credit*
12 *an appropriate account, which shall be available*
13 *for the purposes and period associated with the*
14 *account so credited; or*

15 *(B) if no such appropriation remains avail-*
16 *able, shall be deposited in the Treasury as mis-*
17 *cellaneous receipts: Provided further, That prior*
18 *to the transfer of any such recovery to an appro-*
19 *priations account, the Secretary shall notify the*
20 *House and Senate Committees on Appropria-*
21 *tions of the amount and reasons for such trans-*
22 *fer: Provided further, That for purposes of this*
23 *section, the term “improper payments” has the*
24 *same meaning as that provided in section*
25 *2(d)(2) of Public Law 107–300.*

1 *SEC. 188. Notwithstanding any other provision of law,*
2 *if any funds provided in or limited by this Act are subject*
3 *to a reprogramming action that requires notice to be pro-*
4 *vided to the House and Senate Committees on Appropria-*
5 *tions, transmission of said reprogramming notice shall be*
6 *provided solely to the House and Senate Committees on Ap-*
7 *propriations, and said reprogramming action shall be ap-*
8 *proved or denied solely by the House and Senate Commit-*
9 *tees on Appropriations: Provided, That the Secretary of*
10 *Transportation may provide notice to other congressional*
11 *committees of the action of the House and Senate Commit-*
12 *tees on Appropriations on such reprogramming but not*
13 *sooner than 30 days following the date on which the re-*
14 *programming action has been approved or denied by the*
15 *House and Senate Committees on Appropriations.*

16 *SEC. 189. None of the funds appropriated or otherwise*
17 *made available under this Act may be used by the Surface*
18 *Transportation Board of the Department of Transportation*
19 *to charge or collect any filing fee for rate or practice com-*
20 *plaints filed with the Board in an amount in excess of the*
21 *amount authorized for district court civil suit filing fees*
22 *under section 1914 of title 28, United States Code.*

23 *SEC. 190. Funds appropriated in this Act to the modal*
24 *administrations may be obligated for the Office of the Sec-*
25 *retary for the costs related to assessments or reimbursable*

1 *agreements only when such amounts are for the costs of*
2 *goods and services that are purchased to provide a direct*
3 *benefit to the applicable modal administration or adminis-*
4 *trations.*

5 *SEC. 191. The Secretary of Transportation is author-*
6 *ized to carry out a program that establishes uniform stand-*
7 *ards for developing and supporting agency transit pass and*
8 *transit benefits authorized under section 7905 of title 5,*
9 *United States Code, including distribution of transit bene-*
10 *fits by various paper and electronic media.*

11 *SEC. 192. The Department of Transportation may use*
12 *funds provided by this Act, or any other Act, to assist a*
13 *contract under title 49 U.S.C. or title 23 U.S.C. utilizing*
14 *geographic, economic, or any other hiring preference not*
15 *otherwise authorized by law, except for such preferences au-*
16 *thorized in this Act, or to amend a rule, regulation, policy*
17 *or other measure that forbids a recipient of a Federal High-*
18 *way Administration or Federal Transit Administration*
19 *grant from imposing such hiring preference on a contract*
20 *or construction project with which the Department of*
21 *Transportation is assisting, only if the grant recipient cer-*
22 *tifies the following:*

23 *(1) that except with respect to apprentices or*
24 *trainees, a pool of readily available but unemployed*
25 *individuals possessing the knowledge, skill, and abil-*

1 *ity to perform the work that the contract requires re-*
2 *sides in the jurisdiction;*

3 *(2) that the grant recipient will include appro-*
4 *prate provisions in its bid document ensuring that*
5 *the contractor does not displace any of its existing*
6 *employees in order to satisfy such hiring preference;*
7 *and*

8 *(3) that any increase in the cost of labor, train-*
9 *ing, or delays resulting from the use of such hiring*
10 *preference does not delay or displace any transpor-*
11 *tation project in the applicable Statewide Transpor-*
12 *tation Improvement Program or Transportation Im-*
13 *provement Program.*

14 *This title may be cited as the “Department of Trans-*
15 *portation Appropriations Act, 2016”.*

16 *TITLE II*

17 *DEPARTMENT OF HOUSING AND URBAN*

18 *DEVELOPMENT*

19 *MANAGEMENT AND ADMINISTRATION*

20 *EXECUTIVE OFFICES*

21 *For necessary salaries and expenses for Executive Of-*
22 *fices, which shall be comprised of the offices of the Secretary,*
23 *Deputy Secretary, Adjudicatory Services, Congressional*
24 *and Intergovernmental Relations, Public Affairs, Small*
25 *and Disadvantaged Business Utilization, and the Center for*

1 *Faith-Based and Neighborhood Partnerships, \$13,800,000:*
2 *Provided, That not to exceed \$25,000 of the amount made*
3 *available under this heading shall be available to the Sec-*
4 *retary for official reception and representation expenses as*
5 *the Secretary may determine.*

6 *ADMINISTRATIVE SUPPORT OFFICES*

7 *For necessary salaries and expenses for Administrative*
8 *Support Offices, \$559,100,000, of which \$79,000,000 shall*
9 *be available for the Office of the Chief Financial Officer;*
10 *\$94,500,000 shall be available for the Office of the General*
11 *Counsel; \$207,600,000 shall be available for the Office of*
12 *Administration; \$56,300,000 shall be available for the Of-*
13 *fice of the Chief Human Capital Officer; \$51,500,000 shall*
14 *be available for the Office of Field Policy and Management;*
15 *\$17,200,000 shall be available for the Office of the Chief*
16 *Procurement Officer; \$3,300,000 shall be available for the*
17 *Office of Departmental Equal Employment Opportunity;*
18 *\$4,500,000 shall be available for the Office of Strategic*
19 *Planning and Management; and \$45,200,000 shall be avail-*
20 *able for the Office of the Chief Information Officer: Pro-*
21 *vided, That funds provided under this heading may be used*
22 *for necessary administrative and non-administrative ex-*
23 *penses of the Department of Housing and Urban Develop-*
24 *ment, not otherwise provided for, including purchase of uni-*
25 *forms, or allowances therefor, as authorized by 5 U.S.C.*

1 5901–5902; hire of passenger motor vehicles; and services
2 as authorized by 5 U.S.C. 3109: Provided further, That not-
3 withstanding any other provision of law, funds appro-
4 priated under this heading may be used for advertising and
5 promotional activities that directly support program activi-
6 ties funded in this title: Provided further, That the Sec-
7 retary shall provide the House and Senate Committees on
8 Appropriations quarterly written notification regarding the
9 status of pending congressional reports: Provided further,
10 That the Secretary shall provide in electronic form all
11 signed reports required by Congress.

12 *PROGRAM OFFICE SALARIES AND EXPENSES*

13 *PUBLIC AND INDIAN HOUSING*

14 *For necessary salaries and expenses of the Office of*
15 *Public and Indian Housing, \$205,500,000.*

16 *COMMUNITY PLANNING AND DEVELOPMENT*

17 *For necessary salaries and expenses of the Office of*
18 *Community Planning and Development, \$104,800,000.*

19 *HOUSING*

20 *For necessary salaries and expenses of the Office of*
21 *Housing, \$375,000,000.*

22 *POLICY DEVELOPMENT AND RESEARCH*

23 *For necessary salaries and expenses of the Office of*
24 *Policy Development and Research, \$23,100,000.*

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, \$7,000,000.*

7 *WORKING CAPITAL FUND*8 *(INCLUDING TRANSFER OF FUNDS)*

9 *There is hereby established in the United States Treas-*
10 *ury, pursuant to section 7(f) of the Department of Housing*
11 *and Urban Development Act (42 U.S.C. 3535(f)), a working*
12 *capital fund for the Department of Housing and Urban De-*
13 *velopment (referred to in this paragraph as the “Fund”):*
14 *Provided, That amounts transferred to the Fund under this*
15 *heading shall be available for Federal shared services used*
16 *by offices and agencies of the Department, and for such por-*
17 *tion of any office or agency’s printing, records management,*
18 *space renovation, furniture, or supply services as the Sec-*
19 *retary determines shall be derived from centralized sources*
20 *made available by the Department to all offices and agen-*
21 *cies and funded through the Fund: Provided further, That*
22 *of the amounts made available in this title for salaries and*
23 *expenses under the headings “Executive Offices”, “Adminis-*
24 *trative Support Offices”, “Program Office Salaries and Ex-*
25 *penses”, and “Government National Mortgage Association”,*

1 *the Secretary shall transfer to the Fund such amounts, to*
2 *remain available until expended, as are necessary to fund*
3 *services, specified in the first proviso, for which the appro-*
4 *priation would otherwise have been available, and may*
5 *transfer not to exceed an additional \$10,000,000, in aggre-*
6 *gate, from all such appropriations, to be merged with the*
7 *Fund and to remain available until expended for use for*
8 *any office or agency: Provided further, That amounts in*
9 *the Fund shall be the only amounts available to each office*
10 *or agency of the Department for the services, or portion of*
11 *services, specified in the first proviso: Provided further,*
12 *That with respect to the Fund, the authorities and condi-*
13 *tions under this heading shall supplant the authorities and*
14 *conditions provided under section 7(f) of the Department*
15 *of Housing and Urban Development Act.*

16 *PUBLIC AND INDIAN HOUSING*

17 *TENANT-BASED RENTAL ASSISTANCE*

18 *For activities and assistance for the provision of ten-*
19 *ant-based rental assistance authorized under the United*
20 *States Housing Act of 1937, as amended (42 U.S.C. 1437*
21 *et seq.) (“the Act” herein), not otherwise provided for,*
22 *\$15,628,525,000, to remain available until expended, shall*
23 *be available on October 1, 2015 (in addition to the*
24 *\$4,000,000,000 previously appropriated under this heading*
25 *that shall be available on October 1, 2015), and*

1 \$4,000,000,000, to remain available until expended, shall
2 be available on October 1, 2016: Provided, That the
3 amounts made available under this heading are provided
4 as follows:

5 (1) \$17,681,451,000 shall be available for renew-
6 als of expiring section 8 tenant-based annual con-
7 tributions contracts (including renewals of enhanced
8 vouchers under any provision of law authorizing such
9 assistance under section 8(t) of the Act) and includ-
10 ing renewal of other special purpose incremental
11 vouchers: Provided, That notwithstanding any other
12 provision of law, from amounts provided under this
13 paragraph and any carryover, the Secretary for the
14 calendar year 2016 funding cycle shall provide re-
15 newal funding for each public housing agency based
16 on validated voucher management system (VMS) leas-
17 ing and cost data for the prior calendar year and by
18 applying an inflation factor as established by the Sec-
19 retary, by notice published in the Federal Register,
20 and by making any necessary adjustments for the
21 costs associated with the first-time renewal of vouch-
22 ers under this paragraph including tenant protection,
23 HOPE VI, and Choice Neighborhoods vouchers: Pro-
24 vided further, That in determining calendar year
25 2016 funding allocations under this heading for pub-

1 *lic housing agencies, including agencies participating*
2 *in the Moving To Work (MTW) demonstration, the*
3 *Secretary may take into account the anticipated im-*
4 *pact of changes in targeting and utility allowances,*
5 *on public housing agencies' contract renewal needs:*
6 *Provided further, That none of the funds provided*
7 *under this paragraph may be used to fund a total*
8 *number of unit months under lease which exceeds a*
9 *public housing agency's authorized level of units*
10 *under contract, except for public housing agencies*
11 *participating in the MTW demonstration, which are*
12 *instead governed by the terms and conditions of their*
13 *MTW agreements: Provided further, That the Sec-*
14 *retary shall, to the extent necessary to stay within the*
15 *amount specified under this paragraph (except as oth-*
16 *erwise modified under this paragraph), prorate each*
17 *public housing agency's allocation otherwise estab-*
18 *lished pursuant to this paragraph: Provided further,*
19 *That except as provided in the following provisos, the*
20 *entire amount specified under this paragraph (except*
21 *as otherwise modified under this paragraph) shall be*
22 *obligated to the public housing agencies based on the*
23 *allocation and pro rata method described above, and*
24 *the Secretary shall notify public housing agencies of*
25 *their annual budget by the latter of 60 days after en-*

1 *actment of this Act or March 1, 2016: Provided fur-*
2 *ther, That the Secretary may extend the notification*
3 *period with the prior written approval of the House*
4 *and Senate Committees on Appropriations: Provided*
5 *further, That public housing agencies participating in*
6 *the MTW demonstration shall be funded pursuant to*
7 *their MTW agreements and shall be subject to the*
8 *same pro rata adjustments under the previous pro-*
9 *visos: Provided further, That the Secretary may offset*
10 *public housing agencies' calendar year 2016 alloca-*
11 *tions based on the excess amounts of public housing*
12 *agencies' net restricted assets accounts, including*
13 *HUD held programmatic reserves (in accordance with*
14 *VMS data in calendar year 2015 that is verifiable*
15 *and complete), as determined by the Secretary: Pro-*
16 *vided further, That public housing agencies partici-*
17 *parting in the MTW demonstration shall also be sub-*
18 *ject to the offset, as determined by the Secretary, ex-*
19 *cluding amounts subject to the single fund budget au-*
20 *thority provisions of their MTW agreements, from the*
21 *agencies' calendar year 2016 MTW funding alloca-*
22 *tion: Provided further, That the Secretary shall use*
23 *any offset referred to in the previous two provisos*
24 *throughout the calendar year to prevent the termi-*
25 *nation of rental assistance for families as the result*

1 *of insufficient funding, as determined by the Sec-*
2 *retary, and to avoid or reduce the proration of re-*
3 *newal funding allocations: Provided further, That up*
4 *to \$75,000,000 shall be available only: (1) for adjust-*
5 *ments in the allocations for public housing agencies,*
6 *after application for an adjustment by a public hous-*
7 *ing agency that experienced a significant increase, as*
8 *determined by the Secretary, in renewal costs of*
9 *vouchers resulting from unforeseen circumstances or*
10 *from portability under section 8(r) of the Act; (2) for*
11 *vouchers that were not in use during the previous 12-*
12 *month period in order to be available to meet a com-*
13 *mitment pursuant to section 8(o)(13) of the Act; (3)*
14 *for adjustments for costs associated with HUD-Vet-*
15 *erans Affairs Supportive Housing (HUD-VASH)*
16 *vouchers; and (4) for public housing agencies that de-*
17 *spite taking reasonable cost savings measures, as de-*
18 *termined by the Secretary, would otherwise be re-*
19 *quired to terminate rental assistance for families as*
20 *a result of insufficient funding: Provided further,*
21 *That the Secretary shall allocate amounts under the*
22 *previous proviso based on need, as determined by the*
23 *Secretary;*

24 (2) \$130,000,000 shall be for section 8 rental as-
25 *istance for relocation and replacement of housing*

1 *units that are demolished or disposed of pursuant to*
2 *section 18 of the Act, conversion of section 23 projects*
3 *to assistance under section 8, the family unification*
4 *program under section 8(x) of the Act, relocation of*
5 *witnesses in connection with efforts to combat crime*
6 *in public and assisted housing pursuant to a request*
7 *from a law enforcement or prosecution agency, en-*
8 *hanced vouchers under any provision of law author-*
9 *izing such assistance under section 8(t) of the Act,*
10 *HOPE VI and Choice Neighborhood vouchers, manda-*
11 *tory and voluntary conversions, and tenant protection*
12 *assistance including replacement and relocation as-*
13 *sistance or for project-based assistance to prevent the*
14 *displacement of unassisted elderly tenants currently*
15 *residing in section 202 properties financed between*
16 *1959 and 1974 that are refinanced pursuant to Pub-*
17 *lic Law 106–569, as amended, or under the authority*
18 *as provided under this Act: Provided, That when a*
19 *public housing development is submitted for demoli-*
20 *tion or disposition under section 18 of the Act, the*
21 *Secretary may provide section 8 rental assistance*
22 *when the units pose an imminent health and safety*
23 *risk to residents: Provided further, That the Secretary*
24 *may only provide replacement vouchers for units that*
25 *were occupied within the previous 24 months that*

1 *cease to be available as assisted housing, subject only*
2 *to the availability of funds: Provided further, That of*
3 *the amounts made available under this paragraph,*
4 *\$5,000,000 may be available to provide tenant protec-*
5 *tion assistance, not otherwise provided under this*
6 *paragraph, to residents residing in low vacancy areas*
7 *and who may have to pay rents greater than 30 per-*
8 *cent of household income, as the result of: (A) the ma-*
9 *turity of a HUD-insured, HUD-held or section 202*
10 *loan that requires the permission of the Secretary*
11 *prior to loan prepayment; (B) the expiration of a*
12 *rental assistance contract for which the tenants are*
13 *not eligible for enhanced voucher or tenant protection*
14 *assistance under existing law; or (C) the expiration of*
15 *affordability restrictions accompanying a mortgage or*
16 *preservation program administered by the Secretary:*
17 *Provided further, That such tenant protection assist-*
18 *ance made available under the previous proviso may*
19 *be provided under the authority of section 8(t) or sec-*
20 *tion 8(o)(13) of the United States Housing Act of*
21 *1937 (42 U.S.C. 1437f(t)): Provided further, That*
22 *any tenant protection voucher made available from*
23 *amounts under this paragraph shall not be reissued*
24 *by any public housing agency, except the replacement*
25 *vouchers as defined by the Secretary by notice, when*

1 *the initial family that received any such voucher no*
2 *longer receives such voucher, and the authority for*
3 *any public housing agency to issue any such voucher*
4 *shall cease to exist: Provided further, That the Sec-*
5 *retary, for the purpose under this paragraph, may*
6 *use unobligated balances, including recaptures and*
7 *carryovers, remaining from amounts appropriated in*
8 *prior fiscal years under this heading for voucher as-*
9 *stance for nonelderly disabled families and for dis-*
10 *aster assistance made available under Public Law*
11 *110–329;*

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 2016 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) \$107,074,000 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;*

14 *(5) \$60,000,000 for incremental rental voucher*
15 *assistance for use through a supported housing pro-*
16 *gram administered in conjunction with the Depart-*
17 *ment of Veterans Affairs as authorized under section*
18 *8(o)(19) of the United States Housing Act of 1937:*
19 *Provided, That the Secretary of Housing and Urban*
20 *Development shall make such funding available, not-*
21 *withstanding section 204 (competition provision) of*
22 *this title, to public housing agencies that partner with*
23 *eligible VA Medical Centers or other entities as des-*
24 *ignated by the Secretary of the Department of Vet-*
25 *erans Affairs, based on geographical need for such as-*

1 *sistance as identified by the Secretary of the Depart-*
2 *ment of Veterans Affairs, public housing agency ad-*
3 *ministrative performance, and other factors as speci-*
4 *fied by the Secretary of Housing and Urban Develop-*
5 *ment in consultation with the Secretary of the De-*
6 *partment of Veterans Affairs: Provided further, That*
7 *the Secretary of Housing and Urban Development*
8 *may waive, or specify alternative requirements for (in*
9 *consultation with the Secretary of the Department of*
10 *Veterans Affairs), any provision of any statute or reg-*
11 *ulation that the Secretary of Housing and Urban De-*
12 *velopment administers in connection with the use of*
13 *funds made available under this paragraph (except*
14 *for requirements related to fair housing, non-*
15 *discrimination, labor standards, and the environ-*
16 *ment), upon a finding by the Secretary that any such*
17 *waivers or alternative requirements are necessary for*
18 *the effective delivery and administration of such*
19 *voucher assistance: Provided further, That assistance*
20 *made available under this paragraph shall continue*
21 *to remain available for homeless veterans upon turn-*
22 *over; and*
23 *(6) the Secretary shall separately track all spe-*
24 *cial purpose vouchers funded under this heading.*

1 *HOUSING CERTIFICATE FUND*2 *(INCLUDING RESCISSIONS)*

3 *Unobligated balances, including recaptures and carry-*
4 *over, remaining from funds appropriated to the Depart-*
5 *ment of Housing and Urban Development under this head-*
6 *ing, the heading “Annual Contributions for Assisted Hous-*
7 *ing” and the heading “Project-Based Rental Assistance”,*
8 *for fiscal year 2016 and prior years may be used for re-*
9 *newal of or amendments to section 8 project-based contracts*
10 *and for performance-based contract administrators, not-*
11 *withstanding the purposes for which such funds were appro-*
12 *priated: Provided, That any obligated balances of contract*
13 *authority from fiscal year 1974 and prior that have been*
14 *terminated shall be rescinded: Provided further, That*
15 *amounts heretofore recaptured, or recaptured during the*
16 *current fiscal year, from section 8 project-based contracts*
17 *from source years fiscal year 1975 through fiscal year 1987*
18 *are hereby rescinded, and an amount of additional new*
19 *budget authority, equivalent to the amount rescinded is*
20 *hereby appropriated, to remain available until expended,*
21 *for the purposes set forth under this heading, in addition*
22 *to amounts otherwise available.*

23 *PUBLIC HOUSING CAPITAL FUND*

24 *For the Public Housing Capital Fund Program to*
25 *carry out capital and management activities for public*

1 *housing agencies, as authorized under section 9 of the*
2 *United States Housing Act of 1937 (42 U.S.C. 1437g) (the*
3 *“Act”) \$1,900,000,000, to remain available until September*
4 *30, 2019: Provided, That notwithstanding any other provi-*
5 *sion of law or regulation, during fiscal year 2016, the Sec-*
6 *retary of Housing and Urban Development may not dele-*
7 *gate to any Department official other than the Deputy Sec-*
8 *retary and the Assistant Secretary for Public and Indian*
9 *Housing any authority under paragraph (2) of section 9(j)*
10 *regarding the extension of the time periods under such sec-*
11 *tion: Provided further, That for purposes of such section*
12 *9(j), the term “obligate” means, with respect to amounts,*
13 *that the amounts are subject to a binding agreement that*
14 *will result in outlays, immediately or in the future: Pro-*
15 *vided further, That up to \$3,000,000 shall be to support*
16 *ongoing Public Housing Financial and Physical Assess-*
17 *ment activities: Provided further, That up to \$1,000,000*
18 *shall be to support the costs of administrative and judicial*
19 *receiverships: Provided further, That of the total amount*
20 *provided under this heading, not to exceed \$21,500,000 shall*
21 *be available for the Secretary to make grants, notwith-*
22 *standing section 204 of this Act, to public housing agencies*
23 *for emergency capital needs including safety and security*
24 *measures necessary to address crime and drug-related activ-*
25 *ity as well as needs resulting from unforeseen or unprevent-*

1 *able emergencies and natural disasters excluding Presi-*
2 *dentially declared emergencies and natural disasters under*
3 *the Robert T. Stafford Disaster Relief and Emergency Act*
4 *(42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: Pro-*
5 *vided further, That of the amount made available under the*
6 *previous proviso, not less than \$5,000,000 shall be for safety*
7 *and security measures: Provided further, That of the total*
8 *amount provided under this heading \$35,000,000 shall be*
9 *for supportive services, service coordinator and congregate*
10 *services as authorized by section 34 of the Act (42 U.S.C.*
11 *1437z-6) and the Native American Housing Assistance and*
12 *Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.):*
13 *Provided further, That of the total amount made available*
14 *under this heading, \$15,000,000 shall be for a Jobs-Plus*
15 *initiative modeled after the Jobs-Plus demonstration: Pro-*
16 *vided further, That the funding provided under the previous*
17 *proviso shall provide competitive grants to partnerships be-*
18 *tween public housing authorities, local workforce investment*
19 *boards established under section 117 of the Workforce In-*
20 *vestment Act of 1998, and other agencies and organizations*
21 *that provide support to help public housing residents obtain*
22 *employment and increase earnings: Provided further, That*
23 *applicants must demonstrate the ability to provide services*
24 *to residents, partner with workforce investment boards, and*
25 *leverage service dollars: Provided further, That the Sec-*

1 *retary may allow public housing agencies to request exemp-*
2 *tions from rent and income limitation requirements under*
3 *sections 3 and 6 of the United States Housing Act of 1937*
4 *as necessary to implement the Jobs-Plus program, on such*
5 *terms and conditions as the Secretary may approve upon*
6 *a finding by the Secretary that any such waivers or alter-*
7 *native requirements are necessary for the effective imple-*
8 *mentation of the Jobs-Plus initiative as a voluntary pro-*
9 *gram for residents: Provided further, That the Secretary*
10 *shall publish by notice in the Federal Register any waivers*
11 *or alternative requirements pursuant to the preceding pro-*
12 *viso no later than 10 days before the effective date of such*
13 *notice: Provided further, That for funds provided under this*
14 *heading, the limitation in section 9(g)(1) of the Act shall*
15 *be 25 percent: Provided further, That the Secretary may*
16 *waive the limitation in the previous proviso to allow public*
17 *housing agencies to fund activities authorized under section*
18 *9(e)(1)(C) of the Act: Provided further, That the Secretary*
19 *shall notify public housing agencies requesting waivers*
20 *under the previous proviso if the request is approved or de-*
21 *nied within 14 days of submitting the request: Provided fur-*
22 *ther, That from the funds made available under this head-*
23 *ing, the Secretary shall provide bonus awards in fiscal year*
24 *2016 to public housing agencies that are designated high*
25 *performers: Provided further, That the Department shall*

1 *notify public housing agencies of their formula allocation*
2 *within 60 days of enactment of this Act.*

3 *PUBLIC HOUSING OPERATING FUND*

4 *For 2016 payments to public housing agencies for the*
5 *operation and management of public housing, as authorized*
6 *by section 9(e) of the United States Housing Act of 1937*
7 *(42 U.S.C. 1437g(e)), \$4,500,000,000, to remain available*
8 *until September 30, 2017.*

9 *CHOICE NEIGHBORHOODS INITIATIVE*

10 *For competitive grants under the Choice Neighborhoods*
11 *Initiative (subject to section 24 of the United States Hous-*
12 *ing Act of 1937 (42 U.S.C. 1437v), unless otherwise speci-*
13 *fied under this heading), for transformation, rehabilitation,*
14 *and replacement housing needs of both public and HUD-*
15 *assisted housing and to transform neighborhoods of poverty*
16 *into functioning, sustainable mixed income neighborhoods*
17 *with appropriate services, schools, public assets, transpor-*
18 *tation and access to jobs, \$125,000,000, to remain available*
19 *until September 30, 2018: Provided, That grant funds may*
20 *be used for resident and community services, community*
21 *development, and affordable housing needs in the commu-*
22 *nity, and for conversion of vacant or foreclosed properties*
23 *to affordable housing: Provided further, That the use of*
24 *funds made available under this heading shall not be*
25 *deemed to be public housing notwithstanding section 3(b)(1)*

1 *of such Act: Provided further, That grantees shall commit*
2 *to an additional period of affordability determined by the*
3 *Secretary of not fewer than 20 years: Provided further, That*
4 *grantees shall undertake comprehensive local planning with*
5 *input from residents and the community, and that grantees*
6 *shall provide a match in State, local, other Federal or pri-*
7 *vate funds: Provided further, That grantees may include*
8 *local governments, tribal entities, public housing authori-*
9 *ties, and nonprofits: Provided further, That for-profit devel-*
10 *opers may apply jointly with a public entity: Provided fur-*
11 *ther, That for purposes of environmental review, a grantee*
12 *shall be treated as a public housing agency under section*
13 *26 of the United States Housing Act of 1937 (42 U.S.C.*
14 *1437x), and grants under this heading shall be subject to*
15 *the regulations issued by the Secretary to implement such*
16 *section: Provided further, That of the amount provided, not*
17 *less than \$75,000,000 shall be awarded to public housing*
18 *agencies: Provided further, That such grantees shall create*
19 *partnerships with other local organizations including as-*
20 *sisted housing owners, service agencies, and resident organi-*
21 *zations: Provided further, That the Secretary shall consult*
22 *with the Secretaries of Education, Labor, Transportation,*
23 *Health and Human Services, Agriculture, and Commerce,*
24 *the Attorney General, and the Administrator of the Envi-*
25 *ronmental Protection Agency to coordinate and leverage*

1 *other appropriate Federal resources: Provided further, That*
2 *no more than \$5,000,000 of funds made available under this*
3 *heading may be provided to assist communities in devel-*
4 *oping comprehensive strategies for implementing this pro-*
5 *gram or implementing other revitalization efforts in con-*
6 *junction with community notice and input: Provided fur-*
7 *ther, That the Secretary shall develop and publish guide-*
8 *lines for the use of such competitive funds, including but*
9 *not limited to eligible activities, program requirements, and*
10 *performance metrics: Provided further, That unobligated*
11 *balances, including recaptures, remaining from funds ap-*
12 *propriated under the heading “Revitalization of Severely*
13 *Distressed Public Housing (HOPE VI)” in fiscal year 2011*
14 *and prior fiscal years may be used for purposes under this*
15 *heading, notwithstanding the purposes for which such*
16 *amounts were appropriated.*

17 *FAMILY SELF-SUFFICIENCY*

18 *For the Family Self-Sufficiency program to support*
19 *family self-sufficiency coordinators under section 23 of the*
20 *United States Housing Act of 1937, to promote the develop-*
21 *ment of local strategies to coordinate the use of assistance*
22 *under sections 8(o) and 9 of such Act with public and pri-*
23 *vate resources, and enable eligible families to achieve eco-*
24 *nomie independence and self-sufficiency, \$75,000,000, to re-*
25 *main available until September 30, 2017: Provided, That*

1 *the Secretary may, by Federal Register notice, waive or*
2 *specify alternative requirements under sections b(3), b(4),*
3 *b(5), or c(1) of section 23 of such Act in order to facilitate*
4 *the operation of a unified self-sufficiency program for indi-*
5 *viduals receiving assistance under different provisions of*
6 *the Act, as determined by the Secretary: Provided further,*
7 *That owners of a privately owned multifamily property*
8 *with a section 8 contract may voluntarily make a Family*
9 *Self-Sufficiency program available to the assisted tenants*
10 *of such property in accordance with procedures established*
11 *by the Secretary: Provided further, That such procedures*
12 *established pursuant to the previous proviso shall permit*
13 *participating tenants to accrue escrow funds in accordance*
14 *with section 23(d)(2) and shall allow owners to use funding*
15 *from residual receipt accounts to hire coordinators for their*
16 *own Family Self-Sufficiency program.*

17 *NATIVE AMERICAN HOUSING BLOCK GRANTS*

18 *For the Native American Housing Block Grants pro-*
19 *gram, as authorized under title I of the Native American*
20 *Housing Assistance and Self-Determination Act of 1996*
21 *(NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to re-*
22 *main available until September 30, 2020: Provided, That,*
23 *notwithstanding the Native American Housing Assistance*
24 *and Self-Determination Act of 1996, to determine the*
25 *amount of the allocation under title I of such Act for each*

1 *Indian tribe, the Secretary shall apply the formula under*
2 *section 302 of such Act with the need component based on*
3 *single-race census data and with the need component based*
4 *on multi-race census data, and the amount of the allocation*
5 *for each Indian tribe shall be the greater of the two resulting*
6 *allocation amounts: Provided further, That of the amounts*
7 *made available under this heading, \$3,500,000 shall be con-*
8 *tracted for assistance for national or regional organizations*
9 *representing Native American housing interests for pro-*
10 *viding training and technical assistance to Indian housing*
11 *authorities and tribally designated housing entities as au-*
12 *thorized under NAHASDA: Provided further, That of the*
13 *funds made available under the previous proviso, not less*
14 *than \$2,000,000 shall be made available for a national or-*
15 *ganization as authorized under section 703 of NAHASDA*
16 *(25 U.S.C. 4212): Provided further, That of the amounts*
17 *made available under this heading, \$2,000,000 shall be to*
18 *support the inspection of Indian housing units, contract ex-*
19 *pertise, training, and technical assistance in the training,*
20 *oversight, and management of such Indian housing and ten-*
21 *ant-based assistance: Provided further, That of the amount*
22 *provided under this heading, \$2,000,000 shall be made*
23 *available for the cost of guaranteed notes and other obliga-*
24 *tions, as authorized by title VI of NAHASDA: Provided fur-*
25 *ther, That such costs, including the costs of modifying such*

1 notes and other obligations, shall be as defined in section
2 502 of the Congressional Budget Act of 1974, as amended:
3 Provided further, That these funds are available to subsidize
4 the total principal amount of any notes and other obliga-
5 tions, any part of which is to be guaranteed, not to exceed
6 \$17,452,007: Provided further, That the Department will
7 notify grantees of their formula allocation within 60 days
8 of the date of enactment of this Act: Provided further, not-
9 withstanding section 302(d) of NAHASDA, if on January
10 1, 2016, a recipient's total amount of undisbursed block
11 grants in the Department's line of credit control system is
12 greater than three times the formula allocation it would oth-
13 erwise receive under this heading, the Secretary shall adjust
14 that recipient's formula allocation down by the difference
15 between its total amount of undisbursed block grants in the
16 Department's line of credit control system on January 1,
17 2016, and three times the formula allocation it would other-
18 wise receive: Provided further, That grant amounts not allo-
19 cated to a recipient pursuant to the previous proviso shall
20 be allocated under the need component of the formula pro-
21 portionately among all other Indian tribes not subject to
22 an adjustment: Provided further, That the two previous pro-
23 visos shall not apply to any Indian tribe that would other-
24 wise receive a formula allocation of less than \$8,000,000:
25 Provided further, That to take effect, the three previous pro-

1 *visos do not require issuance or amendment of any regula-*
2 *tion, and shall not be construed to confer hearing rights*
3 *under any section of NAHASDA or its implementing regu-*
4 *lations.*

5 *INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM*

6 *ACCOUNT*

7 *For the cost of guaranteed loans, as authorized by sec-*
8 *tion 184 of the Housing and Community Development Act*
9 *of 1992 (12 U.S.C. 1715z-13a), \$7,500,000, to remain*
10 *available until expended: Provided, That such costs, includ-*
11 *ing the costs of modifying such loans, shall be as defined*
12 *in section 502 of the Congressional Budget Act of 1974: Pro-*
13 *vided further, That these funds are available to subsidize*
14 *total loan principal, any part of which is to be guaranteed,*
15 *up to \$1,190,476,190, to remain available until expended:*
16 *Provided further, That up to \$750,000 of this amount may*
17 *be for administrative contract expenses including manage-*
18 *ment processes and systems to carry out the loan guarantee*
19 *program.*

20 *COMMUNITY PLANNING AND DEVELOPMENT*

21 *HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS*

22 *For carrying out the Housing Opportunities for Per-*
23 *sons with AIDS program, as authorized by the AIDS Hous-*
24 *ing Opportunity Act (42 U.S.C. 12901 et seq.),*
25 *\$335,000,000, to remain available until September 30,*

1 2017, except that amounts allocated pursuant to section
2 854(c)(3) of such Act shall remain available until Sep-
3 tember 30, 2018: Provided, That the Secretary shall renew
4 all expiring contracts for permanent supportive housing
5 that initially were funded under section 854(c)(3) of such
6 Act from funds made available under this heading in fiscal
7 year 2010 and prior fiscal years that meet all program re-
8 quirements before awarding funds for new contracts under
9 such section: Provided further, That the Department shall
10 notify grantees of their formula allocation within 60 days
11 of enactment of this Act.

12 *COMMUNITY DEVELOPMENT FUND*

13 *For assistance to units of State and local government,*
14 *and to other entities, for economic and community develop-*
15 *ment activities, and for other purposes, \$3,060,000,000, to*
16 *remain available until September 30, 2018, unless otherwise*
17 *specified: Provided, That of the total amount provided,*
18 *\$3,000,000,000 is for carrying out the community develop-*
19 *ment block grant program under title I of the Housing and*
20 *Community Development Act of 1974, as amended (“the*
21 *Act” herein) (42 U.S.C. 5301 et seq.): Provided further,*
22 *That unless explicitly provided for under this heading, not*
23 *to exceed 20 percent of any grant made with funds appro-*
24 *priated under this heading shall be expended for planning*
25 *and management development and administration: Pro-*

1 *vided further, That a metropolitan city, urban county, unit*
2 *of general local government, or Indian tribe, or insular area*
3 *that directly or indirectly receives funds under this heading*
4 *may not sell, trade, or otherwise transfer all or any portion*
5 *of such funds to another such entity in exchange for any*
6 *other funds, credits or non-Federal considerations, but must*
7 *use such funds for activities eligible under title I of the Act:*
8 *Provided further, That notwithstanding section 105(e)(1) of*
9 *the Act, no funds provided under this heading may be pro-*
10 *vided to a for-profit entity for an economic development*
11 *project under section 105(a)(17) unless such project has*
12 *been evaluated and selected in accordance with guidelines*
13 *required under subparagraph (e)(2): Provided further, That*
14 *none of the funds made available under this heading may*
15 *be used for grants for the Economic Development Initiative*
16 *(“EDI”) or Neighborhood Initiatives activities, Rural Inno-*
17 *vation Fund, or for grants pursuant to section 107 of the*
18 *Housing and Community Development Act of 1974 (42*
19 *U.S.C. 5307): Provided further, That the Department shall*
20 *notify grantees of their formula allocation within 60 days*
21 *of enactment of this Act: Provided further, That of the total*
22 *amount provided under this heading \$60,000,000 shall be*
23 *for grants to Indian tribes notwithstanding section*
24 *106(a)(1) of such Act, of which, notwithstanding any other*
25 *provision of law (including section 204 of this Act), up to*

1 \$4,000,000 may be used for emergencies that constitute im-
2 minent threats to health and safety.

3 *COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM*

4 *ACCOUNT*

5 *(INCLUDING RESCISSION)*

6 *Subject to section 502 of the Congressional Budget Act*
7 *of 1974, during fiscal year 2016, commitments to guarantee*
8 *loans under section 108 of the Housing and Community*
9 *Development Act of 1974 (42 U.S.C. 5308), any part of*
10 *which is guaranteed, shall not exceed a total principal*
11 *amount of \$300,000,000, notwithstanding any aggregate*
12 *limitation on outstanding obligations guaranteed in sub-*
13 *section (k) of such section 108: Provided, That the Secretary*
14 *shall collect fees from borrowers, notwithstanding subsection*
15 *(m) of such section 108, to result in a credit subsidy cost*
16 *of zero for guaranteeing such loans, and any such fees shall*
17 *be collected in accordance with section 502(7) of the Con-*
18 *gressional Budget Act of 1974: Provided further, That all*
19 *unobligated balances, including recaptures and carryover,*
20 *remaining from funds appropriated to the Department of*
21 *Housing and Urban Development under this heading are*
22 *hereby permanently rescinded.*

23 *HOME INVESTMENT PARTNERSHIPS PROGRAM*

24 *For the HOME Investment Partnerships program, as*
25 *authorized under title II of the Cranston-Gonzalez National*

1 *Affordable Housing Act, as amended, \$950,000,000, to re-*
2 *main available until September 30, 2019: Provided, That*
3 *notwithstanding the amount made available under this*
4 *heading, the threshold reduction requirements in sections*
5 *216(10) and 217(b)(4) of such Act shall not apply to alloca-*
6 *tions of such amount: Provided further, That the require-*
7 *ments under provisos 2 through 6 under this heading for*
8 *fiscal year 2012 and such requirements applicable pursuant*
9 *to the “Full-Year Continuing Appropriations Act, 2013”,*
10 *shall not apply to any project to which funds were com-*
11 *mitted on or after August 23, 2013, but such projects shall*
12 *instead be governed by the Final Rule titled “Home Invest-*
13 *ment Partnerships Program; Improving Performance and*
14 *Accountability; Updating Property Standards” which be-*
15 *came effective on such date: Provided further, That with re-*
16 *spect to funds made available under this heading pursuant*
17 *to such Act and funds provided in prior and subsequent*
18 *appropriations acts that were or are used by community*
19 *land trusts for the development of affordable homeownership*
20 *housing pursuant to section 215(b) of such Act, such com-*
21 *munity land trusts, notwithstanding section 215(b)(3)(A)*
22 *of such Act, may hold and exercise purchase options, rights*
23 *of first refusal or other preemptive rights to purchase the*
24 *housing to preserve affordability, including but not limited*
25 *to the right to purchase the housing in lieu of foreclosure:*

1 *Provided further, That the Department shall notify grantees*
2 *of their formula allocation within 60 days of enactment of*
3 *this Act.*

4 *SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY*
5 *PROGRAM*

6 *For the Self-Help and Assisted Homeownership Op-*
7 *portunity Program, as authorized under section 11 of the*
8 *Housing Opportunity Program Extension Act of 1996, as*
9 *amended, \$50,000,000, to remain available until September*
10 *30, 2018: Provided, That of the total amount provided*
11 *under this heading, \$10,000,000 shall be made available to*
12 *the Self-Help and Assisted Homeownership Opportunity*
13 *Program as authorized under section 11 of the Housing Op-*
14 *portunity Program Extension Act of 1996, as amended:*
15 *Provided further, That of the total amount provided under*
16 *this heading, \$35,000,000 shall be made available for the*
17 *second, third, and fourth capacity building activities au-*
18 *thorized under section 4(a) of the HUD Demonstration Act*
19 *of 1993 (42 U.S.C. 9816 note), of which not less than*
20 *\$5,000,000 shall be made available for rural capacity build-*
21 *ing activities: Provided further, That of the total amount*
22 *provided under this heading, \$5,000,000 shall be made*
23 *available for capacity building by national rural housing*
24 *organizations with experience assessing national rural con-*
25 *ditions and providing financing, training, technical assist-*

1 *ance, information, and research to local nonprofits, local*
2 *governments and Indian Tribes serving high need rural*
3 *communities: Provided further, That an additional*
4 *\$5,700,000, to remain available until expended, shall be for*
5 *a program to rehabilitate and modify homes of disabled or*
6 *low-income veterans as authorized under section 1079 of*
7 *Public Law 113–291.*

8 *HOMELESS ASSISTANCE GRANTS*

9 *For the Emergency Solutions Grants program as au-*
10 *thorized under subtitle B of title IV of the McKinney-Vento*
11 *Homeless Assistance Act, as amended; the Continuum of*
12 *Care program as authorized under subtitle C of title IV of*
13 *such Act; and the Rural Housing Stability Assistance pro-*
14 *gram as authorized under subtitle D of title IV of such Act,*
15 *\$2,250,000,000, to remain available until September 30,*
16 *2018: Provided, That any rental assistance amounts that*
17 *are recaptured under such Continuum of Care program*
18 *shall remain available until expended: Provided further,*
19 *That not less than \$250,000,000 of the funds appropriated*
20 *under this heading shall be available for such Emergency*
21 *Solutions Grants program: Provided further, That not less*
22 *than \$1,918,000,000 of the funds appropriated under this*
23 *heading shall be available for such Continuum of Care and*
24 *Rural Housing Stability Assistance programs: Provided*
25 *further, That up to \$7,000,000 of the funds appropriated*

1 *under this heading shall be available for the national home-*
2 *less data analysis project: Provided further, That all funds*
3 *awarded for supportive services under the Continuum of*
4 *Care program and the Rural Housing Stability Assistance*
5 *program shall be matched by not less than 25 percent in*
6 *cash or in kind by each grantee: Provided further, That for*
7 *all match requirements applicable to funds made available*
8 *under this heading for this fiscal year and prior years, a*
9 *grantee may use (or could have used) as a source of match*
10 *funds other funds administered by the Secretary and other*
11 *Federal agencies unless there is (or was) a specific statutory*
12 *prohibition on any such use of any such funds: Provided*
13 *further, That the Secretary shall establish system perform-*
14 *ance measures for which each continuum of care shall re-*
15 *port baseline outcomes, and that relative to fiscal year 2015,*
16 *under the Continuum of Care competition with respect to*
17 *funds made available under this heading, the Secretary*
18 *shall base an increasing share of the score on performance*
19 *criteria: Provided further, That none of the funds provided*
20 *under this heading shall be available to provide funding*
21 *for new projects, except for projects created through realloca-*
22 *tion, unless the Secretary determines that the continuum*
23 *of care has demonstrated that projects are evaluated and*
24 *ranked based on the degree to which they improve the con-*
25 *tinuum of care's system performance: Provided further,*

1 *That the Secretary shall prioritize funding under the Con-*
2 *tinuum of Care program to continuums of care that have*
3 *demonstrated a capacity to reallocate funding from lower*
4 *performing projects to higher performing projects: Provided*
5 *further, That all awards of assistance under this heading*
6 *shall be required to coordinate and integrate homeless pro-*
7 *grams with other mainstream health, social services, and*
8 *employment programs for which homeless populations may*
9 *be eligible: Provided further, That with respect to funds pro-*
10 *vided under this heading for the Continuum of Care pro-*
11 *gram for fiscal years 2013, 2014, 2015, and 2016 provision*
12 *of permanent housing rental assistance may be adminis-*
13 *tered by private nonprofit organizations: Provided further,*
14 *That any unobligated amounts remaining from funds ap-*
15 *propriated under this heading in fiscal year 2012 and prior*
16 *years for project-based rental assistance for rehabilitation*
17 *projects with 10-year grant terms may be used for purposes*
18 *under this heading, notwithstanding the purposes for which*
19 *such funds were appropriated: Provided further, That all*
20 *balances for Shelter Plus Care renewals previously funded*
21 *from the Shelter Plus Care Renewal account and trans-*
22 *ferred to this account shall be available, if recaptured, for*
23 *Continuum of Care renewals in fiscal year 2016: Provided*
24 *further, That the Department shall notify grantees of their*
25 *formula allocation from amounts allocated (which may rep-*

1 *resent initial or final amounts allocated) for the Emergency*
2 *Solutions Grant program within 60 days of enactment of*
3 *this Act: Provided further, That up to \$33,000,000 of the*
4 *funds appropriated under this heading shall be to imple-*
5 *ment projects to demonstrate how a comprehensive ap-*
6 *proach to serving homeless youth, age 24 and under, in up*
7 *to 10 communities, including at least four rural commu-*
8 *nities, can dramatically reduce youth homelessness: Pro-*
9 *vided further, That such projects shall be eligible for renewal*
10 *under the Continuum of Care program subject to the same*
11 *terms and conditions as other renewal applicants: Provided*
12 *further, That up to \$5,000,000 of the funds appropriated*
13 *under this heading shall be available to provide technical*
14 *assistance on youth homelessness, and collection, analysis,*
15 *and reporting of data and performance measures under the*
16 *comprehensive approaches to serve homeless youth, in addi-*
17 *tion to and in coordination with other technical assistance*
18 *funds provided under this title: Provided further, That*
19 *youth aged 24 and under seeking assistance under this*
20 *heading shall not be required to provide third party docu-*
21 *mentation to establish their eligibility under 42 U.S.C.*
22 *11302(a) or (b) to receive services: Provided further, That*
23 *unaccompanied youth aged 24 and under or families head-*
24 *ed by youth aged 24 and under who are living in unsafe*
25 *situations may be served by youth-serving providers funded*

1 *under this heading: Provided further, That the Secretary*
2 *may use amounts made available under this heading for*
3 *the Continuum of Care program to renew a grant originally*
4 *awarded pursuant to the matter under the heading “De-*
5 *partment of Housing and Urban Development—Permanent*
6 *Supportive Housing” in chapter 6 of title III of the Supple-*
7 *mental Appropriations Act, 2008 (Public Law 110–252;*
8 *122 Stat. 2351) for assistance under subtitle F of title IV*
9 *of the McKinney-Vento Homeless Assistance Act (42 U.S.C.*
10 *11403 et seq.): Provided further, That such renewal grant*
11 *shall be awarded to the same grantee and be subject to the*
12 *provisions of such Continuum of Care program except that*
13 *the funds may be used outside the geographic area of the*
14 *continuum of care.*

15 *HOUSING PROGRAMS*

16 *PROJECT-BASED RENTAL ASSISTANCE*

17 *For activities and assistance for the provision of*
18 *project-based subsidy contracts under the United States*
19 *Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”),*
20 *not otherwise provided for, \$10,220,000,000, to remain*
21 *available until expended, shall be available on October 1,*
22 *2015 (in addition to the \$400,000,000 previously appro-*
23 *priated under this heading that became available October*
24 *1, 2015), and \$400,000,000, to remain available until ex-*
25 *pended, shall be available on October 1, 2016: Provided,*

1 *That the amounts made available under this heading shall*
2 *be available for expiring or terminating section 8 project-*
3 *based subsidy contracts (including section 8 moderate reha-*
4 *bilitation contracts), for amendments to section 8 project-*
5 *based subsidy contracts (including section 8 moderate reha-*
6 *bilitation contracts), for contracts entered into pursuant to*
7 *section 441 of the McKinney-Vento Homeless Assistance Act*
8 *(42 U.S.C. 11401), for renewal of section 8 contracts for*
9 *units in projects that are subject to approved plans of action*
10 *under the Emergency Low Income Housing Preservation*
11 *Act of 1987 or the Low-Income Housing Preservation and*
12 *Resident Homeownership Act of 1990, and for administra-*
13 *tive and other expenses associated with project-based activi-*
14 *ties and assistance funded under this paragraph: Provided*
15 *further, That of the total amounts provided under this head-*
16 *ing, not to exceed \$215,000,000 shall be available for per-*
17 *formance-based contract administrators for section 8*
18 *project-based assistance, for carrying out 42 U.S.C. 1437(f):*
19 *Provided further, That the Secretary of Housing and Urban*
20 *Development may also use such amounts in the previous*
21 *proviso for performance-based contract administrators for*
22 *the administration of: interest reduction payments pursu-*
23 *ant to section 236(a) of the National Housing Act (12*
24 *U.S.C. 1715z-1(a)); rent supplement payments pursuant to*
25 *section 101 of the Housing and Urban Development Act of*

1 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance
2 payments (12 U.S.C. 1715z-1(f)(2)); project rental assist-
3 ance contracts for the elderly under section 202(c)(2) of the
4 Housing Act of 1959 (12 U.S.C. 1701q); project rental as-
5 sistance contracts for supportive housing for persons with
6 disabilities under section 811(d)(2) of the Cranston-Gon-
7 zalez National Affordable Housing Act (42 U.S.C.
8 8013(d)(2)); project assistance contracts pursuant to section
9 202(h) of the Housing Act of 1959 (Public Law 86-372;
10 73 Stat. 667); and loans under section 202 of the Housing
11 Act of 1959 (Public Law 86-372; 73 Stat. 667): Provided
12 further, That amounts recaptured under this heading, the
13 heading “Annual Contributions for Assisted Housing”, or
14 the heading “Housing Certificate Fund”, may be used for
15 renewals of or amendments to section 8 project-based con-
16 tracts or for performance-based contract administrators,
17 notwithstanding the purposes for which such amounts were
18 appropriated: Provided further, That, notwithstanding any
19 other provision of law, upon the request of the Secretary
20 of Housing and Urban Development, project funds that are
21 held in residual receipts accounts for any project subject
22 to a section 8 project-based Housing Assistance Payments
23 contract that authorizes HUD or a Housing Finance Agen-
24 cy to require that surplus project funds be deposited in an
25 interest-bearing residual receipts account and that are in

1 *excess of an amount to be determined by the Secretary, shall*
2 *be remitted to the Department and deposited in this ac-*
3 *count, to be available until expended: Provided further,*
4 *That amounts deposited pursuant to the previous proviso*
5 *shall be available in addition to the amount otherwise pro-*
6 *vided by this heading for uses authorized under this head-*
7 *ing.*

8 *HOUSING FOR THE ELDERLY*

9 *For amendments to capital advance contracts for hous-*
10 *ing for the elderly, as authorized by section 202 of the Hous-*
11 *ing Act of 1959, as amended, and for project rental assist-*
12 *ance for the elderly under section 202(c)(2) of such Act, in-*
13 *cluding amendments to contracts for such assistance and*
14 *renewal of expiring contracts for such assistance for up to*
15 *a 1-year term, and for senior preservation rental assistance*
16 *contracts, including renewals, as authorized by section*
17 *811(e) of the American Housing and Economic Oppor-*
18 *tunity Act of 2000, as amended, and for supportive services*
19 *associated with the housing, \$432,700,000 to remain avail-*
20 *able until September 30, 2019: Provided, That of the*
21 *amount provided under this heading, up to \$77,000,000*
22 *shall be for service coordinators and the continuation of ex-*
23 *isting congregate service grants for residents of assisted*
24 *housing projects: Provided further, That amounts under this*
25 *heading shall be available for Real Estate Assessment Cen-*

1 *ter inspections and inspection-related activities associated*
2 *with section 202 projects: Provided further, That the Sec-*
3 *retary may waive the provisions of section 202 governing*
4 *the terms and conditions of project rental assistance, except*
5 *that the initial contract term for such assistance shall not*
6 *exceed 5 years in duration: Provided further, That upon*
7 *request of the Secretary of Housing and Urban Develop-*
8 *ment, project funds that are held in residual receipts ac-*
9 *counts for any project subject to a section 202 project rental*
10 *assistance contract, and that upon termination of such con-*
11 *tract are in excess of an amount to be determined by the*
12 *Secretary, shall be remitted to the Department and depos-*
13 *ited in this account, to be available until September 30,*
14 *2019: Provided further, That amounts deposited in this ac-*
15 *count pursuant to the previous proviso shall be available,*
16 *in addition to the amounts otherwise provided by this head-*
17 *ing, for amendments and renewals: Provided further, That*
18 *unobligated balances, including recaptures and carryover,*
19 *remaining from funds transferred to or appropriated under*
20 *this heading shall be available for amendments and renew-*
21 *als notwithstanding the purposes for which such funds*
22 *originally were appropriated.*

23 *HOUSING FOR PERSONS WITH DISABILITIES*

24 *For amendments to capital advance contracts for sup-*
25 *portive housing for persons with disabilities, as authorized*

1 *by section 811 of the Cranston-Gonzalez National Affordable*
2 *Housing Act (42 U.S.C. 8013), for project rental assistance*
3 *for supportive housing for persons with disabilities under*
4 *section 811(d)(2) of such Act and for project assistance con-*
5 *tracts pursuant to section 202(h) of the Housing Act of 1959*
6 *(Public Law 86–372; 73 Stat. 667), including amendments*
7 *to contracts for such assistance and renewal of expiring con-*
8 *tracts for such assistance for up to a 1-year term, for project*
9 *rental assistance to State housing finance agencies and*
10 *other appropriate entities as authorized under section*
11 *811(b)(3) of the Cranston-Gonzalez National Housing Act,*
12 *and for supportive services associated with the housing for*
13 *persons with disabilities as authorized by section 811(b)(1)*
14 *of such Act, \$150,600,000, to remain available until Sep-*
15 *tember 30, 2019: Provided, That amounts made available*
16 *under this heading shall be available for Real Estate Assess-*
17 *ment Center inspections and inspection-related activities*
18 *associated with section 811 projects: Provided further, That,*
19 *in this fiscal year, upon the request of the Secretary of*
20 *Housing and Urban Development, project funds that are*
21 *held in residual receipts accounts for any project subject*
22 *to a section 811 project rental assistance contract and that*
23 *upon termination of such contract are in excess of an*
24 *amount to be determined by the Secretary shall be remitted*
25 *to the Department and deposited in this account, to be*

1 *available until September 30, 2019: Provided further, That*
2 *amounts deposited in this account pursuant to the previous*
3 *proviso shall be available in addition to the amounts other-*
4 *wise provided by this heading for amendments and renew-*
5 *als: Provided further, That unobligated balances, including*
6 *recaptures and carryover, remaining from funds transferred*
7 *to or appropriated under this heading shall be used for*
8 *amendments and renewals notwithstanding the purposes for*
9 *which such funds originally were appropriated.*

10 *HOUSING COUNSELING ASSISTANCE*

11 *For contracts, grants, and other assistance excluding*
12 *loans, as authorized under section 106 of the Housing and*
13 *Urban Development Act of 1968, as amended, \$47,000,000,*
14 *to remain available until September 30, 2017, including*
15 *up to \$4,500,000 for administrative contract services: Pro-*
16 *vided, That grants made available from amounts provided*
17 *under this heading shall be awarded within 180 days of*
18 *enactment of this Act: Provided further, That funds shall*
19 *be used for providing counseling and advice to tenants and*
20 *homeowners, both current and prospective, with respect to*
21 *property maintenance, financial management/literacy, and*
22 *such other matters as may be appropriate to assist them*
23 *in improving their housing conditions, meeting their finan-*
24 *cial needs, and fulfilling the responsibilities of tenancy or*
25 *homeownership; for program administration; and for hous-*

1 *ing counselor training: Provided further, That for purposes*
2 *of providing such grants from amounts provided under this*
3 *heading, the Secretary may enter into multiyear agree-*
4 *ments as appropriate, subject to the availability of annual*
5 *appropriations.*

6 *RENTAL HOUSING ASSISTANCE*

7 *For amendments to contracts under section 101 of the*
8 *Housing and Urban Development Act of 1965 (12 U.S.C.*
9 *1701s) and section 236(f)(2) of the National Housing Act*
10 *(12 U.S.C. 1715z-1) in State-aided, noninsured rental*
11 *housing projects, \$30,000,000, to remain available until ex-*
12 *pended: Provided, That such amount, together with unobli-*
13 *gated balances from recaptured amounts appropriated*
14 *prior to fiscal year 2006 from terminated contracts under*
15 *such sections of law, and any unobligated balances, includ-*
16 *ing recaptures and carryover, remaining from funds appro-*
17 *priated under this heading after fiscal year 2005, shall also*
18 *be available for extensions of up to one year for expiring*
19 *contracts under such sections of law.*

20 *PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND*

21 *For necessary expenses as authorized by the National*
22 *Manufactured Housing Construction and Safety Standards*
23 *Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,500,000,*
24 *to remain available until expended, of which \$10,500,000*
25 *is to be derived from the Manufactured Housing Fees Trust*

1 *Fund: Provided, That not to exceed the total amount appro-*
2 *priated under this heading shall be available from the gen-*
3 *eral fund of the Treasury to the extent necessary to incur*
4 *obligations and make expenditures pending the receipt of*
5 *collections to the Fund pursuant to section 620 of such Act:*
6 *Provided further, That the amount made available under*
7 *this heading from the general fund shall be reduced as such*
8 *collections are received during fiscal year 2016 so as to re-*
9 *sult in a final fiscal year 2016 appropriation from the gen-*
10 *eral fund estimated at zero, and fees pursuant to such sec-*
11 *tion 620 shall be modified as necessary to ensure such a*
12 *final fiscal year 2016 appropriation: Provided further,*
13 *That for the dispute resolution and installation programs,*
14 *the Secretary of Housing and Urban Development may as-*
15 *sess and collect fees from any program participant: Pro-*
16 *vided further, That such collections shall be deposited into*
17 *the Fund, and the Secretary, as provided herein, may use*
18 *such collections, as well as fees collected under section 620,*
19 *for necessary expenses of such Act: Provided further, That,*
20 *notwithstanding the requirements of section 620 of such Act,*
21 *the Secretary may carry out responsibilities of the Sec-*
22 *retary under such Act through the use of approved service*
23 *providers that are paid directly by the recipients of their*
24 *services.*

1 *FEDERAL HOUSING ADMINISTRATION*
2 *MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT*
3 *New commitments to guarantee single family loans in-*
4 *sured under the Mutual Mortgage Insurance Fund shall not*
5 *exceed \$400,000,000,000, to remain available until Sep-*
6 *tember 30, 2017: Provided, That during fiscal year 2016,*
7 *obligations to make direct loans to carry out the purposes*
8 *of section 204(g) of the National Housing Act, as amended,*
9 *shall not exceed \$5,000,000: Provided further, That the fore-*
10 *going amount in the previous proviso shall be for loans to*
11 *nonprofit and governmental entities in connection with*
12 *sales of single family real properties owned by the Secretary*
13 *and formerly insured under the Mutual Mortgage Insurance*
14 *Fund: Provided further, That for administrative contract*
15 *expenses of the Federal Housing Administration,*
16 *\$130,000,000, to remain available until September 30,*
17 *2017: Provided further, That to the extent guaranteed loan*
18 *commitments exceed \$200,000,000,000 on or before April 1,*
19 *2016, an additional \$1,400 for administrative contract ex-*
20 *penses shall be available for each \$1,000,000 in additional*
21 *guaranteed loan commitments (including a pro rata*
22 *amount for any amount below \$1,000,000), but in no case*
23 *shall funds made available by this proviso exceed*
24 *\$30,000,000.*

1 *GENERAL AND SPECIAL RISK PROGRAM ACCOUNT*

2 *New commitments to guarantee loans insured under*
3 *the General and Special Risk Insurance Funds, as author-*
4 *ized by sections 238 and 519 of the National Housing Act*
5 *(12 U.S.C. 1715z-3 and 1735c), shall not exceed*
6 *\$30,000,000,000 in total loan principal, any part of which*
7 *is to be guaranteed, to remain available until September*
8 *30, 2017: Provided, That during fiscal year 2016, gross ob-*
9 *ligations for the principal amount of direct loans, as au-*
10 *thorized by sections 204(g), 207(l), 238, and 519(a) of the*
11 *National Housing Act, shall not exceed \$5,000,000, which*
12 *shall be for loans to nonprofit and governmental entities*
13 *in connection with the sale of single family real properties*
14 *owned by the Secretary and formerly insured under such*
15 *Act.*

16 *GOVERNMENT NATIONAL MORTGAGE ASSOCIATION*17 *GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN*18 *GUARANTEE PROGRAM ACCOUNT*

19 *New commitments to issue guarantees to carry out the*
20 *purposes of section 306 of the National Housing Act, as*
21 *amended (12 U.S.C. 1721(g)), shall not exceed*
22 *\$500,000,000,000, to remain available until September 30,*
23 *2017: Provided, That \$23,000,000 shall be available for nec-*
24 *essary salaries and expenses of the Office of Government*
25 *National Mortgage Association: Provided further, That to*

1 *the extent that guaranteed loan commitments exceed*
2 *\$155,000,000,000 on or before April 1, 2016, an additional*
3 *\$100 for necessary salaries and expenses shall be available*
4 *until expended for each \$1,000,000 in additional guaran-*
5 *teed loan commitments (including a pro rata amount for*
6 *any amount below \$1,000,000), but in no case shall funds*
7 *made available by this proviso exceed \$3,000,000: Provided*
8 *further, That receipts from Commitment and Multiclass fees*
9 *collected pursuant to title III of the National Housing Act,*
10 *as amended, shall be credited as offsetting collections to this*
11 *account.*

12 *POLICY DEVELOPMENT AND RESEARCH*

13 *RESEARCH AND TECHNOLOGY*

14 *For contracts, grants, and necessary expenses of pro-*
15 *grams of research and studies relating to housing and*
16 *urban problems, not otherwise provided for, as authorized*
17 *by title V of the Housing and Urban Development Act of*
18 *1970 (12 U.S.C. 1701z-1 et seq.), including carrying out*
19 *the functions of the Secretary of Housing and Urban Devel-*
20 *opment under section 1(a)(1)(i) of Reorganization Plan No.*
21 *2 of 1968, and for technical assistance, \$85,000,000, to re-*
22 *main available until September 30, 2017: Provided, That*
23 *with respect to amounts made available under this heading,*
24 *notwithstanding section 204 of this title, the Secretary may*
25 *enter into cooperative agreements funded with philan-*

1 *thropic entities, other Federal agencies, or State or local*
2 *governments and their agencies for research projects: Pro-*
3 *vided further, That with respect to the previous proviso,*
4 *such partners to the cooperative agreements must contribute*
5 *at least a 50 percent match toward the cost of the project:*
6 *Provided further, That for non-competitive agreements en-*
7 *tered into in accordance with the previous two provisos, the*
8 *Secretary of Housing and Urban Development shall comply*
9 *with section 2(b) of the Federal Funding Accountability*
10 *and Transparency Act of 2006 (Public Law 109–282, 31*
11 *U.S.C. note) in lieu of compliance with section 102(a)(4)(C)*
12 *with respect to documentation of award decisions: Provided*
13 *further, That prior to obligation of technical assistance*
14 *funding, the Secretary shall submit a plan, for approval,*
15 *to the House and Senate Committees on Appropriations on*
16 *how it will allocate funding for this activity.*

17 *FAIR HOUSING AND EQUAL OPPORTUNITY*

18 *FAIR HOUSING ACTIVITIES*

19 *For contracts, grants, and other assistance, not other-*
20 *wise provided for, as authorized by title VIII of the Civil*
21 *Rights Act of 1968, as amended by the Fair Housing*
22 *Amendments Act of 1988, and section 561 of the Housing*
23 *and Community Development Act of 1987, as amended,*
24 *\$65,300,000, to remain available until September 30, 2017:*
25 *Provided, That notwithstanding 31 U.S.C. 3302, the Sec-*

1 *retary may assess and collect fees to cover the costs of the*
2 *Fair Housing Training Academy, and may use such funds*
3 *to provide such training: Provided further, That no funds*
4 *made available under this heading shall be used to lobby*
5 *the executive or legislative branches of the Federal Govern-*
6 *ment in connection with a specific contract, grant, or loan:*
7 *Provided further, That of the funds made available under*
8 *this heading, \$300,000 shall be available to the Secretary*
9 *of Housing and Urban Development for the creation and*
10 *promotion of translated materials and other programs that*
11 *support the assistance of persons with limited English pro-*
12 *ficiency in utilizing the services provided by the Depart-*
13 *ment of Housing and Urban Development.*

14 *OFFICE OF LEAD HAZARD CONTROL AND HEALTHY*

15 *HOMES*

16 *LEAD HAZARD REDUCTION*

17 *For the Lead Hazard Reduction Program, as author-*
18 *ized by section 1011 of the Residential Lead-Based Paint*
19 *Hazard Reduction Act of 1992, \$110,000,000, to remain*
20 *available until September 30, 2017, of which \$20,000,000*
21 *shall be for the Healthy Homes Initiative, pursuant to sec-*
22 *tions 501 and 502 of the Housing and Urban Development*
23 *Act of 1970 that shall include research, studies, testing, and*
24 *demonstration efforts, including education and outreach*
25 *concerning lead-based paint poisoning and other housing-*

1 *related diseases and hazards: Provided, That for purposes*
2 *of environmental review, pursuant to the National Environ-*
3 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and*
4 *other provisions of the law that further the purposes of such*
5 *Act, a grant under the Healthy Homes Initiative, or the*
6 *Lead Technical Studies program under this heading or*
7 *under prior appropriations Acts for such purposes under*
8 *this heading, shall be considered to be funds for a special*
9 *project for purposes of section 305(c) of the Multifamily*
10 *Housing Property Disposition Reform Act of 1994: Pro-*
11 *vided further, That of the total amount made available*
12 *under this heading, \$45,000,000 shall be made available on*
13 *a competitive basis for areas with the highest lead paint*
14 *abatement needs: Provided further, That each recipient of*
15 *funds provided under the previous proviso shall contribute*
16 *an amount not less than 25 percent of the total: Provided*
17 *further, That each applicant shall certify adequate capacity*
18 *that is acceptable to the Secretary to carry out the proposed*
19 *use of funds pursuant to a notice of funding availability:*
20 *Provided further, That amounts made available under this*
21 *heading in this or prior appropriations Acts, and that still*
22 *remain available, may be used for any purpose under this*
23 *heading notwithstanding the purpose for which such*
24 *amounts were appropriated if a program competition is*

1 *undersubscribed and there are other program competitions*
2 *under this heading that are oversubscribed.*

3 *INFORMATION TECHNOLOGY FUND*

4 *For the development of, modifications to, and infra-*
5 *structure for Department-wide and program-specific infor-*
6 *mation technology systems, for the continuing operation*
7 *and maintenance of both Department-wide and program-*
8 *specific information systems, and for program-related*
9 *maintenance activities, \$250,000,000, shall remain avail-*
10 *able until September 30, 2017: Provided, That any amounts*
11 *transferred to this Fund under this Act shall remain avail-*
12 *able until expended: Provided further, That any amounts*
13 *transferred to this Fund from amounts appropriated by*
14 *previously enacted appropriations Acts may be used for the*
15 *purposes specified under this Fund, in addition to any*
16 *other information technology purposes for which such*
17 *amounts were appropriated.*

18 *OFFICE OF INSPECTOR GENERAL*

19 *For necessary salaries and expenses of the Office of In-*
20 *spector General in carrying out the Inspector General Act*
21 *of 1978, as amended, \$126,000,000: Provided, That the In-*
22 *spector General shall have independent authority over all*
23 *personnel issues within this office.*

1 *GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND*
2 *URBAN DEVELOPMENT*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *(INCLUDING RESCISSIONS)*

5 *SEC. 201. Fifty percent of the amounts of budget au-*
6 *thority, or in lieu thereof 50 percent of the cash amounts*
7 *associated with such budget authority, that are recaptured*
8 *from projects described in section 1012(a) of the Stewart*
9 *B. McKinney Homeless Assistance Amendments Act of 1988*
10 *(42 U.S.C. 1437 note) shall be rescinded or in the case of*
11 *cash, shall be remitted to the Treasury, and such amounts*
12 *of budget authority or cash recaptured and not rescinded*
13 *or remitted to the Treasury shall be used by State housing*
14 *finance agencies or local governments or local housing agen-*
15 *cies with projects approved by the Secretary of Housing and*
16 *Urban Development for which settlement occurred after*
17 *January 1, 1992, in accordance with such section. Notwith-*
18 *standing the previous sentence, the Secretary may award*
19 *up to 15 percent of the budget authority or cash recaptured*
20 *and not rescinded or remitted to the Treasury to provide*
21 *project owners with incentives to refinance their project at*
22 *a lower interest rate.*

23 *SEC. 202. None of the amounts made available under*
24 *this Act may be used during fiscal year 2016 to investigate*
25 *or prosecute under the Fair Housing Act any otherwise law-*

1 *ful activity engaged in by one or more persons, including*
2 *the filing or maintaining of a nonfrivolous legal action,*
3 *that is engaged in solely for the purpose of achieving or*
4 *preventing action by a Government official or entity, or a*
5 *court of competent jurisdiction.*

6 *SEC. 203. Sections 203 and 209 of division C of Public*
7 *Law 112–55 (125 Stat. 693–694) shall apply during fiscal*
8 *year 2016 as if such sections were included in this title,*
9 *except that during such fiscal year such sections shall be*
10 *applied by substituting “fiscal year 2016” for “fiscal year*
11 *2011” and for “fiscal year 2012” each place such terms ap-*
12 *pear, and shall be amended to reflect revised delineations*
13 *of statistical areas established by the Office of Management*
14 *and Budget pursuant to 44 U.S.C. 3504(e)(3), 31 U.S.C.*
15 *1104(d), and Executive Order No. 10253.*

16 *SEC. 204. Except as explicitly provided in law, any*
17 *grant, cooperative agreement or other assistance made pur-*
18 *suant to title II of this Act shall be made on a competitive*
19 *basis and in accordance with section 102 of the Department*
20 *of Housing and Urban Development Reform Act of 1989*
21 *(42 U.S.C. 3545).*

22 *SEC. 205. Funds of the Department of Housing and*
23 *Urban Development subject to the Government Corporation*
24 *Control Act or section 402 of the Housing Act of 1950 shall*
25 *be available, without regard to the limitations on adminis-*

1 *trative expenses, for legal services on a contract or fee basis,*
2 *and for utilizing and making payment for services and fa-*
3 *cilities of the Federal National Mortgage Association, Gov-*
4 *ernment National Mortgage Association, Federal Home*
5 *Loan Mortgage Corporation, Federal Financing Bank, Fed-*
6 *eral Reserve banks or any member thereof, Federal Home*
7 *Loan banks, and any insured bank within the meaning of*
8 *the Federal Deposit Insurance Corporation Act, as amended*
9 *(12 U.S.C. 1811–1).*

10 *SEC. 206. Unless otherwise provided for in this Act*
11 *or through a reprogramming of funds, no part of any ap-*
12 *propriation for the Department of Housing and Urban De-*
13 *velopment shall be available for any program, project or*
14 *activity in excess of amounts set forth in the budget esti-*
15 *mates submitted to Congress.*

16 *SEC. 207. Corporations and agencies of the Depart-*
17 *ment of Housing and Urban Development which are subject*
18 *to the Government Corporation Control Act are hereby au-*
19 *thorized to make such expenditures, within the limits of*
20 *funds and borrowing authority available to each such cor-*
21 *poration or agency and in accordance with law, and to*
22 *make such contracts and commitments without regard to*
23 *fiscal year limitations as provided by section 104 of such*
24 *Act as may be necessary in carrying out the programs set*
25 *forth in the budget for 2016 for such corporation or agency*

1 *except as hereinafter provided: Provided, That collections*
2 *of these corporations and agencies may be used for new loan*
3 *or mortgage purchase commitments only to the extent ex-*
4 *pressly provided for in this Act (unless such loans are in*
5 *support of other forms of assistance provided for in this or*
6 *prior appropriations Acts), except that this proviso shall*
7 *not apply to the mortgage insurance or guaranty operations*
8 *of these corporations, or where loans or mortgage purchases*
9 *are necessary to protect the financial interest of the United*
10 *States Government.*

11 *SEC. 208. The Secretary of Housing and Urban Devel-*
12 *opment shall provide quarterly reports to the House and*
13 *Senate Committees on Appropriations regarding all uncom-*
14 *mited, unobligated, recaptured and excess funds in each*
15 *program and activity within the jurisdiction of the Depart-*
16 *ment and shall submit additional, updated budget informa-*
17 *tion to these Committees upon request.*

18 *SEC. 209. The President's formal budget request for fis-*
19 *cal year 2017, as well as the Department of Housing and*
20 *Urban Development's congressional budget justifications to*
21 *be submitted to the Committees on Appropriations of the*
22 *House of Representatives and the Senate, shall use the iden-*
23 *tical account and sub-account structure provided under this*
24 *Act.*

1 *SEC. 210. A public housing agency or such other entity*
2 *that administers Federal housing assistance for the Housing*
3 *Authority of the county of Los Angeles, California, and the*
4 *States of Alaska, Iowa, and Mississippi shall not be re-*
5 *quired to include a resident of public housing or a recipient*
6 *of assistance provided under section 8 of the United States*
7 *Housing Act of 1937 on the board of directors or a similar*
8 *governing board of such agency or entity as required under*
9 *section (2)(b) of such Act. Each public housing agency or*
10 *other entity that administers Federal housing assistance*
11 *under section 8 for the Housing Authority of the county*
12 *of Los Angeles, California and the States of Alaska, Iowa*
13 *and Mississippi that chooses not to include a resident of*
14 *public housing or a recipient of section 8 assistance on the*
15 *board of directors or a similar governing board shall estab-*
16 *lish an advisory board of not less than six residents of pub-*
17 *lic housing or recipients of section 8 assistance to provide*
18 *advice and comment to the public housing agency or other*
19 *administering entity on issues related to public housing and*
20 *section 8. Such advisory board shall meet not less than*
21 *quarterly.*

22 *SEC. 211. No funds provided under this title may be*
23 *used for an audit of the Government National Mortgage As-*
24 *sociation that makes applicable requirements under the*
25 *Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).*

1 *SEC. 212. (a) Notwithstanding any other provision of*
2 *law, subject to the conditions listed under this section, for*
3 *fiscal years 2016 and 2017, the Secretary of Housing and*
4 *Urban Development may authorize the transfer of some or*
5 *all project-based assistance, debt held or insured by the Sec-*
6 *retary and statutorily required low-income and very low-*
7 *income use restrictions if any, associated with one or more*
8 *multifamily housing project or projects to another multi-*
9 *family housing project or projects.*

10 *(b) PHASED TRANSFERS.—Transfers of project-based*
11 *assistance under this section may be done in phases to ac-*
12 *commodate the financing and other requirements related to*
13 *rehabilitating or constructing the project or projects to*
14 *which the assistance is transferred, to ensure that such*
15 *project or projects meet the standards under subsection (c).*

16 *(c) The transfer authorized in subsection (a) is subject*
17 *to the following conditions:*

18 *(1) NUMBER AND BEDROOM SIZE OF UNITS.—*

19 *(A) For occupied units in the transferring*
20 *project: The number of low-income and very low-*
21 *income units and the configuration (i.e., bed-*
22 *room size) provided by the transferring project*
23 *shall be no less than when transferred to the re-*
24 *ceiving project or projects and the net dollar*
25 *amount of Federal assistance provided to the*

1 *transferring project shall remain the same in the*
2 *receiving project or projects.*

3 *(B) For unoccupied units in the transfer-*
4 *ring project: The Secretary may authorize a re-*
5 *duction in the number of dwelling units in the*
6 *receiving project or projects to allow for a recon-*
7 *figuration of bedroom sizes to meet current mar-*
8 *ket demands, as determined by the Secretary and*
9 *provided there is no increase in the project-based*
10 *assistance budget authority.*

11 *(2) The transferring project shall, as determined*
12 *by the Secretary, be either physically obsolete or eco-*
13 *nomically nonviable.*

14 *(3) The receiving project or projects shall meet or*
15 *exceed applicable physical standards established by*
16 *the Secretary.*

17 *(4) The owner or mortgagor of the transferring*
18 *project shall notify and consult with the tenants re-*
19 *siding in the transferring project and provide a cer-*
20 *tification of approval by all appropriate local govern-*
21 *mental officials.*

22 *(5) The tenants of the transferring project who*
23 *remain eligible for assistance to be provided by the re-*
24 *ceiving project or projects shall not be required to va-*
25 *cate their units in the transferring project or projects*

1 *until new units in the receiving project are available*
2 *for occupancy.*

3 (6) *The Secretary determines that this transfer is*
4 *in the best interest of the tenants.*

5 (7) *If either the transferring project or the re-*
6 *ceiving project or projects meets the condition speci-*
7 *fied in subsection (d)(2)(A), any lien on the receiving*
8 *project resulting from additional financing obtained*
9 *by the owner shall be subordinate to any FHA-in-*
10 *sured mortgage lien transferred to, or placed on, such*
11 *project by the Secretary, except that the Secretary*
12 *may waive this requirement upon determination that*
13 *such a waiver is necessary to facilitate the financing*
14 *of acquisition, construction, and/or rehabilitation of*
15 *the receiving project or projects.*

16 (8) *If the transferring project meets the require-*
17 *ments of subsection (d)(2), the owner or mortgagor of*
18 *the receiving project or projects shall execute and*
19 *record either a continuation of the existing use agree-*
20 *ment or a new use agreement for the project where,*
21 *in either case, any use restrictions in such agreement*
22 *are of no lesser duration than the existing use restric-*
23 *tions.*

24 (9) *The transfer does not increase the cost (as de-*
25 *finied in section 502 of the Congressional Budget Act*

1 of 1974, as amended) of any FHA-insured mortgage,
2 except to the extent that appropriations are provided
3 in advance for the amount of any such increased cost.

4 (d) For purposes of this section—

5 (1) the terms “low-income” and “very low-in-
6 come” shall have the meanings provided by the statute
7 and/or regulations governing the program under
8 which the project is insured or assisted;

9 (2) the term “multifamily housing project”
10 means housing that meets one of the following condi-
11 tions—

12 (A) housing that is subject to a mortgage
13 insured under the National Housing Act;

14 (B) housing that has project-based assist-
15 ance attached to the structure including projects
16 undergoing mark to market debt restructuring
17 under the Multifamily Assisted Housing Reform
18 and Affordability Housing Act;

19 (C) housing that is assisted under section
20 202 of the Housing Act of 1959, as amended by
21 section 801 of the Cranston-Gonzales National
22 Affordable Housing Act;

23 (D) housing that is assisted under section
24 202 of the Housing Act of 1959, as such section

1 *existed before the enactment of the Cranston-*
2 *Gonzales National Affordable Housing Act;*

3 *(E) housing that is assisted under section*
4 *811 of the Cranston-Gonzales National Afford-*
5 *able Housing Act; or*

6 *(F) housing or vacant land that is subject*
7 *to a use agreement;*

8 *(3) the term “project-based assistance” means—*

9 *(A) assistance provided under section 8(b)*
10 *of the United States Housing Act of 1937;*

11 *(B) assistance for housing constructed or*
12 *substantially rehabilitated pursuant to assistance*
13 *provided under section 8(b)(2) of such Act (as*
14 *such section existed immediately before October*
15 *1, 1983);*

16 *(C) rent supplement payments under sec-*
17 *tion 101 of the Housing and Urban Development*
18 *Act of 1965;*

19 *(D) interest reduction payments under sec-*
20 *tion 236 and/or additional assistance payments*
21 *under section 236(f)(2) of the National Housing*
22 *Act;*

23 *(E) assistance payments made under sec-*
24 *tion 202(c)(2) of the Housing Act of 1959; and*

1 (F) assistance payments made under section
2 811(d)(2) of the Cranston-Gonzalez National Af-
3 fordable Housing Act;

4 (4) the term “receiving project or projects”
5 means the multifamily housing project or projects to
6 which some or all of the project-based assistance, debt,
7 and statutorily required low-income and very low-in-
8 come use restrictions are to be transferred;

9 (5) the term “transferring project” means the
10 multifamily housing project which is transferring
11 some or all of the project-based assistance, debt, and
12 the statutorily required low-income and very low-in-
13 come use restrictions to the receiving project or
14 projects; and

15 (6) the term “Secretary” means the Secretary of
16 Housing and Urban Development.

17 (e) PUBLIC NOTICE AND RESEARCH REPORT.—

18 (1) The Secretary shall publish by notice in the
19 Federal Register the terms and conditions, including
20 criteria for HUD approval, of transfers pursuant to
21 this section no later than 30 days before the effective
22 date of such notice.

23 (2) The Secretary shall conduct an evaluation of
24 the transfer authority under this section, including
25 the effect of such transfers on the operational effi-

1 *ciency, contract rents, physical and financial condi-*
2 *tions, and long-term preservation of the affected prop-*
3 *erties.*

4 *SEC. 213. (a) No assistance shall be provided under*
5 *section 8 of the United States Housing Act of 1937 (42*
6 *U.S.C. 1437f) to any individual who—*

7 *(1) is enrolled as a student at an institution of*
8 *higher education (as defined under section 102 of the*
9 *Higher Education Act of 1965 (20 U.S.C. 1002));*

10 *(2) is under 24 years of age;*

11 *(3) is not a veteran;*

12 *(4) is unmarried;*

13 *(5) does not have a dependent child;*

14 *(6) is not a person with disabilities, as such*
15 *term is defined in section 3(b)(3)(E) of the United*
16 *States Housing Act of 1937 (42 U.S.C.*
17 *1437a(b)(3)(E)) and was not receiving assistance*
18 *under such section 8 as of November 30, 2005; and*

19 *(7) is not otherwise individually eligible, or has*
20 *parents who, individually or jointly, are not eligible,*
21 *to receive assistance under section 8 of the United*
22 *States Housing Act of 1937 (42 U.S.C. 1437f).*

23 *(b) For purposes of determining the eligibility of a per-*
24 *son to receive assistance under section 8 of the United States*
25 *Housing Act of 1937 (42 U.S.C. 1437f), any financial as-*

1 *sistance (in excess of amounts received for tuition and any*
2 *other required fees and charges) that an individual receives*
3 *under the Higher Education Act of 1965 (20 U.S.C. 1001*
4 *et seq.), from private sources, or an institution of higher*
5 *education (as defined under the Higher Education Act of*
6 *1965 (20 U.S.C. 1002)), shall be considered income to that*
7 *individual, except for a person over the age of 23 with de-*
8 *pendent children.*

9 *SEC. 214. The funds made available for Native Alas-*
10 *kans under the heading “Native American Housing Block*
11 *Grants” in title II of this Act shall be allocated to the same*
12 *Native Alaskan housing block grant recipients that received*
13 *funds in fiscal year 2005.*

14 *SEC. 215. Notwithstanding the limitation in the first*
15 *sentence of section 255(g) of the National Housing Act (12*
16 *U.S.C. 1715z–20(g)), the Secretary of Housing and Urban*
17 *Development may, until September 30, 2016, insure and*
18 *enter into commitments to insure mortgages under such sec-*
19 *tion 255.*

20 *SEC. 216. Notwithstanding any other provision of law,*
21 *in fiscal year 2016, in managing and disposing of any mul-*
22 *tifamily property that is owned or has a mortgage held by*
23 *the Secretary of Housing and Urban Development, and dur-*
24 *ing the process of foreclosure on any property with a con-*
25 *tract for rental assistance payments under section 8 of the*

1 *United States Housing Act of 1937 or other Federal pro-*
2 *grams, the Secretary shall maintain any rental assistance*
3 *payments under section 8 of the United States Housing Act*
4 *of 1937 and other programs that are attached to any dwell-*
5 *ing units in the property. To the extent the Secretary deter-*
6 *mines, in consultation with the tenants and the local gov-*
7 *ernment, that such a multifamily property owned or held*
8 *by the Secretary is not feasible for continued rental assist-*
9 *ance payments under such section 8 or other programs,*
10 *based on consideration of (1) the costs of rehabilitating and*
11 *operating the property and all available Federal, State, and*
12 *local resources, including rent adjustments under section*
13 *524 of the Multifamily Assisted Housing Reform and Af-*
14 *fordability Act of 1997 (“MAHRAA”) and (2) environ-*
15 *mental conditions that cannot be remedied in a cost-effec-*
16 *tive fashion, the Secretary may, in consultation with the*
17 *tenants of that property, contract for project-based rental*
18 *assistance payments with an owner or owners of other exist-*
19 *ing housing properties, or provide other rental assistance.*
20 *The Secretary shall also take appropriate steps to ensure*
21 *that project-based contracts remain in effect prior to fore-*
22 *closure, subject to the exercise of contractual abatement rem-*
23 *edies to assist relocation of tenants for imminent major*
24 *threats to health and safety after written notice to and in-*
25 *formed consent of the affected tenants and use of other avail-*

1 *able remedies, such as partial abatements or receivership.*
2 *After disposition of any multifamily property described*
3 *under this section, the contract and allowable rent levels*
4 *on such properties shall be subject to the requirements under*
5 *section 524 of MAHRAA.*

6 *SEC. 217. The commitment authority funded by fees*
7 *as provided under the heading “Community Development*
8 *Loan Guarantees Program Account” may be used to guar-*
9 *antee, or make commitments to guarantee, notes, or other*
10 *obligations issued by any State on behalf of non-entitlement*
11 *communities in the State in accordance with the require-*
12 *ments of section 108 of the Housing and Community Devel-*
13 *opment Act of 1974: Provided, That any State receiving*
14 *such a guarantee or commitment shall distribute all funds*
15 *subject to such guarantee to the units of general local gov-*
16 *ernment in non-entitlement areas that received the commit-*
17 *ment.*

18 *SEC. 218. Public housing agencies that own and oper-*
19 *ate 400 or fewer public housing units may elect to be exempt*
20 *from any asset management requirement imposed by the*
21 *Secretary of Housing and Urban Development in connec-*
22 *tion with the operating fund rule: Provided, That an agency*
23 *seeking a discontinuance of a reduction of subsidy under*
24 *the operating fund formula shall not be exempt from asset*
25 *management requirements.*

1 *SEC. 219. With respect to the use of amounts provided*
2 *in this Act and in future Acts for the operation, capital*
3 *improvement and management of public housing as author-*
4 *ized by sections 9(d) and 9(e) of the United States Housing*
5 *Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary*
6 *shall not impose any requirement or guideline relating to*
7 *asset management that restricts or limits in any way the*
8 *use of capital funds for central office costs pursuant to sec-*
9 *tion 9(g)(1) or 9(g)(2) of the United States Housing Act*
10 *of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a pub-*
11 *lic housing agency may not use capital funds authorized*
12 *under section 9(d) for activities that are eligible under sec-*
13 *tion 9(e) for assistance with amounts from the operating*
14 *fund in excess of the amounts permitted under section*
15 *9(g)(1) or 9(g)(2).*

16 *SEC. 220. No official or employee of the Department*
17 *of Housing and Urban Development shall be designated as*
18 *an allotment holder unless the Office of the Chief Financial*
19 *Officer has determined that such allotment holder has im-*
20 *plemented an adequate system of funds control and has re-*
21 *ceived training in funds control procedures and directives.*
22 *The Chief Financial Officer shall ensure that there is a*
23 *trained allotment holder for each HUD sub-office under the*
24 *accounts “Executive Offices” and “Administrative Support*
25 *Offices,” as well as each account receiving appropriations*

1 *for “Program Office Salaries and Expenses”, “Government*
2 *National Mortgage Association—Guarantees of Mortgage-*
3 *Backed Securities Loan Guarantee Program Account”, and*
4 *“Office of Inspector General” within the Department of*
5 *Housing and Urban Development.*

6 *SEC. 221. The Secretary of the Department of Housing*
7 *and Urban Development shall, for fiscal year 2016, notify*
8 *the public through the Federal Register and other means,*
9 *as determined appropriate, of the issuance of a notice of*
10 *the availability of assistance or notice of funding avail-*
11 *ability (NOFA) for any program or discretionary fund ad-*
12 *ministered by the Secretary that is to be competitively*
13 *awarded. Notwithstanding any other provision of law, for*
14 *fiscal year 2016, the Secretary may make the NOFA avail-*
15 *able only on the Internet at the appropriate Government*
16 *web site or through other electronic media, as determined*
17 *by the Secretary.*

18 *SEC. 222. Payment of attorney fees in program-related*
19 *litigation shall be paid from the individual program office*
20 *and Office of General Counsel salaries and expenses appro-*
21 *priations. The annual budget submission for the program*
22 *offices and the Office of General Counsel shall include any*
23 *such projected litigation costs for attorney fees as a separate*
24 *line item request. No funds provided in this title may be*
25 *used to pay any such litigation costs for attorney fees until*

1 *the Department submits for review a spending plan for such*
2 *costs to the House and Senate Committees on Appropria-*
3 *tions.*

4 *SEC. 223. The Secretary is authorized to transfer up*
5 *to 10 percent or \$4,000,000, whichever is less, of funds ap-*
6 *propriated for any office under the heading “Administra-*
7 *tive Support Offices” or for any account under the general*
8 *heading “Program Office Salaries and Expenses” to any*
9 *other such office or account: Provided, That no appropria-*
10 *tion for any such office or account shall be increased or*
11 *decreased by more than 10 percent or \$4,000,000, whichever*
12 *is less, without prior written approval of the House and*
13 *Senate Committees on Appropriations: Provided further,*
14 *That the Secretary shall provide notification to such Com-*
15 *mittees three business days in advance of any such transfers*
16 *under this section up to 10 percent or \$4,000,000, whichever*
17 *is less.*

18 *SEC. 224. The Disaster Housing Assistance Programs,*
19 *administered by the Department of Housing and Urban De-*
20 *velopment, shall be considered a “program of the Depart-*
21 *ment of Housing and Urban Development” under section*
22 *904 of the McKinney Act for the purpose of income*
23 *verifications and matching.*

24 *SEC. 225. (a) The Secretary of Housing and Urban*
25 *Development shall take the required actions under sub-*

1 *section (b) when a multifamily housing project with a sec-*
2 *tion 8 contract or contract for similar project-based assist-*
3 *ance:*

4 (1) *receives a Real Estate Assessment Center*
5 *(REAC) score of 30 or less; or*

6 (2) *receives a REAC score between 31 and 59*
7 *and:*

8 (A) *fails to certify in writing to HUD with-*
9 *in 60 days that all deficiencies have been cor-*
10 *rected; or*

11 (B) *receives consecutive scores of less than*
12 *60 on REAC inspections.*

13 *Such requirements shall apply to insured and noninsured*
14 *projects with assistance attached to the units under section*
15 *8 of the United States Housing Act of 1937 (42 U.S.C.*
16 *1437f), but do not apply to such units assisted under section*
17 *8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units*
18 *assisted with capital or operating funds under section 9 of*
19 *the United States Housing Act of 1937 (42 U.S.C. 1437g).*

20 (b) *The Secretary shall take the following required ac-*
21 *tions as authorized under subsection (a):*

22 (1) *The Secretary shall notify the owner and*
23 *provide an opportunity for response within 30 days.*

24 *If the violations remain, the Secretary shall develop*
25 *a Compliance, Disposition and Enforcement Plan*

1 *within 60 days, with a specified timetable for cor-*
2 *recting all deficiencies. The Secretary shall provide*
3 *notice of the Plan to the owner, tenants, the local gov-*
4 *ernment, any mortgagees, and any contract adminis-*
5 *trator.*

6 (2) *At the end of the term of the Compliance,*
7 *Disposition and Enforcement Plan, if the owner fails*
8 *to fully comply with such plan, the Secretary may re-*
9 *quire immediate replacement of project management*
10 *with a management agent approved by the Secretary,*
11 *and shall take one or more of the following actions,*
12 *and provide additional notice of those actions to the*
13 *owner and the parties specified above:*

14 (A) *impose civil money penalties;*

15 (B) *abate the section 8 contract, including*
16 *partial abatement, as determined by the Sec-*
17 *retary, until all deficiencies have been corrected;*

18 (C) *pursue transfer of the project to an*
19 *owner, approved by the Secretary under estab-*
20 *lished procedures, which will be obligated to*
21 *promptly make all required repairs and to ac-*
22 *cept renewal of the assistance contract as long as*
23 *such renewal is offered; or*

24 (D) *seek judicial appointment of a receiver*
25 *to manage the property and cure all project defi-*

1 *ciencies or seek a judicial order of specific per-*
2 *formance requiring the owner to cure all project*
3 *deficiencies.*

4 *(c) The Secretary shall also take appropriate steps to*
5 *ensure that project-based contracts remain in effect, subject*
6 *to the exercise of contractual abatement remedies to assist*
7 *relocation of tenants for imminent major threats to health*
8 *and safety after written notice to and informed consent of*
9 *the affected tenants and use of other remedies set forth*
10 *above. To the extent the Secretary determines, in consulta-*
11 *tion with the tenants and the local government, that the*
12 *property is not feasible for continued rental assistance pay-*
13 *ments under such section 8 or other programs, based on con-*
14 *sideration of (1) the costs of rehabilitating and operating*
15 *the property and all available Federal, State, and local re-*
16 *sources, including rent adjustments under section 524 of the*
17 *Multifamily Assisted Housing Reform and Affordability*
18 *Act of 1997 (“MAHRAA”) and (2) environmental condi-*
19 *tions that cannot be remedied in a cost-effective fashion, the*
20 *Secretary may, in consultation with the tenants of that*
21 *property, contract for project-based rental assistance pay-*
22 *ments with an owner or owners of other existing housing*
23 *properties, or provide other rental assistance. The Secretary*
24 *shall report semi-annually on all properties covered by this*
25 *section that are assessed through the Real Estate Assessment*

1 Center and have physical inspection scores of less than 30
2 or have consecutive physical inspection scores of less than
3 60. The report shall include:

4 (1) The enforcement actions being taken to ad-
5 dress such conditions, including imposition of civil
6 money penalties and termination of subsidies, and
7 identify properties that have such conditions multiple
8 times; and

9 (2) Actions that the Department of Housing and
10 Urban Development is taking to protect tenants of
11 such identified properties.

12 SEC. 226. None of the funds made available by this
13 Act, or any other Act, for purposes authorized under section
14 8 (only with respect to the tenant-based rental assistance
15 program) and section 9 of the United States Housing Act
16 of 1937 (42 U.S.C. 1437 et seq.), may be used by any public
17 housing agency for any amount of salary, including bo-
18 nuses, for the chief executive officer of which, or any other
19 official or employee of which, that exceeds the annual rate
20 of basic pay payable for a position at level IV of the Execu-
21 tive Schedule at any time during any public housing agen-
22 cy fiscal year 2016.

23 SEC. 227. None of the funds in this Act may be avail-
24 able for the doctoral dissertation research grant program
25 at the Department of Housing and Urban Development.

1 *SEC. 228. Section 24 of the United States Housing Act*
2 *of 1937 (42 U.S.C. 1437v) is amended—*

3 (1) *in subsection (m)(1), by striking “fiscal*
4 *year” and all that follows through the period at the*
5 *end and inserting “fiscal year 2016.”; and*

6 (2) *in subsection (o), by striking “September”*
7 *and all that follows through the period at the end and*
8 *inserting “September 30, 2016.”.*

9 *SEC. 229. None of the funds in this Act provided to*
10 *the Department of Housing and Urban Development may*
11 *be used to make a grant award unless the Secretary notifies*
12 *the House and Senate Committees on Appropriations not*
13 *less than 3 full business days before any project, State, lo-*
14 *cality, housing authority, tribe, nonprofit organization, or*
15 *other entity selected to receive a grant award is announced*
16 *by the Department or its offices.*

17 *SEC. 230. None of the funds made available by this*
18 *Act may be used to require or enforce the Physical Needs*
19 *Assessment (PNA).*

20 *SEC. 231. None of the funds made available by this*
21 *Act nor any receipts or amounts collected under any Fed-*
22 *eral Housing Administration program may be used to im-*
23 *plement the Homeowners Armed with Knowledge (HAWK)*
24 *program.*

1 *SEC. 232. None of the funds made available in this*
2 *Act shall be used by the Federal Housing Administration,*
3 *the Government National Mortgage Administration, or the*
4 *Department of Housing and Urban Development to insure,*
5 *securitize, or establish a Federal guarantee of any mortgage*
6 *or mortgage backed security that refinances or otherwise re-*
7 *places a mortgage that has been subject to eminent domain*
8 *condemnation or seizure, by a State, municipality, or any*
9 *other political subdivision of a State.*

10 *SEC. 233. None of the funds made available by this*
11 *Act may be used to terminate the status of a unit of general*
12 *local government as a metropolitan city (as defined in sec-*
13 *tion 102 of the Housing and Community Development Act*
14 *of 1974 (42 U.S.C. 5302)) with respect to grants under sec-*
15 *tion 106 of such Act (42 U.S.C. 5306).*

16 *SEC. 234. Amounts made available under this Act*
17 *which are either appropriated, allocated, advanced on a re-*
18 *imbursable basis, or transferred to the Office of Policy De-*
19 *velopment and Research in the Department of Housing and*
20 *Urban Development and functions thereof, for research,*
21 *evaluation, or statistical purposes, and which are unex-*
22 *pended at the time of completion of a contract, grant, or*
23 *cooperative agreement, may be deobligated and shall imme-*
24 *diately become available and may be reobligated in that fis-*
25 *cal year or the subsequent fiscal year for the research, eval-*

1 uation, or statistical purposes for which the amounts are
2 made available to that Office subject to reprogramming re-
3 quirements in section 405 of this Act.

4 *SEC. 235. Subsection (b) of section 225 of the Cran-*
5 *ston-Gonzalez National Affordable Housing Act (42 U.S.C.*
6 *12755) is amended by adding at the end the following new*
7 *sentence: “Such 30-day waiting period is not required if*
8 *the grounds for the termination or refusal to renew involve*
9 *a direct threat to the safety of the tenants or employees of*
10 *the housing, or an imminent and serious threat to the prop-*
11 *erty (and the termination or refusal to renew is in accord-*
12 *ance with the requirements of State or local law).”.*

13 *SEC. 236. None of the funds under this title may be*
14 *used for awards, including performance, special act, or*
15 *spot, for any employee of the Department of Housing and*
16 *Urban Development who is subject to administrative dis-*
17 *cipline in fiscal year 2016, including suspension from work.*

18 *SEC. 237. The language under the heading “Rental As-*
19 *sistance Demonstration” in the Department of Housing and*
20 *Urban Development Appropriations Act, 2012 (Public Law*
21 *112–55) is amended:*

22 *(1) In proviso eighteen, by inserting “for fiscal*
23 *year 2012 and hereafter,” after “Provided further,*
24 *That”; and*

1 (2) *In proviso nineteen, by striking “, which*
2 *may extend beyond fiscal year 2016 as necessary to*
3 *allow processing of all timely applications,”.*

4 *SEC. 238. Section 526 (12 U.S.C. 1735f–4) of the Na-*
5 *tional Housing Act is amended by inserting at the end of*
6 *subsection (b):*

7 *“(c) The Secretary may establish an exception to any*
8 *minimum property standard established under this section*
9 *in order to address alternative water systems, including cis-*
10 *terns, which meet requirements of State and local building*
11 *codes that ensure health and safety standards.”.*

12 *SEC. 239. The Secretary of Housing and Urban Devel-*
13 *opment shall increase, pursuant to this section, the number*
14 *of Moving to Work agencies authorized under section 204,*
15 *title II, of the Departments of Veterans Affairs and Housing*
16 *and Urban Development and Independent Agencies Appro-*
17 *priations Act, 1996 (Public Law 104–134; 110 Stat. 1321)*
18 *by adding to the program 100 public housing agencies that*
19 *are designated as high performing agencies under the Public*
20 *Housing Assessment System (PHAS) or the Section Eight*
21 *Management Assessment Program (SEMAP). No public*
22 *housing agency shall be granted this designation through*
23 *this section that administers in excess of 27,000 aggregate*
24 *housing vouchers and public housing units. Of the agencies*
25 *selected under this section, no less than 50 shall administer*

1 1,000 or fewer aggregate housing voucher and public hous-
2 ing units, no less than 47 shall administer 1,001-6,000 ag-
3 gregate housing voucher and public housing units, and no
4 more than 3 shall administer 6,001–27,000 aggregate hous-
5 ing voucher and public housing units. Of the 100 agencies
6 selected under this section, five shall be agencies with port-
7 folio awards under the Rental Assistance Demonstration
8 that meet the other requirements of this section, including
9 current designations as high performing agencies or such
10 designations held immediately prior to such portfolio
11 awards. Selection of agencies under this section shall be
12 based on ensuring the geographic diversity of Moving to
13 Work agencies. In addition to the preceding selection cri-
14 teria, agencies shall be designated by the Secretary over a
15 7-year period. The Secretary shall establish a research advi-
16 sory committee which shall advise the Secretary with re-
17 spect to specific policy proposals and methods of research
18 and evaluation for the demonstration. The advisory com-
19 mittee shall include program and research experts from the
20 Department, a fair representation of agencies with a Mov-
21 ing to Work designation, and independent subject matter
22 experts in housing policy research. For each cohort of agen-
23 cies receiving a designation under this heading, the Sec-
24 retary shall direct one specific policy change to be imple-
25 mented by the agencies, and with the approval of the Sec-

1 *retary, such agencies may implement additional policy*
2 *changes. All agencies designated under this section shall be*
3 *evaluated through rigorous research as determined by the*
4 *Secretary, and shall provide information requested by the*
5 *Secretary to support such oversight and evaluation, includ-*
6 *ing the targeted policy changes. Research and evaluation*
7 *shall be coordinated under the direction of the Secretary,*
8 *and in consultation with the advisory committee, and find-*
9 *ings shall be shared broadly. The Secretary shall consult*
10 *the advisory committee with respect to policy changes that*
11 *have proven successful and can be applied more broadly to*
12 *all public housing agencies, and propose any necessary stat-*
13 *utory changes. The Secretary may, at the request of a Mov-*
14 *ing to Work agency and one or more adjacent public hous-*
15 *ing agencies in the same area, designate that Moving to*
16 *Work agency as a regional agency. A regional Moving to*
17 *Work agency may administer the assistance under sections*
18 *8 and 9 of the United States Housing Act of 1937 (42*
19 *U.S.C. 1437f and g) for the participating agencies within*
20 *its region pursuant to the terms of its Moving to Work*
21 *agreement with the Secretary. The Secretary may agree to*
22 *extend the term of the agreement and to make any necessary*
23 *changes to accommodate regionalization. A Moving to Work*
24 *agency may be selected as a regional agency if the Secretary*
25 *determines that unified administration of assistance under*

1 sections 8 and 9 by that agency across multiple jurisdic-
2 tions will lead to efficiencies and to greater housing choice
3 for low-income persons in the region. For purposes of this
4 expansion, in addition to the provisions of the Act retained
5 in section 204, section 8(r)(1) of the Act shall continue to
6 apply unless the Secretary determines that waiver of this
7 section is necessary to implement comprehensive rent re-
8 form and occupancy policies subject to evaluation by the
9 Secretary, and the waiver contains, at a minimum, excep-
10 tions for requests to port due to employment, education,
11 health and safety. No public housing agency granted this
12 designation through this section shall receive more funding
13 under sections 8 or 9 of the United States Housing Act of
14 1937 than it otherwise would have received absent this des-
15 ignation. The Secretary shall extend the current Moving to
16 Work agreements of previously designated participating
17 agencies until the end of each such agency's fiscal year 2028
18 under the same terms and conditions of such current agree-
19 ments, except for any changes to such terms or conditions
20 otherwise mutually agreed upon by the Secretary and any
21 such agency and such extension agreements shall prohibit
22 any statutory offset of any reserve balances equal to 4
23 months of operating expenses. Any such reserve balances
24 that exceed such amount shall remain available to any such
25 agency for all permissible purposes under such agreement

1 *unless subject to a statutory offset. In addition to other re-*
2 *porting requirements, all Moving to Work agencies shall re-*
3 *port financial data to the Department of Housing and*
4 *Urban Development as specified by the Secretary, so that*
5 *the effect of Moving to Work policy changes can be meas-*
6 *ured.*

7 *SEC. 240. (a) AUTHORITY.—Subject to the conditions*
8 *in subsection (d), the Secretary of Housing and Urban De-*
9 *velopment may authorize, in response to requests received*
10 *in fiscal years 2016 through 2020, the transfer of some or*
11 *all project-based assistance, tenant-based assistance, capital*
12 *advances, debt, and statutorily required use restrictions*
13 *from housing assisted under section 811 of the Cranston-*
14 *Gonzalez National Affordable Housing Act (42 U.S.C. 8013)*
15 *to other new or existing housing, which may include*
16 *projects, units, and other types of housing, as permitted by*
17 *the Secretary.*

18 *(b) CAPITAL ADVANCES.—Interest shall not be due and*
19 *repayment of a capital advance shall not be triggered by*
20 *a transfer pursuant to this section.*

21 *(c) PHASED AND PROPORTIONAL TRANSFERS.—*

22 *(1) Transfers under this section may be done in*
23 *phases to accommodate the financing and other re-*
24 *quirements related to rehabilitating or constructing*
25 *the housing to which the assistance is transferred, to*

1 *ensure that such housing meets the conditions under*
2 *subsection (d).*

3 (2) *The capital advance repayment require-*
4 *ments, use restrictions, rental assistance, and debt*
5 *shall transfer proportionally from the transferring*
6 *housing to the receiving housing.*

7 (d) *CONDITIONS.—The transfers authorized by this sec-*
8 *tion shall be subject to the following conditions:*

9 (1) *the owner of the transferring housing shall*
10 *demonstrate that the transfer is in compliance with*
11 *applicable Federal, State, and local requirements re-*
12 *garding Housing for Persons with Disabilities and*
13 *shall provide the Secretary with evidence of obtaining*
14 *any approvals related to housing disabled persons*
15 *that are necessary under Federal, State, and local*
16 *government requirements;*

17 (2) *the owner of the transferring housing shall*
18 *demonstrate to the Secretary that any transfer is in*
19 *the best interest of the disabled residents by offering*
20 *opportunities for increased integration or less con-*
21 *centration of individuals with disabilities;*

22 (3) *the owner of the transferring housing shall*
23 *continue to provide the same number of units as ap-*
24 *proved for rental assistance by the Secretary in the*
25 *receiving housing;*

1 (4) *the owner of the transferring housing shall*
2 *consult with the disabled residents in the transferring*
3 *housing about any proposed transfer under this sec-*
4 *tion and shall notify the residents of the transferring*
5 *housing who are eligible for assistance to be provided*
6 *in the receiving housing that they shall not be re-*
7 *quired to vacate the transferring housing until the re-*
8 *ceiving housing is available for occupancy;*

9 (5) *the receiving housing shall meet or exceed ap-*
10 *licable physical standards established or adopted by*
11 *the Secretary; and*

12 (6) *if the receiving housing has a mortgage in-*
13 *sured under title II of the National Housing Act, any*
14 *lien on the receiving housing resulting from addi-*
15 *tional financing shall be subordinate to any federally*
16 *insured mortgage lien transferred to, or placed on,*
17 *such housing, except that the Secretary may waive*
18 *this requirement upon determination that such a*
19 *waiver is necessary to facilitate the financing of ac-*
20 *quisition, construction, or rehabilitation of the receiv-*
21 *ing housing.*

22 (e) *PUBLIC NOTICE.*—*The Secretary shall publish a*
23 *notice in the Federal Register of the terms and conditions,*
24 *including criteria for the Department’s approval of trans-*

1 *fers pursuant to this section no later than 30 days before*
2 *the effective date of such notice.*

3 *SEC. 241. (a) Of the unobligated balances, including*
4 *recaptures and carryover, remaining from funds appro-*
5 *priated to the Department of Housing and Urban Develop-*
6 *ment under the heading “General and Special Risk Pro-*
7 *gram Account”, and for the cost of guaranteed notes and*
8 *other obligations under the heading “Native American*
9 *Housing Block Grants”, \$12,000,000 is hereby permanently*
10 *rescinded.*

11 *(b) All unobligated balances, including recaptures and*
12 *carryover, remaining from funds appropriated to the De-*
13 *partment of Housing and Urban Development under the*
14 *headings “Rural Housing and Economic Development”,*
15 *and “Homeownership and Opportunity for People Every-*
16 *where Grants” are hereby permanently rescinded.*

17 *SEC. 242. Funds made available in this title under*
18 *the heading “Homeless Assistance Grants” may be used by*
19 *the Secretary to participate in Performance Partnership*
20 *Pilots authorized in an appropriations Act for fiscal year*
21 *2016 as initially authorized under section 526 of division*
22 *H of Public Law 113–76 and extended under section 524*
23 *of division G of Public Law 113–235: Provided, That such*
24 *participation shall be limited to no more than 10 contin-*

1 *units of care and housing activities to improve outcomes*
2 *for disconnected youth.*

3 *SEC. 243. With respect to grant amounts awarded*
4 *under the heading “Homeless Assistance Grants” for fiscal*
5 *years 2015 and 2016 for the Continuum of Care (CoC) pro-*
6 *gram as authorized under subtitle C of title IV of the*
7 *McKinney-Vento Homeless Assistance Act, costs paid by*
8 *program income of grant recipients may count toward*
9 *meeting the recipient’s matching requirements, provided the*
10 *costs are eligible CoC costs that supplement the recipients*
11 *CoC program.*

12 *SEC. 244. With respect to funds appropriated under*
13 *the “Community Development Fund” heading for formula*
14 *allocation to states pursuant to 42 U.S.C. 5306(d), the Sec-*
15 *retary shall permit a jurisdiction to demonstrate compli-*
16 *ance with 42 U.S.C. 5305(c)(2)(A) if it had been designated*
17 *as majority low- and moderate-income pursuant to data*
18 *from the 2000 decennial Census and it continues to have*
19 *economic distress as evidenced by inclusion in a designated*
20 *Rural Promise Zone or Distressed County as defined by the*
21 *Appalachian Regional Commission. This section shall*
22 *apply to any such state funds appropriated under such*
23 *heading under this Act, in each fiscal year from 2017*
24 *through 2020, and under prior appropriation Acts (with*

1 *respect to any such allocated but uncommitted funds avail-*
2 *able to any such state).*

3 *This title may be cited as the “Department of Housing*
4 *and Urban Development Appropriations Act, 2016”.*

5 *TITLE III*

6 *RELATED AGENCIES*

7 *ACCESS BOARD*

8 *SALARIES AND EXPENSES*

9 *For expenses necessary for the Access Board, as author-*
10 *ized by section 502 of the Rehabilitation Act of 1973, as*
11 *amended, \$8,023,000: Provided, That, notwithstanding any*
12 *other provision of law, there may be credited to this appro-*
13 *priation funds received for publications and training ex-*
14 *penses.*

15 *FEDERAL MARITIME COMMISSION*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses of the Federal Maritime Com-*
18 *mission as authorized by section 201(d) of the Merchant*
19 *Marine Act, 1936, as amended (46 U.S.C. 307), including*
20 *services as authorized by 5 U.S.C. 3109; hire of passenger*
21 *motor vehicles as authorized by 31 U.S.C. 1343(b); and uni-*
22 *forms or allowances therefor, as authorized by 5 U.S.C.*
23 *5901–5902, \$25,660,000: Provided, That not to exceed*
24 *\$2,000 shall be available for official reception and represen-*
25 *tation expenses.*

1 *NATIONAL RAILROAD PASSENGER CORPORATION*

2 *OFFICE OF INSPECTOR GENERAL*

3 *SALARIES AND EXPENSES*

4 *For necessary expenses of the Office of Inspector Gen-*
5 *eral for the National Railroad Passenger Corporation to*
6 *carry out the provisions of the Inspector General Act of*
7 *1978, as amended, \$24,499,000: Provided, That the Inspec-*
8 *tor General shall have all necessary authority, in carrying*
9 *out the duties specified in the Inspector General Act, as*
10 *amended (5 U.S.C. App. 3), to investigate allegations of*
11 *fraud, including false statements to the government (18*
12 *U.S.C. 1001), by any person or entity that is subject to*
13 *regulation by the National Railroad Passenger Corpora-*
14 *tion: Provided further, That the Inspector General may*
15 *enter into contracts and other arrangements for audits,*
16 *studies, analyses, and other services with public agencies*
17 *and with private persons, subject to the applicable laws and*
18 *regulations that govern the obtaining of such services within*
19 *the National Railroad Passenger Corporation: Provided*
20 *further, That the Inspector General may select, appoint,*
21 *and employ such officers and employees as may be nec-*
22 *essary for carrying out the functions, powers, and duties*
23 *of the Office of Inspector General, subject to the applicable*
24 *laws and regulations that govern such selections, appoint-*
25 *ments, and employment within the Corporation: Provided*

1 *further, That concurrent with the President's budget request*
2 *for fiscal year 2017, the Inspector General shall submit to*
3 *the House and Senate Committees on Appropriations a*
4 *budget request for fiscal year 2017 in similar format and*
5 *substance to those submitted by executive agencies of the*
6 *Federal Government.*

7 *NATIONAL TRANSPORTATION SAFETY BOARD*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the National Transportation*
10 *Safety Board, including hire of passenger motor vehicles*
11 *and aircraft; services as authorized by 5 U.S.C. 3109, but*
12 *at rates for individuals not to exceed the per diem rate*
13 *equivalent to the rate for a GS-15; uniforms, or allowances*
14 *therefor, as authorized by law (5 U.S.C. 5901-5902),*
15 *\$105,170,000, of which not to exceed \$2,000 may be used*
16 *for official reception and representation expenses. The*
17 *amounts made available to the National Transportation*
18 *Safety Board in this Act include amounts necessary to*
19 *make lease payments on an obligation incurred in fiscal*
20 *year 2001 for a capital lease.*

21 *NEIGHBORHOOD REINVESTMENT CORPORATION*

22 *PAYMENT TO THE NEIGHBORHOOD REINVESTMENT*

23 *CORPORATION*

24 *For payment to the Neighborhood Reinvestment Cor-*
25 *poration for use in neighborhood reinvestment activities, as*

1 *authorized by the Neighborhood Reinvestment Corporation*
2 *Act (42 U.S.C. 8101–8107), \$135,000,000, of which*
3 *\$5,000,000 shall be for a multi-family rental housing pro-*
4 *gram: Provided, That in addition, \$40,000,000 shall be*
5 *made available until expended to the Neighborhood Rein-*
6 *vestment Corporation for mortgage foreclosure mitigation*
7 *activities, under the following terms and conditions:*

8 (1) *The Neighborhood Reinvestment Corporation*
9 *(NRC) shall make grants to counseling intermediaries*
10 *approved by the Department of Housing and Urban*
11 *Development (HUD) (with match to be determined by*
12 *NRC based on affordability and the economic condi-*
13 *tions of an area; a match also may be waived by*
14 *NRC based on the aforementioned conditions) to pro-*
15 *vide mortgage foreclosure mitigation assistance pri-*
16 *marily to States and areas with high rates of defaults*
17 *and foreclosures to help eliminate the default and*
18 *foreclosure of mortgages of owner-occupied single-fam-*
19 *ily homes that are at risk of such foreclosure. Other*
20 *than areas with high rates of defaults and fore-*
21 *closures, grants may also be provided to approved*
22 *counseling intermediaries based on a geographic anal-*
23 *ysis of the Nation by NRC which determines where*
24 *there is a prevalence of mortgages that are risky and*
25 *likely to fail, including any trends for mortgages that*

1 *are likely to default and face foreclosure. A State*
2 *Housing Finance Agency may also be eligible where*
3 *the State Housing Finance Agency meets all the re-*
4 *quirements under this paragraph. A HUD-approved*
5 *counseling intermediary shall meet certain mortgage*
6 *foreclosure mitigation assistance counseling require-*
7 *ments, as determined by NRC, and shall be approved*
8 *by HUD or NRC as meeting these requirements.*

9 *(2) Mortgage foreclosure mitigation assistance*
10 *shall only be made available to homeowners of owner-*
11 *occupied homes with mortgages in default or in dan-*
12 *ger of default. These mortgages shall likely be subject*
13 *to a foreclosure action and homeowners will be pro-*
14 *vided such assistance that shall consist of activities*
15 *that are likely to prevent foreclosures and result in*
16 *the long-term affordability of the mortgage retained*
17 *pursuant to such activity or another positive outcome*
18 *for the homeowner. No funds made available under*
19 *this paragraph may be provided directly to lenders or*
20 *homeowners to discharge outstanding mortgage bal-*
21 *ances or for any other direct debt reduction payments.*

22 *(3) The use of mortgage foreclosure mitigation*
23 *assistance by approved counseling intermediaries and*
24 *State Housing Finance Agencies shall involve a rea-*
25 *sonable analysis of the borrower's financial situation,*

1 *an evaluation of the current value of the property*
2 *that is subject to the mortgage, counseling regarding*
3 *the assumption of the mortgage by another non-Fed-*
4 *eral party, counseling regarding the possible purchase*
5 *of the mortgage by a non-Federal third party, coun-*
6 *seling and advice of all likely restructuring and refi-*
7 *nancing strategies or the approval of a work-out*
8 *strategy by all interested parties.*

9 *(4) NRC may provide up to 15 percent of the*
10 *total funds under this paragraph to its own charter*
11 *members with expertise in foreclosure prevention*
12 *counseling, subject to a certification by NRC that the*
13 *procedures for selection do not consist of any proce-*
14 *dures or activities that could be construed as a con-*
15 *flict of interest or have the appearance of impro-*
16 *priety.*

17 *(5) HUD-approved counseling entities and State*
18 *Housing Finance Agencies receiving funds under this*
19 *paragraph shall have demonstrated experience in suc-*
20 *cessfully working with financial institutions as well*
21 *as borrowers facing default, delinquency and fore-*
22 *closure as well as documented counseling capacity,*
23 *outreach capacity, past successful performance and*
24 *positive outcomes with documented counseling plans*
25 *(including post mortgage foreclosure mitigation coun-*

1 *seling), loan workout agreements and loan modifica-*
2 *tion agreements. NRC may use other criteria to dem-*
3 *onstrate capacity in underserved areas.*

4 *(6) Of the total amount made available under*
5 *this paragraph, up to \$2,000,000 may be made avail-*
6 *able to build the mortgage foreclosure and default*
7 *mitigation counseling capacity of counseling inter-*
8 *mediaries through NRC training courses with HUD-*
9 *approved counseling intermediaries and their part-*
10 *ners, except that private financial institutions that*
11 *participate in NRC training shall pay market rates*
12 *for such training.*

13 *(7) Of the total amount made available under*
14 *this paragraph, up to 5 percent may be used for asso-*
15 *ciated administrative expenses for NRC to carry out*
16 *activities provided under this section.*

17 *(8) Mortgage foreclosure mitigation assistance*
18 *grants may include a budget for outreach and adver-*
19 *tising, and training, as determined by NRC.*

20 *(9) NRC shall continue to report bi-annually to*
21 *the House and Senate Committees on Appropriations*
22 *as well as the Senate Banking Committee and House*
23 *Financial Services Committee on its efforts to miti-*
24 *gate mortgage default.*

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, \$3,530,000.*

12 *TITLE IV*
13 *GENERAL PROVISIONS—THIS ACT*

14 *SEC. 401. None of the funds in this Act shall be used*
15 *for the planning or execution of any program to pay the*
16 *expenses of, or otherwise compensate, non-Federal parties*
17 *intervening in regulatory or adjudicatory proceedings fund-*
18 *ed in this Act.*

19 *SEC. 402. None of the funds appropriated in this Act*
20 *shall remain available for obligation beyond the current fis-*
21 *cal year, nor may any be transferred to other appropria-*
22 *tions, unless expressly so provided herein.*

23 *SEC. 403. The expenditure of any appropriation under*
24 *this Act for any consulting service through a procurement*
25 *contract pursuant to section 3109 of title 5, United States*

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

6 *SEC. 404. (a) None of the funds made available in this*
7 *Act may be obligated or expended for any employee training*
8 *that—*

9 *(1) does not meet identified needs for knowledge,*
10 *skills, and abilities bearing directly upon the perform-*
11 *ance of official duties;*

12 *(2) contains elements likely to induce high levels*
13 *of emotional response or psychological stress in some*
14 *participants;*

15 *(3) does not require prior employee notification*
16 *of the content and methods to be used in the training*
17 *and written end of course evaluation;*

18 *(4) contains any methods or content associated*
19 *with religious or quasi-religious belief systems or*
20 *“new age” belief systems as defined in Equal Employ-*
21 *ment Opportunity Commission Notice N-915.022,*
22 *dated September 2, 1988; or*

23 *(5) is offensive to, or designed to change, partici-*
24 *pants’ personal values or lifestyle outside the work-*
25 *place.*

1 (b) *Nothing in this section shall prohibit, restrict, or*
2 *otherwise preclude an agency from conducting training*
3 *bearing directly upon the performance of official duties.*

4 *SEC. 405. Except as otherwise provided in this Act,*
5 *none of the funds provided in this Act, provided by previous*
6 *appropriations Acts to the agencies or entities funded in*
7 *this Act that remain available for obligation or expenditure*
8 *in fiscal year 2016, or provided from any accounts in the*
9 *Treasury derived by the collection of fees and available to*
10 *the agencies funded by this Act, shall be available for obliga-*
11 *tion or expenditure through a reprogramming of funds*
12 *that—*

13 (1) *creates a new program;*

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 the Congress;*

18 (4) *proposes to use funds directed for a specific*
19 *activity by either the House or Senate Committees on*
20 *Appropriations for a different purpose;*

21 (5) *augments existing programs, projects, or ac-*
22 *tivities in excess of \$5,000,000 or 10 percent, which-*
23 *ever is less;*

24 (6) *reduces existing programs, projects, or activi-*
25 *ties by \$5,000,000 or 10 percent, whichever is less; or*

1 (7) creates, reorganizes, or restructures a branch,
2 division, office, bureau, board, commission, agency,
3 administration, or department different from the
4 budget justifications submitted to the Committees on
5 Appropriations or the table accompanying the explan-
6 atory statement accompanying this Act, whichever is
7 more detailed, unless prior approval is received from
8 the House and Senate Committees on Appropriations:
9 *Provided, That not later than 60 days after the date*
10 *of enactment of this Act, each agency funded by this*
11 *Act shall submit a report to the Committees on Ap-*
12 *propriations of the Senate and of the House of Rep-*
13 *resentatives to establish the baseline for application of*
14 *reprogramming and transfer authorities for the cur-*
15 *rent fiscal year: Provided further, That the report*
16 *shall include—*

17 (A) a table for each appropriation with a
18 separate column to display the prior year en-
19 acted level, the President's budget request, adjust-
20 ments made by Congress, adjustments due to en-
21 acted rescissions, if appropriate, and the fiscal
22 year enacted level;

23 (B) a delineation in the table for each ap-
24 propriation and its respective prior year enacted
25 level by object class and program, project, and

1 *activity as detailed in the budget appendix for*
2 *the respective appropriation; and*

3 *(C) an identification of items of special con-*
4 *gressional interest.*

5 *SEC. 406. Except as otherwise specifically provided by*
6 *law, not to exceed 50 percent of unobligated balances re-*
7 *maining available at the end of fiscal year 2016 from ap-*
8 *propriations made available for salaries and expenses for*
9 *fiscal year 2016 in this Act, shall remain available through*
10 *September 30, 2017, for each such account for the purposes*
11 *authorized: Provided, That a request shall be submitted to*
12 *the House and Senate Committees on Appropriations for*
13 *approval prior to the expenditure of such funds: Provided*
14 *further, That these requests shall be made in compliance*
15 *with reprogramming guidelines under section 405 of this*
16 *Act.*

17 *SEC. 407. No funds in this Act may be used to support*
18 *any Federal, State, or local projects that seek to use the*
19 *power of eminent domain, unless eminent domain is em-*
20 *ployed only for a public use: Provided, That for purposes*
21 *of this section, public use shall not be construed to include*
22 *economic development that primarily benefits private enti-*
23 *ties: Provided further, That any use of funds for mass tran-*
24 *sit, railroad, airport, seaport or highway projects, as well*
25 *as utility projects which benefit or serve the general public*

1 *(including energy-related, communication-related, water-re-*
2 *lated and wastewater-related infrastructure), other struc-*
3 *tures designated for use by the general public or which have*
4 *other common-carrier or public-utility functions that serve*
5 *the general public and are subject to regulation and over-*
6 *sight by the government, and projects for the removal of an*
7 *immediate threat to public health and safety or brownfields*
8 *as defined in the Small Business Liability Relief and*
9 *Brownfields Revitalization Act (Public Law 107–118) shall*
10 *be considered a public use for purposes of eminent domain.*

11 *SEC. 408. None of the funds made available in this*
12 *Act may be transferred to any department, agency, or in-*
13 *strumentality of the United States Government, except pur-*
14 *suant to a transfer made by, or transfer authority provided*
15 *in, this Act or any other appropriations Act.*

16 *SEC. 409. No part of any appropriation contained in*
17 *this Act shall be available to pay the salary for any person*
18 *filling a position, other than a temporary position, formerly*
19 *held by an employee who has left to enter the Armed Forces*
20 *of the United States and has satisfactorily completed his*
21 *or her period of active military or naval service, and has*
22 *within 90 days after his or her release from such service*
23 *or from hospitalization continuing after discharge for a pe-*
24 *riod of not more than 1 year, made application for restora-*
25 *tion to his or her former position and has been certified*

1 *by the Office of Personnel Management as still qualified to*
2 *perform the duties of his or her former position and has*
3 *not been restored thereto.*

4 *SEC. 410. No funds appropriated pursuant to this Act*
5 *may be expended by an entity unless the entity agrees that*
6 *in expending the assistance the entity will comply with sec-*
7 *tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*
8 *10a–10c, popularly known as the “Buy American Act”).*

9 *SEC. 411. No funds appropriated or otherwise made*
10 *available under this Act shall be made available to any per-*
11 *son or entity that has been convicted of violating the Buy*
12 *American Act (41 U.S.C. 10a–10c).*

13 *SEC. 412. None of the funds made available in this*
14 *Act may be used for first-class airline accommodations in*
15 *contravention of sections 301–10.122 and 301–10.123 of*
16 *title 41, Code of Federal Regulations.*

17 *SEC. 413. (a) None of the funds made available by this*
18 *Act may be used to approve a new foreign air carrier per-*
19 *mit under sections 41301 through 41305 of title 49, United*
20 *States Code, or exemption application under section 40109*
21 *of that title of an air carrier already holding an air opera-*
22 *tors certificate issued by a country that is party to the U.S.-*
23 *E.U.-Iceland-Norway Air Transport Agreement where such*
24 *approval would contravene United States law or Article 17*

1 *bis of the U.S.-E.U.-Iceland-Norway Air Transport Agree-*
2 *ment.*

3 *(b) Nothing in this section shall prohibit, restrict or*
4 *otherwise preclude the Secretary of Transportation from*
5 *granting a foreign air carrier permit or an exemption to*
6 *such an air carrier where such authorization is consistent*
7 *with the U.S.-E.U.-Iceland-Norway Air Transport Agree-*
8 *ment and United States law.*

9 *SEC. 414. None of the funds made available in this*
10 *Act may be used to send or otherwise pay for the attendance*
11 *of more than 50 employees of a single agency or department*
12 *of the United States Government, who are stationed in the*
13 *United States, at any single international conference unless*
14 *the relevant Secretary reports to the House and Senate*
15 *Committees on Appropriations at least 5 days in advance*
16 *that such attendance is important to the national interest:*
17 *Provided, That for purposes of this section the term “inter-*
18 *national conference” shall mean a conference occurring out-*
19 *side of the United States attended by representatives of the*
20 *United States Government and of foreign governments,*
21 *international organizations, or nongovernmental organiza-*
22 *tions.*

23 *SEC. 415. None of the funds made available by this*
24 *Act may be used by the Federal Transit Administration to*
25 *implement, administer, or enforce section 18.36(c)(2) of*

1 *title 49, Code of Federal Regulations, for construction hir-*
2 *ing purposes.*

3 *SEC. 416. None of the funds made available by this*
4 *Act may be used in contravention of the 5th or 14th Amend-*
5 *ment to the Constitution or title VI of the Civil Rights Act*
6 *of 1964.*

7 *SEC. 417. None of the funds made available by this*
8 *Act may be used by the Department of Transportation, the*
9 *Department of Housing and Urban Development, or any*
10 *other Federal agency to lease or purchase new light duty*
11 *vehicles for any executive fleet, or for an agency's fleet in-*
12 *ventory, except in accordance with Presidential Memo-*
13 *randum—Federal Fleet Performance, dated May 24, 2011.*

14 *SEC. 418. None of the funds made available by this*
15 *Act may be used in contravention of subpart E of part 5*
16 *of the regulations of the Secretary of Housing and Urban*
17 *Development (24 CFR part 5, subpart E, relating to restric-*
18 *tions on assistance to noncitizens).*

19 *SEC. 419. None of the funds made available by this*
20 *Act may be used to provide financial assistance in con-*
21 *travention of section 214(d) of the Housing and Community*
22 *Development Act of 1980 (42 U.S.C. 1436a(d)).*

23 *SEC. 420. For an additional amount for “Community*
24 *Planning and Development, Community Development*
25 *Fund”, \$300,000,000, to remain available until expended,*

1 *for necessary expenses for activities authorized under title*
2 *I of the Housing and Community Development Act of 1974*
3 *(42 U.S.C. 5301 et seq.) related to disaster relief, long-term*
4 *recovery, restoration of infrastructure and housing, and eco-*
5 *nomie revitalization in the most impacted and distressed*
6 *areas resulting from a major disaster declared in 2015 pur-*
7 *suant to the Robert T. Stafford Disaster Relief and Emer-*
8 *gency Assistance Act (42 U.S.C. 5121 et seq.) related to the*
9 *consequences of Hurricane Joaquin and adjacent storm sys-*
10 *tems, Hurricane Patricia, and other flood events: Provided,*
11 *That funds shall be awarded directly to the State or unit*
12 *of general local government at the discretion of the Sec-*
13 *retary: Provided further, That prior to the obligation of*
14 *funds a grantee shall submit a plan to the Secretary for*
15 *approval detailing the proposed use of all funds, including*
16 *criteria for eligibility and how the use of these funds will*
17 *address long-term recovery and restoration of infrastructure*
18 *and housing and economic revitalization in the most im-*
19 *pacted and distressed areas: Provided further, That such*
20 *funds may not be used for activities reimbursable by, or*
21 *for which funds are made available by, the Federal Emer-*
22 *gency Management Agency or the Army Corps of Engineers:*
23 *Provided further, That funds allocated under this heading*
24 *shall not be considered relevant to the non-disaster formula*
25 *allocations made pursuant to section 106 of the Housing*

1 *and Community Development Act of 1974 (42 U.S.C.*
2 *5306): Provided further, That a State or subdivision thereof*
3 *may use up to five percent of its allocation for administra-*
4 *tive costs: Provided further, That in administering the*
5 *funds under this heading, the Secretary of Housing and*
6 *Urban Development may waive, or specify alternative re-*
7 *quirements for, any provision of any statute or regulation*
8 *that the Secretary administers in connection with the obli-*
9 *gation by the Secretary or the use by the recipient of these*
10 *funds (except for requirements related to fair housing, non-*
11 *discrimination, labor standards, and the environment), if*
12 *the Secretary finds that good cause exists for the waiver*
13 *or alternative requirement and such waiver or alternative*
14 *requirement would not be inconsistent with the overall pur-*
15 *pose of title I of the Housing and Community Development*
16 *Act of 1974: Provided further, That, notwithstanding the*
17 *preceding proviso, recipients of funds provided under this*
18 *heading that use such funds to supplement Federal assist-*
19 *ance provided under section 402, 403, 404, 406, 407, or 502*
20 *of the Robert T. Stafford Disaster Relief and Emergency*
21 *Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without*
22 *review or public comment, any environmental review, ap-*
23 *proval, or permit performed by a Federal agency, and such*
24 *adoption shall satisfy the responsibilities of the recipient*
25 *with respect to such environmental review, approval or per-*

1 *mit: Provided further, That, notwithstanding section*
2 *104(g)(2) of the Housing and Community Development Act*
3 *of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon*
4 *receipt of a request for release of funds and certification,*
5 *immediately approve the release of funds for an activity*
6 *or project assisted under this heading if the recipient has*
7 *adopted an environmental review, approval or permit*
8 *under the preceding proviso or the activity or project is cat-*
9 *egorically excluded from review under the National Envi-*
10 *ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Pro-*
11 *vided further, That the Secretary shall publish via notice*
12 *in the Federal Register any waiver, or alternative require-*
13 *ment, to any statute or regulation that the Secretary ad-*
14 *ministers pursuant to title I of the Housing and Commu-*
15 *nity Development Act of 1974 no later than five days before*
16 *the effective date of such waiver or alternative requirement:*
17 *Provided further, That of the amounts made available*
18 *under this section, up to \$1,000,000 may be transferred to*
19 *“Program Office Salaries and Expenses, Community Plan-*
20 *ning and Development” for necessary costs, including infor-*
21 *mation technology costs, of administering and overseeing*
22 *funds made available under this heading: Provided further,*
23 *That amounts provided under this section shall be des-*
24 *ignated by Congress as being for disaster relief pursuant*

1 to section 251(b)(2)(D) of the *Balanced Budget and Emer-*
 2 *gency Deficit Control Act of 1985.*

3 *SEC. 421. Effective as of December 4, 2015, and as*
 4 *if included therein as enacted, section 1408 of the Fixing*
 5 *America’s Surface Transportation Act (Public Law 114–*
 6 *94) is amended by adding at the end the following:*

7 “(c) *APPLICABILITY.—The amendment made by sub-*
 8 *section (b) shall apply to projects to repair or reconstruct*
 9 *facilities damaged as a result of a natural disaster or cata-*
 10 *strophic failure described in section 125(a) of title 23,*
 11 *United States Code, occurring on or after October 1, 2015.”.*

12 *This division may be cited as the “Transportation,*
 13 *Housing and Urban Development, and Related Agencies*
 14 *Appropriations Act, 2016”.*

15 ***DIVISION M—INTELLIGENCE AU-***
 16 ***THORIZATION ACT FOR FIS-***
 17 ***CAL YEAR 2016***

18 ***SEC. 1. SHORT TITLE; TABLE OF CONTENTS.***

19 (a) *SHORT TITLE.—This division may be cited as the*
 20 *“Intelligence Authorization Act for Fiscal Year 2016”.*

21 (b) *TABLE OF CONTENTS.—The table of contents for*
 22 *this division is as follows:*

DIVISION M—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
YEAR 2016

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.
Sec. 105. Clarification regarding authority for flexible personnel management among elements of intelligence community.

*TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM*

- Sec. 201. Authorization of appropriations.*

TITLE III—GENERAL PROVISIONS

- Sec. 301. Increase in employee compensation and benefits authorized by law.*
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Provision of information and assistance to Inspector General of the Intelligence Community.
Sec. 304. Inclusion of Inspector General of Intelligence Community in Council of Inspectors General on Integrity and Efficiency.
Sec. 305. Clarification of authority of Privacy and Civil Liberties Oversight Board.
Sec. 306. Enhancing government personnel security programs.
Sec. 307. Notification of changes to retention of call detail record policies.
Sec. 308. Personnel information notification policy by the Director of National Intelligence.
Sec. 309. Designation of lead intelligence officer for tunnels.
Sec. 310. Reporting process required for tracking certain requests for country clearance.
Sec. 311. Study on reduction of analytic duplication.
Sec. 312. Strategy for comprehensive interagency review of the United States national security overhead satellite architecture.
Sec. 313. Cyber attack standards of measurement study.

*TITLE IV—MATTERS RELATING TO ELEMENTS OF THE
INTELLIGENCE COMMUNITY*

Subtitle A—Office of the Director of National Intelligence

- Sec. 401. Appointment and confirmation of the National Counterintelligence Executive.*
Sec. 402. Technical amendments relating to pay under title 5, United States Code.
Sec. 403. Analytic objectivity review.

Subtitle B—Central Intelligence Agency and Other Elements

- Sec. 411. Authorities of the Inspector General for the Central Intelligence Agency.*
Sec. 412. Prior congressional notification of transfers of funds for certain intelligence activities.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Subtitle A—Matters Relating to Russia

- Sec. 501. Notice of deployment or transfer of Club-K container missile system by the Russian Federation.*
- Sec. 502. Assessment on funding of political parties and nongovernmental organizations by the Russian Federation.*
- Sec. 503. Assessment on the use of political assassinations as a form of statecraft by the Russian Federation.*

Subtitle B—Matters Relating to Other Countries

- Sec. 511. Report on resources and collection posture with regard to the South China Sea and East China Sea.*
- Sec. 512. Use of locally employed staff serving at a United States diplomatic facility in Cuba.*
- Sec. 513. Inclusion of sensitive compartmented information facilities in United States diplomatic facilities in Cuba.*
- Sec. 514. Report on use by Iran of funds made available through sanctions relief.*

TITLE VI—MATTERS RELATING TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

- Sec. 601. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.*
- Sec. 602. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 603. Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.*

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Reports

- Sec. 701. Repeal of certain reporting requirements.*
- Sec. 702. Reports on foreign fighters.*
- Sec. 703. Report on strategy, efforts, and resources to detect, deter, and degrade Islamic State revenue mechanisms.*
- Sec. 704. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat the Islamic State, al-Qa'ida, and their affiliated groups, associated groups, and adherents.*
- Sec. 705. Report on effects of data breach of Office of Personnel Management.*
- Sec. 706. Report on hiring of graduates of Cyber Corps Scholarship Program by intelligence community.*
- Sec. 707. Report on use of certain business concerns.*

Subtitle B—Other Matters

- Sec. 711. Use of homeland security grant funds in conjunction with Department of Energy national laboratories.*
- Sec. 712. Inclusion of certain minority-serving institutions in grant program to enhance recruiting of intelligence community workforce.*

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 December 15, 2015, by the Chairman of the*
18 *Permanent Select Committee on Intelligence of the House*
19 *of Representatives, shall have the same effect with respect*
20 *to the implementation of this division as if it were a joint*
21 *explanatory statement of a committee of conference.*

22 **TITLE I—INTELLIGENCE**
23 **ACTIVITIES**

24 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

25 *Funds are hereby authorized to be appropriated for fis-*
26 *cal year 2016 for the conduct of the intelligence and intel-*

1 *ligence-related activities of the following elements of the*
2 *United States Government:*

3 (1) *The Office of the Director of National Intel-*
4 *ligence.*

5 (2) *The Central Intelligence Agency.*

6 (3) *The Department of Defense.*

7 (4) *The Defense Intelligence Agency.*

8 (5) *The National Security Agency.*

9 (6) *The Department of the Army, the Depart-*
10 *ment of the Navy, and the Department of the Air*
11 *Force.*

12 (7) *The Coast Guard.*

13 (8) *The Department of State.*

14 (9) *The Department of the Treasury.*

15 (10) *The Department of Energy.*

16 (11) *The Department of Justice.*

17 (12) *The Federal Bureau of Investigation.*

18 (13) *The Drug Enforcement Administration.*

19 (14) *The National Reconnaissance Office.*

20 (15) *The National Geospatial-Intelligence Agen-*
21 *cy.*

22 (16) *The Department of Homeland Security.*

23 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

24 (a) *SPECIFICATIONS OF AMOUNTS AND PERSONNEL*
25 *LEVELS.—The amounts authorized to be appropriated*

1 *under section 101 and, subject to section 103, the authorized*
2 *personnel ceilings as of September 30, 2016, for the conduct*
3 *of the intelligence activities of the elements listed in para-*
4 *graphs (1) through (16) of section 101, are those specified*
5 *in the classified Schedule of Authorizations prepared to ac-*
6 *company this division of this Act.*

7 **(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-**
8 **THORIZATIONS.—**

9 **(1) AVAILABILITY.—***The classified Schedule of*
10 *Authorizations referred to in subsection (a) shall be*
11 *made available to the Committee on Appropriations*
12 *of the Senate, the Committee on Appropriations of the*
13 *House of Representatives, and to the President.*

14 **(2) DISTRIBUTION BY THE PRESIDENT.—***Subject*
15 *to paragraph (3), the President shall provide for suit-*
16 *able distribution of the classified Schedule of Author-*
17 *izations, or of appropriate portions of the Schedule,*
18 *within the executive branch.*

19 **(3) LIMITS ON DISCLOSURE.—***The President*
20 *shall not publicly disclose the classified Schedule of*
21 *Authorizations or any portion of such Schedule ex-*
22 *cept—*

23 **(A)** *as provided in section 601(a) of the Im-*
24 *plementing Recommendations of the 9/11 Com-*
25 *mission Act of 2007 (50 U.S.C. 3306(a));*

1 (B) to the extent necessary to implement the
2 budget; or

3 (C) as otherwise required by law.

4 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

5 (a) *AUTHORITY FOR INCREASES.*—The Director of Na-
6 tional Intelligence may authorize employment of civilian
7 personnel in excess of the number authorized for fiscal year
8 2016 by the classified Schedule of Authorizations referred
9 to in section 102(a) if the Director of National Intelligence
10 determines that such action is necessary to the performance
11 of important intelligence functions, except that the number
12 of personnel employed in excess of the number authorized
13 under such section may not, for any element of the intel-
14 ligence community, exceed 3 percent of the number of civil-
15 ian personnel authorized under such schedule for such ele-
16 ment.

17 (b) *TREATMENT OF CERTAIN PERSONNEL.*—The Di-
18 rector of National Intelligence shall establish guidelines that
19 govern, for each element of the intelligence community, the
20 treatment under the personnel levels authorized under sec-
21 tion 102(a), including any exemption from such personnel
22 levels, of employment or assignment in—

23 (1) a student program, trainee program, or simi-
24 lar program;

1 *Director of National Intelligence or personnel detailed from*
2 *other elements of the United States Government.*

3 (c) *CLASSIFIED AUTHORIZATIONS.—*

4 (1) *AUTHORIZATION OF APPROPRIATIONS.—In*
5 *addition to amounts authorized to be appropriated*
6 *for the Intelligence Community Management Account*
7 *by subsection (a), there are authorized to be appro-*
8 *priated for the Community Management Account for*
9 *fiscal year 2016 such additional amounts as are spec-*
10 *ified in the classified Schedule of Authorizations re-*
11 *ferred to in section 102(a). Such additional amounts*
12 *for advanced research and development shall remain*
13 *available until September 30, 2017.*

14 (2) *AUTHORIZATION OF PERSONNEL.—In addi-*
15 *tion to the personnel authorized by subsection (b) for*
16 *elements of the Intelligence Community Management*
17 *Account as of September 30, 2016, there are author-*
18 *ized such additional personnel for the Community*
19 *Management Account as of that date as are specified*
20 *in the classified Schedule of Authorizations referred to*
21 *in section 102(a).*

1 **SEC. 105. CLARIFICATION REGARDING AUTHORITY FOR**
2 **FLEXIBLE PERSONNEL MANAGEMENT AMONG**
3 **ELEMENTS OF INTELLIGENCE COMMUNITY.**

4 (a) *CLARIFICATION.*—Section 102A(v) of the National
5 Security Act of 1947 (50 U.S.C. 3024(v)) is amended—

6 (1) *by redesignating paragraph (3) as para-*
7 *graph (4); and*

8 (2) *by inserting after paragraph (2) the fol-*
9 *lowing new paragraph (3):*

10 “(3) *A covered department may appoint an indi-*
11 *vidual to a position converted or established pursuant*
12 *to this subsection without regard to the civil-service*
13 *laws, including parts II and III of title 5, United*
14 *States Code.”.*

15 (b) *EFFECTIVE DATE.*—The amendments made by sub-
16 section (a) shall apply with respect to an appointment
17 under section 102A(v) of the National Security Act of 1947
18 (50 U.S.C. 3024(v)) made on or after the date of the enact-
19 ment of the Intelligence Authorization Act for Fiscal Year
20 2012 (Public Law 112–87) and to any proceeding pending
21 on or filed after the date of the enactment of this section
22 that relates to such an appointment.

1 **TITLE II—CENTRAL INTEL-**
2 **LIGENCE AGENCY RETIRE-**
3 **MENT AND DISABILITY SYS-**
4 **TEM**

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 *There is authorized to be appropriated for the Central*
7 *Intelligence Agency Retirement and Disability Fund for fis-*
8 *cal year 2016 the sum of \$514,000,000.*

9 **TITLE III—GENERAL**
10 **PROVISIONS**

11 **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**
12 **BENEFITS AUTHORIZED BY LAW.**

13 *Appropriations authorized by this division for salary,*
14 *pay, retirement, and other benefits for Federal employees*
15 *may be increased by such additional or supplemental*
16 *amounts as may be necessary for increases in such com-*
17 *pensation or benefits authorized by law.*

18 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**
19 **ACTIVITIES.**

20 *The authorization of appropriations by this division*
21 *shall not be deemed to constitute authority for the conduct*
22 *of any intelligence activity which is not otherwise author-*
23 *ized by the Constitution or the laws of the United States.*

1 **SEC. 303. PROVISION OF INFORMATION AND ASSISTANCE**
2 **TO INSPECTOR GENERAL OF THE INTEL-**
3 **LIGENCE COMMUNITY.**

4 *Section 103H(j)(4) of the National Security Act of*
5 *1947 (50 U.S.C. 3033(j)(4)) is amended—*

6 *(1) in subparagraph (A), by striking “any de-*
7 *partment, agency, or other element of the United*
8 *States Government” and inserting “any Federal,*
9 *State (as defined in section 804), or local govern-*
10 *mental agency or unit thereof”; and*

11 *(2) in subparagraph (B), by inserting “from a*
12 *department, agency, or element of the Federal Govern-*
13 *ment” before “under subparagraph (A)”.*

14 **SEC. 304. INCLUSION OF INSPECTOR GENERAL OF INTEL-**
15 **LIGENCE COMMUNITY IN COUNCIL OF IN-**
16 **SPECTORS GENERAL ON INTEGRITY AND EF-**
17 **FICIENCY.**

18 *Section 11(b)(1)(B) of the Inspector General Act of*
19 *1978 (Public Law 95–452; 5 U.S.C. App.) is amended by*
20 *striking “the Office of the Director of National Intelligence”*
21 *and inserting “the Intelligence Community”.*

22 **SEC. 305. CLARIFICATION OF AUTHORITY OF PRIVACY AND**
23 **CIVIL LIBERTIES OVERSIGHT BOARD.**

24 *Section 1061(g) of the Intelligence Reform and Ter-*
25 *rorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is*
26 *amended by adding at the end the following new paragraph:*

1 “(5) *ACCESS*.—*Nothing in this section shall be*
 2 *construed to authorize the Board, or any agent there-*
 3 *of, to gain access to information regarding an activ-*
 4 *ity covered by section 503(a) of the National Security*
 5 *Act of 1947 (50 U.S.C. 3093(a)).”.*

6 **SEC. 306. ENHANCING GOVERNMENT PERSONNEL SECU-**
 7 **RITY PROGRAMS.**

8 *(a) ENHANCED SECURITY CLEARANCE PROGRAMS.—*

9 *(1) IN GENERAL.—Part III of title 5, United*
 10 *States Code, is amended by adding at the end the fol-*
 11 *lowing:*

12 **“Subpart J—Enhanced Personnel Security Programs**

13 **“CHAPTER 110—ENHANCED PERSONNEL**

14 **SECURITY PROGRAMS**

“*Sec.*

“*11001. Enhanced personnel security programs.*

15 **“SEC. 11001. ENHANCED PERSONNEL SECURITY PROGRAMS.**

16 *“(a) ENHANCED PERSONNEL SECURITY PROGRAM.—*

17 *The Director of National Intelligence shall direct each agen-*
 18 *cy to implement a program to provide enhanced security*
 19 *review of covered individuals—*

20 *“(1) in accordance with this section; and*

21 *“(2) not later than the earlier of—*

22 *“(A) the date that is 5 years after the date*
 23 *of the enactment of the Intelligence Authorization*
 24 *Act for Fiscal Year 2016; or*

1 “(B) the date on which the backlog of over-
2 due periodic reinvestigations of covered individ-
3 uals is eliminated, as determined by the Director
4 of National Intelligence.

5 “(b) COMPREHENSIVENESS.—

6 “(1) SOURCES OF INFORMATION.—The enhanced
7 personnel security program of an agency shall inte-
8 grate relevant and appropriate information from var-
9 ious sources, including government, publicly avail-
10 able, and commercial data sources, consumer report-
11 ing agencies, social media, and such other sources as
12 determined by the Director of National Intelligence.

13 “(2) TYPES OF INFORMATION.—Information ob-
14 tained and integrated from sources described in para-
15 graph (1) may include—

16 “(A) information relating to any criminal
17 or civil legal proceeding;

18 “(B) financial information relating to the
19 covered individual, including the credit worthi-
20 ness of the covered individual;

21 “(C) publicly available information, wheth-
22 er electronic, printed, or other form, including
23 relevant security or counterintelligence informa-
24 tion about the covered individual or information
25 that may suggest ill intent, vulnerability to

1 *blackmail, compulsive behavior, allegiance to an-*
2 *other country, change in ideology, or that the*
3 *covered individual lacks good judgment, reli-*
4 *ability, or trustworthiness; and*

5 “(D) *data maintained on any terrorist or*
6 *criminal watch list maintained by any agency,*
7 *State or local government, or international orga-*
8 *nization.*

9 “(c) *REVIEWS OF COVERED INDIVIDUALS.—*

10 “(1) *REVIEWS.—*

11 “(A) *IN GENERAL.—The enhanced personnel*
12 *security program of an agency shall require that,*
13 *not less than 2 times every 5 years, the head of*
14 *the agency shall conduct or request the conduct*
15 *of automated record checks and checks of infor-*
16 *mation from sources under subsection (b) to en-*
17 *sure the continued eligibility of each covered in-*
18 *dividual to access classified information and*
19 *hold a sensitive position unless more frequent re-*
20 *views of automated record checks and checks of*
21 *information from sources under subsection (b)*
22 *are conducted on the covered individual.*

23 “(B) *SCOPE OF REVIEWS.—Except for a*
24 *covered individual who is subject to more fre-*
25 *quent reviews to ensure the continued eligibility*

1 *of the covered individual to access classified in-*
2 *formation and hold a sensitive position, the re-*
3 *views under subparagraph (A) shall consist of*
4 *random or aperiodic checks of covered individ-*
5 *uals, such that each covered individual is subject*
6 *to at least 2 reviews during the 5-year period be-*
7 *ginning on the date on which the agency imple-*
8 *ments the enhanced personnel security program*
9 *of an agency, and during each 5-year period*
10 *thereafter.*

11 “(C) *INDIVIDUAL REVIEWS.*—*A review of*
12 *the information relating to the continued eligi-*
13 *bility of a covered individual to access classified*
14 *information and hold a sensitive position under*
15 *subparagraph (A) may not be conducted until*
16 *after the end of the 120-day period beginning on*
17 *the date the covered individual receives the noti-*
18 *fication required under paragraph (3).*

19 “(2) *RESULTS.*—*The head of an agency shall*
20 *take appropriate action if a review under paragraph*
21 *(1) finds relevant information that may affect the*
22 *continued eligibility of a covered individual to access*
23 *classified information and hold a sensitive position.*

24 “(3) *INFORMATION FOR COVERED INDIVID-*
25 *UALS.*—*The head of an agency shall ensure that each*

1 covered individual is adequately advised of the types
2 of relevant security or counterintelligence information
3 the covered individual is required to report to the
4 head of the agency.

5 “(4) *LIMITATION.*—Nothing in this subsection
6 shall be construed to affect the authority of an agency
7 to determine the appropriate weight to be given to in-
8 formation relating to a covered individual in evalu-
9 ating the continued eligibility of the covered indi-
10 vidual.

11 “(5) *AUTHORITY OF THE PRESIDENT.*—Nothing
12 in this subsection shall be construed as limiting the
13 authority of the President to direct or perpetuate
14 periodic reinvestigations of a more comprehensive na-
15 ture or to delegate the authority to direct or perpet-
16 uate such reinvestigations.

17 “(6) *EFFECT ON OTHER REVIEWS.*—Reviews con-
18 ducted under paragraph (1) are in addition to inves-
19 tigation and reinvestigations conducted pursuant to
20 section 3001 of the Intelligence Reform and Terrorism
21 Prevention Act of 2004 (50 U.S.C. 3341).

22 “(d) *AUDIT.*—

23 “(1) *IN GENERAL.*—Beginning 2 years after the
24 date of the implementation of the enhanced personnel
25 security program of an agency under subsection (a),

1 *the Inspector General of the agency shall conduct at*
2 *least 1 audit to assess the effectiveness and fairness,*
3 *which shall be determined in accordance with per-*
4 *formance measures and standards established by the*
5 *Director of National Intelligence, to covered individ-*
6 *uals of the enhanced personnel security program of*
7 *the agency.*

8 “(2) *SUBMISSIONS TO DNI.*—*The results of each*
9 *audit conducted under paragraph (1) shall be sub-*
10 *mitted to the Director of National Intelligence to as-*
11 *sess the effectiveness and fairness of the enhanced per-*
12 *sonnel security programs across the Federal Govern-*
13 *ment.*

14 “(e) *DEFINITIONS.*—*In this section—*

15 “(1) *the term ‘agency’ has the meaning given*
16 *that term in section 3001 of the Intelligence Reform*
17 *and Terrorism Prevention Act of 2004 (50 U.S.C.*
18 *3341);*

19 “(2) *the term ‘consumer reporting agency’ has*
20 *the meaning given that term in section 603 of the*
21 *Fair Credit Reporting Act (15 U.S.C. 1681a);*

22 “(3) *the term ‘covered individual’ means an in-*
23 *dividual employed by an agency or a contractor of an*
24 *agency who has been determined eligible for access to*

1 *classified information or eligible to hold a sensitive*
 2 *position;*

3 “(4) the term ‘enhanced personnel security pro-
 4 gram’ means a program implemented by an agency
 5 at the direction of the Director of National Intel-
 6 ligence under subsection (a); and”.

7 (2) *TECHNICAL AND CONFORMING AMEND-*
 8 *MENT.—The table of chapters for part III of title 5,*
 9 *United States Code, is amended by adding at the end*
 10 *following:*

“Subpart J—Enhanced Personnel Security Programs

“110. Enhanced personnel security programs 11001”.

11 (b) *RESOLUTION OF BACKLOG OF OVERDUE PERIODIC*
 12 *REINVESTIGATIONS.—*

13 (1) *IN GENERAL.—The Director of National In-*
 14 *telligence shall develop and implement a plan to*
 15 *eliminate the backlog of overdue periodic reinvestiga-*
 16 *tions of covered individuals.*

17 (2) *REQUIREMENTS.—The plan developed under*
 18 *paragraph (1) shall—*

19 (A) *use a risk-based approach to—*

20 (i) *identify high-risk populations; and*

21 (ii) *prioritize reinvestigations that are*
 22 *due or overdue to be conducted; and*

23 (B) *use random automated record checks of*
 24 *covered individuals that shall include all covered*

1 *individuals in the pool of individuals subject to*
2 *a one-time check.*

3 (3) *DEFINITIONS.—In this subsection:*

4 (A) *The term “covered individual” means*
5 *an individual who has been determined eligible*
6 *for access to classified information or eligible to*
7 *hold a sensitive position.*

8 (B) *The term “periodic reinvestigations”*
9 *has the meaning given such term in section*
10 *3001(a)(7) of the Intelligence Reform and Ter-*
11 *rorism Prevention Act of 2004 (50 U.S.C.*
12 *3341(a)(7)).*

13 **SEC. 307. NOTIFICATION OF CHANGES TO RETENTION OF**
14 **CALL DETAIL RECORD POLICIES.**

15 (a) *REQUIREMENT TO RETAIN.—*

16 (1) *IN GENERAL.—Not later than 15 days after*
17 *learning that an electronic communication service*
18 *provider that generates call detail records in the ordi-*
19 *nary course of business has changed the policy of the*
20 *provider on the retention of such call detail records to*
21 *result in a retention period of less than 18 months,*
22 *the Director of National Intelligence shall notify, in*
23 *writing, the congressional intelligence committees of*
24 *such change.*

1 (b) *SENIOR LEVEL POSITION.*—*In identifying posi-*
2 *tions that are senior level positions in the intelligence com-*
3 *munity for purposes of the directive required under sub-*
4 *section (a), the Director of National Intelligence shall con-*
5 *sider whether a position—*

6 (1) *constitutes the head of an entity or a signifi-*
7 *cant component within an agency;*

8 (2) *is involved in the management or oversight*
9 *of matters of significant import to the leadership of*
10 *an entity of the intelligence community;*

11 (3) *provides significant responsibility on behalf*
12 *of the intelligence community;*

13 (4) *requires the management of a significant*
14 *number of personnel or funds;*

15 (5) *requires responsibility management or over-*
16 *sight of sensitive intelligence activities; and*

17 (6) *is held by an individual designated as a sen-*
18 *ior intelligence management official as such term is*
19 *defined in section 368(a)(6) of the Intelligence Au-*
20 *thorization Act for Fiscal Year 2010 (Public Law*
21 *111–259; 50 U.S.C. 404i–1 note).*

22 (c) *NOTIFICATION.*—*The Director shall ensure that*
23 *each notification under the directive issued under subsection*
24 *(a) includes each of the following:*

1 *biennially thereafter until the date that is 4 years after the*
2 *date of the enactment of this Act, the Director of National*
3 *Intelligence shall submit to the congressional intelligence*
4 *committees and the congressional defense committees (as*
5 *such term is defined in section 101(a)(16) of title 10, United*
6 *States Code) a report describing—*

7 (1) *trends in the use of tunnels by foreign state*
8 *and nonstate actors; and*

9 (2) *collaboration efforts between the United*
10 *States and partner countries to address the use of*
11 *tunnels by adversaries.*

12 **SEC. 310. REPORTING PROCESS REQUIRED FOR TRACKING**
13 **CERTAIN REQUESTS FOR COUNTRY CLEAR-**
14 **ANCE.**

15 (a) *IN GENERAL.—By not later than September 30,*
16 *2016, the Director of National Intelligence shall establish*
17 *a formal internal reporting process for tracking requests for*
18 *country clearance submitted to overseas Director of Na-*
19 *tional Intelligence representatives by departments and*
20 *agencies of the United States. Such reporting process shall*
21 *include a mechanism for tracking the department or agency*
22 *that submits each such request and the date on which each*
23 *such request is submitted.*

24 (b) *CONGRESSIONAL BRIEFING.—By not later than*
25 *December 31, 2016, the Director of National Intelligence*

1 *shall brief the congressional intelligence committees on the*
2 *progress of the Director in establishing the process required*
3 *under subsection (a).*

4 **SEC. 311. STUDY ON REDUCTION OF ANALYTIC DUPLICA-**
5 **TION.**

6 *(a) STUDY AND REPORT.—*

7 *(1) IN GENERAL.—Not later than January 31,*
8 *2016, the Director of National Intelligence shall—*

9 *(A) carry out a study to evaluate and meas-*
10 *ure the incidence of duplication in finished intel-*
11 *ligence analysis products; and*

12 *(B) submit to the congressional intelligence*
13 *committees a report on the findings of such*
14 *study.*

15 *(2) METHODOLOGY REQUIREMENTS.—The meth-*
16 *odology used to carry out the study required by this*
17 *subsection shall be able to be repeated for use in other*
18 *subsequent studies.*

19 *(b) ELEMENTS.—The report required by subsection*
20 *(a)(1)(B) shall include—*

21 *(1) detailed information—*

22 *(A) relating to the frequency of duplication*
23 *of finished intelligence analysis products; and*

24 *(B) that describes the types of, and the rea-*
25 *sons for, any such duplication; and*

1 (2) *a determination as to whether to make the*
2 *production of such information a routine part of the*
3 *mission of the Analytic Integrity and Standards*
4 *Group.*

5 (c) *CUSTOMER IMPACT PLAN.*—*Not later than 180*
6 *days after the date of the enactment of this Act, the Director*
7 *of National Intelligence shall submit to the congressional*
8 *intelligence committees a plan for revising analytic prac-*
9 *tice, tradecraft, and standards to ensure customers are able*
10 *to clearly identify—*

11 (1) *the manner in which intelligence products*
12 *written on similar topics and that are produced con-*
13 *temporaneously differ from one another in terms of*
14 *methodology, sourcing, or other distinguishing ana-*
15 *lytic characteristics; and*

16 (2) *the significance of that difference.*

17 (d) *CONSTRUCTION.*—*Nothing in this section may be*
18 *construed to impose any requirement that would interfere*
19 *with the production of an operationally urgent or otherwise*
20 *time-sensitive current intelligence product.*

1 **SEC. 312. STRATEGY FOR COMPREHENSIVE INTERAGENCY**
2 **REVIEW OF THE UNITED STATES NATIONAL**
3 **SECURITY OVERHEAD SATELLITE ARCHITEC-**
4 **TURE.**

5 (a) *REQUIREMENT FOR STRATEGY.*—*The Director of*
6 *National Intelligence shall collaborate with the Secretary of*
7 *Defense and the Chairman of the Joint Chiefs of Staff to*
8 *develop a strategy, with milestones and benchmarks, to en-*
9 *sure that there is a comprehensive interagency review of*
10 *policies and practices for planning and acquiring national*
11 *security satellite systems and architectures, including the*
12 *capabilities of commercial systems and partner countries,*
13 *consistent with the National Space Policy issued on June*
14 *28, 2010. Such strategy shall, where applicable, account for*
15 *the unique missions and authorities vested in the Depart-*
16 *ment of Defense and the intelligence community.*

17 (b) *ELEMENTS.*—*The strategy required by subsection*
18 *(a) shall ensure that the United States national security*
19 *overhead satellite architecture—*

20 (1) *meets the needs of the United States in peace*
21 *time and is resilient in war time;*

22 (2) *is fiscally responsible;*

23 (3) *accurately takes into account cost and per-*
24 *formance tradeoffs;*

25 (4) *meets realistic requirements;*

1 (5) *produces excellence, innovation, competition,*
2 *and a robust industrial base;*

3 (6) *aims to produce in less than 5 years innova-*
4 *tive satellite systems that are able to leverage com-*
5 *mon, standardized design elements and commercially*
6 *available technologies;*

7 (7) *takes advantage of rapid advances in com-*
8 *mercial technology, innovation, and commercial-like*
9 *acquisition practices;*

10 (8) *is open to innovative concepts, such as dis-*
11 *tributed, disaggregated architectures, that could allow*
12 *for better resiliency, reconstitution, replenishment,*
13 *and rapid technological refresh; and*

14 (9) *emphasizes deterrence and recognizes the im-*
15 *portance of offensive and defensive space control capa-*
16 *bilities.*

17 (c) *REPORT ON STRATEGY.—Not later than February*
18 *28, 2016, the Director of National Intelligence, the Sec-*
19 *retary of Defense, and the Chairman of the Joint Chiefs*
20 *of Staff shall jointly submit to the congressional intelligence*
21 *committees, the Committee on Armed Services of the Senate,*
22 *and the Committee on Armed Services of the House of Rep-*
23 *resentatives a report on the strategy required by subsection*
24 *(a).*

1 **SEC. 313. CYBER ATTACK STANDARDS OF MEASUREMENT**

2 **STUDY.**

3 (a) *STUDY REQUIRED.*—*The Director of National In-*
4 *telligence, in consultation with the Secretary of Homeland*
5 *Security, the Director of the Federal Bureau of Investiga-*
6 *tion, and the Secretary of Defense, shall carry out a study*
7 *to determine appropriate standards that—*

8 (1) *can be used to measure the damage of cyber*
9 *incidents for the purposes of determining the response*
10 *to such incidents; and*

11 (2) *include a method for quantifying the damage*
12 *caused to affected computers, systems, and devices.*

13 (b) *REPORTS TO CONGRESS.*—

14 (1) *PRELIMINARY FINDINGS.*—*Not later than 180*
15 *days after the date of the enactment of this Act, the*
16 *Director of National Intelligence shall submit to the*
17 *appropriate congressional committees the initial find-*
18 *ings of the study required under subsection (a).*

19 (2) *REPORT.*—*Not later than 360 days after the*
20 *date of the enactment of this Act, the Director of Na-*
21 *tional Intelligence shall submit to the appropriate*
22 *congressional committees a report containing the com-*
23 *plete findings of such study.*

24 (3) *FORM OF REPORT.*—*The report required by*
25 *paragraph (2) shall be submitted in unclassified form,*
26 *but may contain a classified annex.*

1 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
2 *FINED.*—*In this section, the term “appropriate congres-*
3 *sional committees” means the following:*

4 (1) *The congressional intelligence committees.*

5 (2) *The Committees on Armed Services of the*
6 *House of Representatives and the Senate.*

7 (3) *The Committee on Foreign Affairs of the*
8 *House of Representatives and the Committee on For-*
9 *eign Relations of the Senate.*

10 (4) *The Committee on Homeland Security of the*
11 *House of Representatives and the Committee on*
12 *Homeland Security and Governmental Affairs of the*
13 *Senate.*

14 ***TITLE IV—MATTERS RELATING***
15 ***TO ELEMENTS OF THE INTEL-***
16 ***LIGENCE COMMUNITY***

17 ***Subtitle A—Office of the Director of***
18 ***National Intelligence***

19 ***SEC. 401. APPOINTMENT AND CONFIRMATION OF THE NA-***
20 ***TIONAL COUNTERINTELLIGENCE EXECUTIVE.***

21 (a) *IN GENERAL.*—*Section 902(a) of the Counterintel-*
22 *ligence Enhancement Act of 2002 (50 U.S.C. 3382) is*
23 *amended to read as follows:*

24 “(a) *ESTABLISHMENT.*—*There shall be a National*
25 *Counterintelligence Executive who shall be appointed by the*

1 *President, by and with the advice and consent of the Sen-*
2 *ate.”.*

3 **(b) EFFECTIVE DATE.**—*The amendment made by sub-*
4 *section (a) shall take effect on the date that is one year after*
5 *the date of the enactment of this Act.*

6 **SEC. 402. TECHNICAL AMENDMENTS RELATING TO PAY**
7 **UNDER TITLE 5, UNITED STATES CODE.**

8 *Section 5102(a)(1) of title 5, United States Code, is*
9 *amended—*

10 (1) *in clause (vii), by striking “or”;*

11 (2) *by inserting after clause (vii) the following*
12 *new clause:*

13 *“(viii) the Office of the Director of National*
14 *Intelligence;”;* and

15 (3) *in clause (x), by striking the period and in-*
16 *serting a semicolon.*

17 **SEC. 403. ANALYTIC OBJECTIVITY REVIEW.**

18 **(a) ASSESSMENT.**—*The Director of National Intel-*
19 *ligence shall assign the Chief of the Analytic Integrity and*
20 *Standards Group to conduct a review of finished intel-*
21 *ligence products produced by the Central Intelligence Agen-*
22 *cy to assess whether the reorganization of the Agency, an-*
23 *nounced publicly on March 6, 2015, has resulted in any*
24 *loss of analytic objectivity.*

1 (b) *SUBMISSION.*—Not later than March 6, 2017, the
2 Director of National Intelligence shall submit to the con-
3 gressional intelligence committees, in writing, the results of
4 the review required under subsection (a), including—

5 (1) *an assessment comparing the analytic objec-*
6 *tivity of a representative sample of finished intel-*
7 *ligence products produced by the Central Intelligence*
8 *Agency before the reorganization and a representative*
9 *sample of such finished intelligence products produced*
10 *after the reorganization, predicated on the products’*
11 *communication of uncertainty, expression of alter-*
12 *native analysis, and other underlying evaluative cri-*
13 *teria referenced in the Strategic Evaluation of All-*
14 *Source Analysis directed by the Director;*

15 (2) *an assessment comparing the historical re-*
16 *sults of anonymous surveys of Central Intelligence*
17 *Agency analysts and customers conducted before the*
18 *reorganization and the results of such anonymous*
19 *surveys conducted after the reorganization, with a*
20 *focus on the analytic standard of objectivity;*

21 (3) *a metrics-based evaluation measuring the ef-*
22 *fect that the reorganization’s integration of oper-*
23 *ational, analytic, support, technical, and digital per-*
24 *sonnel and capabilities into Mission Centers has had*
25 *on analytic objectivity; and*

1 (4) *any recommendations for ensuring that ana-*
2 *lysts of the Central Intelligence Agency perform their*
3 *functions with objectivity, are not unduly con-*
4 *strained, and are not influenced by the force of pref-*
5 *erence for a particular policy.*

6 ***Subtitle B—Central Intelligence***
7 ***Agency and Other Elements***

8 ***SEC. 411. AUTHORITIES OF THE INSPECTOR GENERAL FOR***
9 ***THE CENTRAL INTELLIGENCE AGENCY.***

10 (a) *INFORMATION AND ASSISTANCE.—Paragraph (9)*
11 *of section 17(e) of the Central Intelligence Agency Act of*
12 *1949 (50 U.S.C. 3517(e)(9)) is amended to read as follows:*

13 “(9)(A) *The Inspector General may request such infor-*
14 *mation or assistance as may be necessary for carrying out*
15 *the duties and responsibilities of the Inspector General pro-*
16 *vided by this section from any Federal, State, or local gov-*
17 *ernmental agency or unit thereof.*

18 “(B) *Upon request of the Inspector General for infor-*
19 *mation or assistance from a department or agency of the*
20 *Federal Government, the head of the department or agency*
21 *involved, insofar as practicable and not in contravention*
22 *of any existing statutory restriction or regulation of such*
23 *department or agency, shall furnish to the Inspector Gen-*
24 *eral, or to an authorized designee, such information or as-*
25 *sistance.*

1 “(C) Nothing in this paragraph may be construed to
2 provide any new authority to the Central Intelligence Agen-
3 cy to conduct intelligence activity in the United States.

4 “(D) In this paragraph, the term ‘State’ means each
5 of the several States, the District of Columbia, the Common-
6 wealth of Puerto Rico, the Commonwealth of the Northern
7 Mariana Islands, and any territory or possession of the
8 United States.”.

9 (b) *TECHNICAL AMENDMENTS RELATING TO SELEC-*
10 *TION OF EMPLOYEES.—Paragraph (7) of such section (50*
11 *U.S.C. 3517(e)(7)) is amended—*

12 (1) by inserting “(A)” before “Subject to appli-
13 cable law”; and

14 (2) by adding at the end the following new sub-
15 paragraph:

16 “(B) Consistent with budgetary and personnel re-
17 sources allocated by the Director, the Inspector General has
18 final approval of—

19 “(i) the selection of internal and external can-
20 didates for employment with the Office of Inspector
21 General; and

22 “(ii) all other personnel decisions concerning
23 personnel permanently assigned to the Office of In-
24 spector General, including selection and appointment
25 to the Senior Intelligence Service, but excluding all

1 *security-based determinations that are not within the*
2 *authority of a head of other Central Intelligence*
3 *Agency offices.”.*

4 **SEC. 412. PRIOR CONGRESSIONAL NOTIFICATION OF**
5 **TRANSFERS OF FUNDS FOR CERTAIN INTEL-**
6 **LIGENCE ACTIVITIES.**

7 *(a) LIMITATION.—Except as provided in subsection*
8 *(b), none of the funds authorized to be appropriated by this*
9 *division or otherwise made available for the intelligence*
10 *community for fiscal year 2016 may be used to initiate a*
11 *transfer of funds from the Joint Improvised Explosive De-*
12 *vice Defeat Fund or the Counterterrorism Partnerships*
13 *Fund to be used for intelligence activities unless the Direc-*
14 *tor of National Intelligence or the Secretary of Defense, as*
15 *appropriate, submits to the congressional intelligence com-*
16 *mittees, by not later than 15 days before initiating such*
17 *a transfer, written notice of the transfer.*

18 *(b) WAIVER.—*

19 *(1) IN GENERAL.—The Director of National In-*
20 *telligence or the Secretary of Defense, as appropriate,*
21 *may waive subsection (a) with respect to the initi-*
22 *ation of a transfer of funds if the Director or Sec-*
23 *retary, as the case may be, determines that an emer-*
24 *gency situation makes it impossible or impractical to*

1 *provide the notice required under such subsection by*
2 *the date that is 15 days before such initiation.*

3 (2) *NOTICE.*—*If the Director or Secretary issues*
4 *a waiver under paragraph (1), the Director or Sec-*
5 *retary, as the case may be, shall submit to the con-*
6 *gressional intelligence committees, by not later than*
7 *48 hours after the initiation of the transfer of funds*
8 *covered by the waiver, written notice of the waiver*
9 *and a justification for the waiver, including a de-*
10 *scription of the emergency situation that necessitated*
11 *the waiver.*

12 ***TITLE V—MATTERS RELATING***
13 ***TO FOREIGN COUNTRIES***
14 ***Subtitle A—Matters Relating to***
15 ***Russia***

16 ***SEC. 501. NOTICE OF DEPLOYMENT OR TRANSFER OF CLUB-***
17 ***K CONTAINER MISSILE SYSTEM BY THE RUS-***
18 ***SIAN FEDERATION.***

19 (a) *NOTICE TO CONGRESS.*—*The Director of National*
20 *Intelligence shall submit to the appropriate congressional*
21 *committees written notice if the intelligence community re-*
22 *ceives intelligence that the Russian Federation has—*

23 (1) *deployed, or is about to deploy, the Club-K*
24 *container missile system through the Russian mili-*
25 *tary; or*

1 (2) *transferred or sold, or intends to transfer or*
2 *sell, the Club–K container missile system to another*
3 *state or non-state actor.*

4 (b) *NOTICE TO CONGRESSIONAL INTELLIGENCE COM-*
5 *MITTEES.—Not later than 30 days after the date on which*
6 *the Director submits a notice under subsection (a), the Di-*
7 *rector shall submit to the congressional intelligence commit-*
8 *tees a written update regarding any intelligence community*
9 *engagement with a foreign partner on the deployment and*
10 *impacts of a deployment of the Club–K container missile*
11 *system to any potentially impacted nation.*

12 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
13 *FINED.—In this section, the term “appropriate congres-*
14 *sional committees” means the following:*

15 (1) *The congressional intelligence committees.*

16 (2) *The Committees on Armed Services of the*
17 *House of Representatives and the Senate.*

18 (3) *The Committee on Foreign Affairs of the*
19 *House of Representatives and the Committee on For-*
20 *eign Relations of the Senate.*

21 **SEC. 502. ASSESSMENT ON FUNDING OF POLITICAL PAR-**
22 **TIES AND NONGOVERNMENTAL ORGANIZA-**
23 **TIONS BY THE RUSSIAN FEDERATION.**

24 (a) *IN GENERAL.—Not later than 180 days after the*
25 *date of the enactment of this Act, the Director of National*

1 *Intelligence shall submit to the appropriate congressional*
2 *committees an intelligence community assessment on the*
3 *funding of political parties and nongovernmental organiza-*
4 *tions in former Soviet states and countries in Europe by*
5 *the Russian Security Services since January 1, 2006. Such*
6 *assessment shall include the following:*

7 (1) *The country involved, the entity funded, the*
8 *security service involved, and the intended effect of the*
9 *funding.*

10 (2) *An evaluation of such intended effects, in-*
11 *cluding with respect to—*

12 (A) *undermining the political cohesion of*
13 *the country involved;*

14 (B) *undermining the missile defense of the*
15 *United States and the North Atlantic Treaty Or-*
16 *ganization; and*

17 (C) *undermining energy projects that could*
18 *provide an alternative to Russian energy.*

19 (b) *FORM.—The report under subsection (a) shall be*
20 *submitted in unclassified form, but may include a classified*
21 *annex.*

22 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
23 *FINED.—In this section, the term “appropriate congres-*
24 *sional committees” means the following:*

25 (1) *The congressional intelligence committees.*

1 (2) *The Committees on Armed Services of the*
2 *House of Representatives and the Senate.*

3 (3) *The Committee on Foreign Affairs of the*
4 *House of Representatives and the Committee on For-*
5 *ign Relations of the Senate.*

6 **SEC. 503. ASSESSMENT ON THE USE OF POLITICAL ASSAS-**
7 **SINATIONS AS A FORM OF STATECRAFT BY**
8 **THE RUSSIAN FEDERATION.**

9 (a) *REQUIREMENT FOR ASSESSMENT.*—*Not later than*
10 *180 days after the date of the enactment of this Act, the*
11 *Director of National Intelligence shall submit to the appro-*
12 *priate congressional committees an intelligence community*
13 *assessment on the use of political assassinations as a form*
14 *of statecraft by the Russian Federation since January 1,*
15 *2000.*

16 (b) *CONTENT.*—*The assessment required by subsection*
17 *(a) shall include—*

18 (1) *a list of Russian politicians, businessmen,*
19 *dissidents, journalists, current or former government*
20 *officials, foreign heads-of-state, foreign political lead-*
21 *ers, foreign journalists, members of nongovernmental*
22 *organizations, and other relevant individuals that the*
23 *intelligence community assesses were assassinated by*
24 *Russian Security Services, or agents of such services,*
25 *since January 1, 2000; and*

1 (2) *for each individual described in paragraph*
2 (1), *the country in which the assassination took place,*
3 *the means used, associated individuals and organiza-*
4 *tions, and other background information related to*
5 *the assassination of the individual.*

6 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
7 *FINED.—In this section, the term “appropriate congres-*
8 *sional committees” means the following:*

9 (1) *The congressional intelligence committees.*

10 (2) *The Committees on Armed Services of the*
11 *House of Representatives and the Senate.*

12 (3) *The Committee on Foreign Affairs of the*
13 *House of Representatives and the Committee on For-*
14 *ign Relations of the Senate.*

15 ***Subtitle B—Matters Relating to***
16 ***Other Countries***

17 ***SEC. 511. REPORT ON RESOURCES AND COLLECTION POS-***
18 ***TURE WITH REGARD TO THE SOUTH CHINA***
19 ***SEA AND EAST CHINA SEA.***

20 (a) *IN GENERAL.—Not later than 180 days after the*
21 *date of the enactment of this Act, the Director of National*
22 *Intelligence shall submit to the congressional intelligence*
23 *committees an intelligence community assessment on the re-*
24 *sources used for collection efforts and the collection posture*

1 *of the intelligence community with regard to the South*
2 *China Sea and East China Sea.*

3 (b) *ELEMENTS.*—*The intelligence community assess-*
4 *ment required by subsection (a) shall provide detailed infor-*
5 *mation related to intelligence collection by the United*
6 *States with regard to the South China Sea and East China*
7 *Sea, including—*

8 (1) *a review of intelligence community collection*
9 *activities and a description of these activities, includ-*
10 *ing the lead agency, key partners, purpose of collec-*
11 *tion activity, annual funding and personnel, the*
12 *manner in which the collection is conducted, and*
13 *types of information collected;*

14 (2) *an explanation of how the intelligence com-*
15 *munity prioritizes and coordinates collection activi-*
16 *ties focused on such region; and*

17 (3) *a description of any collection and*
18 *resourcing gaps and efforts being made to address*
19 *such gaps.*

20 **SEC. 512. USE OF LOCALLY EMPLOYED STAFF SERVING AT**
21 **A UNITED STATES DIPLOMATIC FACILITY IN**
22 **CUBA.**

23 (a) *SUPERVISORY REQUIREMENT.*—

24 (1) *IN GENERAL.*—*Except as provided under*
25 *paragraph (2), the Secretary of State shall ensure*

1 *that, not later than 1 year after the date of the enact-*
2 *ment of this Act, key supervisory positions at a*
3 *United States diplomatic facility in Cuba are occu-*
4 *pled by citizens of the United States.*

5 (2) *EXTENSION.*—*The Secretary of State may ex-*
6 *tend the deadline under paragraph (1) for up to 1*
7 *year by providing advance written notification and*
8 *justification of such extension to the appropriate con-*
9 *gressional committees.*

10 (b) *REPORT.*—*Not later than 180 days after the date*
11 *of the enactment of this Act, the Secretary of State, in co-*
12 *ordination with the heads of other appropriate Federal*
13 *agencies, shall submit to the appropriate congressional com-*
14 *mittees a report on—*

15 (1) *the progress made toward meeting the re-*
16 *quirement under subsection (a)(1); and*

17 (2) *the use of locally employed staff in United*
18 *States diplomatic facilities in Cuba, including—*

19 (A) *the number of such staff;*

20 (B) *the responsibilities of such staff;*

21 (C) *the manner in which such staff are se-*
22 *lected, including efforts to mitigate counterintel-*
23 *ligence threats to the United States; and*

1 (D) *the potential cost and impact on the*
2 *operational capacity of the diplomatic facility if*
3 *such staff were reduced.*

4 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
5 *FINED.—In this section, the term “appropriate congres-*
6 *sional committees” means—*

7 (1) *the congressional intelligence committees;*

8 (2) *the Committee on Foreign Relations and the*
9 *Committee on Appropriations of the Senate; and*

10 (3) *the Committee on Foreign Affairs and the*
11 *Committee on Appropriations of the House of Rep-*
12 *resentatives.*

13 **SEC. 513. INCLUSION OF SENSITIVE COMPARTMENTED IN-**
14 **FORMATION FACILITIES IN UNITED STATES**
15 **DIPLOMATIC FACILITIES IN CUBA.**

16 (a) *RESTRICTED ACCESS SPACE REQUIREMENT.—*
17 *Each United States diplomatic facility in Cuba in which*
18 *classified information will be processed or in which classi-*
19 *fied communications occur that, after the date of the enact-*
20 *ment of this Act, is constructed or undergoes a major con-*
21 *struction upgrade shall be constructed to include a sensitive*
22 *compartmented information facility.*

23 (b) *NATIONAL SECURITY WAIVER.—The Secretary of*
24 *State may waive the requirement under subsection (a) if*
25 *the Secretary—*

1 (1) *determines that such waiver is in the na-*
2 *tional security interest of the United States; and*

3 (2) *submits a written justification for such waiv-*
4 *er to the appropriate congressional committees not*
5 *later than 90 days before exercising such waiver.*

6 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
7 *FINED.—In this section, the term “appropriate congres-*
8 *sional committees” means—*

9 (1) *the congressional intelligence committees;*

10 (2) *the Committee on Foreign Relations and the*
11 *Committee on Appropriations of the Senate; and*

12 (3) *the Committee on Foreign Affairs and the*
13 *Committee on Appropriations of the House of Rep-*
14 *resentatives.*

15 **SEC. 514. REPORT ON USE BY IRAN OF FUNDS MADE AVAIL-**
16 **ABLE THROUGH SANCTIONS RELIEF.**

17 (a) *IN GENERAL.—At the times specified in subsection*
18 *(b), the Director of National Intelligence, in consultation*
19 *with the Secretary of the Treasury, shall submit to the ap-*
20 *propriate congressional committees a report assessing the*
21 *following:*

22 (1) *The monetary value of any direct or indirect*
23 *forms of sanctions relief that Iran has received since*
24 *the Joint Plan of Action first entered into effect.*

1 (2) *How Iran has used funds made available*
2 *through sanctions relief, including the extent to which*
3 *any such funds have facilitated the ability of Iran—*

4 (A) *to provide support for—*

5 (i) *any individual or entity designated*
6 *for the imposition of sanctions for activities*
7 *relating to international terrorism pursuant*
8 *to an executive order or by the Office of*
9 *Foreign Assets Control of the Department of*
10 *the Treasury as of the date of the enactment*
11 *of this Act;*

12 (ii) *any organization designated by the*
13 *Secretary of State as a foreign terrorist or-*
14 *ganization under section 219(a) of the Im-*
15 *migration and Nationality Act (8 U.S.C.*
16 *1189(a)) as of the date of the enactment of*
17 *this Act;*

18 (iii) *any other terrorist organization;*

19 *or*

20 (iv) *the regime of Bashar al Assad in*
21 *Syria;*

22 (B) *to advance the efforts of Iran or any*
23 *other country to develop nuclear weapons or bal-*
24 *listic missiles overtly or covertly; or*

1 (C) to commit any violation of the human
2 rights of the people of Iran.

3 (3) *The extent to which any senior official of the*
4 *Government of Iran has diverted any funds made*
5 *available through sanctions relief to be used by the of-*
6 *ficial for personal use.*

7 (b) *SUBMISSION TO CONGRESS.—*

8 (1) *IN GENERAL.—The Director shall submit the*
9 *report required by subsection (a) to the appropriate*
10 *congressional committees—*

11 (A) *not later than 180 days after the date*
12 *of the enactment of this Act and every 180 days*
13 *thereafter during the period that the Joint Plan*
14 *of Action is in effect; and*

15 (B) *not later than 1 year after a subsequent*
16 *agreement with Iran relating to the nuclear pro-*
17 *gram of Iran takes effect and annually thereafter*
18 *during the period that such agreement remains*
19 *in effect.*

20 (2) *NONDUPLICATION.—The Director may sub-*
21 *mit the information required by subsection (a) with*
22 *a report required to be submitted to Congress under*
23 *another provision of law if—*

24 (A) *the Director notifies the appropriate*
25 *congressional committees of the intention of mak-*

1 *ing such submission before submitting that re-*
2 *port; and*

3 *(B) all matters required to be covered by*
4 *subsection (a) are included in that report.*

5 *(c) FORM OF REPORTS.—Each report required by sub-*
6 *section (a) shall be submitted in unclassified form, but may*
7 *include a classified annex.*

8 *(d) DEFINITIONS.—In this section:*

9 *(1) APPROPRIATE CONGRESSIONAL COMMIT-*
10 *TEES.—The term “appropriate congressional commit-*
11 *tees” means—*

12 *(A) the Committee on Banking, Housing,*
13 *and Urban Affairs, the Committee on Finance,*
14 *the Committee on Foreign Relations, and the Se-*
15 *lect Committee on Intelligence of the Senate; and*

16 *(B) the Committee on Financial Services,*
17 *the Committee on Foreign Affairs, the Committee*
18 *on Ways and Means, and the Permanent Select*
19 *Committee on Intelligence of the House of Rep-*
20 *resentatives.*

21 *(2) JOINT PLAN OF ACTION.—The term “Joint*
22 *Plan of Action” means the Joint Plan of Action,*
23 *signed at Geneva November 24, 2013, by Iran and by*
24 *France, Germany, the Russian Federation, the Peo-*
25 *ple’s Republic of China, the United Kingdom, and the*

1 *United States, and all implementing materials and*
2 *agreements related to the Joint Plan of Action, in-*
3 *cluding the technical understandings reached on Jan-*
4 *uary 12, 2014, the extension thereto agreed to on July*
5 *18, 2014, and the extension thereto agreed to on No-*
6 *vember 24, 2014.*

7 **TITLE VI—MATTERS RELATING**
8 **TO UNITED STATES NAVAL**
9 **STATION, GUANTANAMO BAY,**
10 **CUBA**

11 **SEC. 601. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
12 **OR RELEASE OF INDIVIDUALS DETAINED AT**
13 **UNITED STATES NAVAL STATION, GUANTA-**
14 **NAMO BAY, CUBA, TO THE UNITED STATES.**

15 *No amounts authorized to be appropriated or otherwise*
16 *made available to an element of the intelligence community*
17 *may be used during the period beginning on the date of*
18 *the enactment of this Act and ending on December 31, 2016,*
19 *to transfer, release, or assist in the transfer or release, to*
20 *or within the United States, its territories, or possessions,*
21 *Khalid Sheikh Mohammed or any other detainee who—*

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

1 (2) *is or was held on or after January 20, 2009,*
2 *at United States Naval Station, Guantanamo Bay,*
3 *Cuba, by the Department of Defense.*

4 **SEC. 602. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**
5 **OR MODIFY FACILITIES IN THE UNITED**
6 **STATES TO HOUSE DETAINEES TRANS-**
7 **FERRED FROM UNITED STATES NAVAL STA-**
8 **TION, GUANTANAMO BAY, CUBA.**

9 (a) *IN GENERAL.*—*No amounts authorized to be ap-*
10 *propriated or otherwise made available to an element of the*
11 *intelligence community may be used during the period be-*
12 *ginning on the date of the enactment of this Act and ending*
13 *on December 31, 2016, to construct or modify any facility*
14 *in the United States, its territories, or possessions to house*
15 *any individual detained at Guantanamo for the purposes*
16 *of detention or imprisonment in the custody or under the*
17 *control of the Department of Defense unless authorized by*
18 *Congress.*

19 (b) *EXCEPTION.*—*The prohibition in subsection (a)*
20 *shall not apply to any modification of facilities at United*
21 *States Naval Station, Guantanamo Bay, Cuba.*

22 (c) *INDIVIDUAL DETAINED AT GUANTANAMO DE-*
23 *FINED.*—*In this section, the term “individual detained at*
24 *Guantanamo” means any individual located at United*

1 *States Naval Station, Guantanamo Bay, Cuba, as of Octo-*
2 *ber 1, 2009, who—*

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

5 *(2) is—*

6 *(A) in the custody or under the control of*
7 *the Department of Defense; or*

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

10 **SEC. 603. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
11 **OR RELEASE TO CERTAIN COUNTRIES OF IN-**
12 **DIVIDUALS DETAINED AT UNITED STATES**
13 **NAVAL STATION, GUANTANAMO BAY, CUBA.**

14 *No amounts authorized to be appropriated or otherwise*
15 *made available to an element of the intelligence community*
16 *may be used during the period beginning on the date of*
17 *the enactment of this Act and ending on December 31, 2016,*
18 *to transfer, release, or assist in the transfer or release of*
19 *any individual detained in the custody or under the control*
20 *of the Department of Defense at United States Naval Sta-*
21 *tion, Guantanamo Bay, Cuba, to the custody or control of*
22 *any country, or any entity within such country, as follows:*

23 *(1) Libya.*

24 *(2) Somalia.*

25 *(3) Syria.*

1 (4) *Yemen.*

2 **TITLE VII—REPORTS AND OTHER**
3 **MATTERS**

4 **Subtitle A—Reports**

5 **SEC. 701. REPEAL OF CERTAIN REPORTING REQUIRE-**
6 **MENTS.**

7 (a) *QUADRENNIAL AUDIT OF POSITIONS REQUIRING*
8 *SECURITY CLEARANCES.*—*Section 506H of the National Se-*
9 *curity Act of 1947 (50 U.S.C. 3104) is amended—*

10 (1) *by striking subsection (a);*

11 (2) *by redesignating subsections (b) and (c) as*
12 *subsections (a) and (b), respectively; and*

13 (3) *in subsection (b), as so redesignated, by strik-*
14 *ing “The results required under subsection (a)(2) and*
15 *the reports required under subsection (b)(1)” and in-*
16 *serting “The reports required under subsection*
17 *(a)(1)”.*

18 (b) *REPORTS ON ROLE OF ANALYSTS AT FBI.*—*Sec-*
19 *tion 2001(g) of the Intelligence Reform and Terrorism Pre-*
20 *vention Act of 2004 (Public Law 108–458; 118 Stat. 3700;*
21 *28 U.S.C. 532 note) is amended by striking paragraph (3)*
22 *and redesignating paragraph (4) as paragraph (3).*

23 (c) *REPORT ON OUTSIDE EMPLOYMENT BY OFFICERS*
24 *AND EMPLOYEES OF INTELLIGENCE COMMUNITY.*—

1 (1) *IN GENERAL.*—Section 102A(u) of the Na-
2 tional Security Act of 1947 (50 U.S.C. 3024(u)) is
3 amended—

4 (A) by striking “(1) The Director” and in-
5 serting “The Director”; and

6 (B) by striking paragraph (2).

7 (2) *CONFORMING AMENDMENT.*—Subsection (a)
8 of section 507 of such Act (50 U.S.C. 3106) is amend-
9 ed—

10 (A) by striking paragraph (5); and

11 (B) by redesignating paragraph (6) as
12 paragraph (5).

13 (3) *TECHNICAL AMENDMENT.*—Subsection (c)(1)
14 of such section 507 is amended by striking “subsection
15 (a)(1)” and inserting “subsection (a)”.

16 (d) *REPORTS ON NUCLEAR ASPIRATIONS OF NON-*
17 *STATE ENTITIES.*—Section 1055 of the National Defense
18 Authorization Act for Fiscal Year 2010 (50 U.S.C. 2371)
19 is repealed.

20 (e) *REPORTS ON ESPIONAGE BY PEOPLE’S REPUBLIC*
21 *OF CHINA.*—Section 3151 of the National Defense Author-
22 ization Act for Fiscal Year 2000 (42 U.S.C. 7383e) is re-
23 pealed.

1 (f) *REPORTS ON SECURITY VULNERABILITIES OF NA-*
2 *TIONAL LABORATORY COMPUTERS.*—Section 4508 of the
3 *Atomic Energy Defense Act (50 U.S.C. 2659) is repealed.*

4 **SEC. 702. REPORTS ON FOREIGN FIGHTERS.**

5 (a) *REPORTS REQUIRED.*—Not later than 60 days
6 after the date of the enactment of this Act, and every 60
7 days thereafter, the Director of National Intelligence shall
8 submit to the congressional intelligence committees a report
9 on foreign fighter flows to and from Syria and to and from
10 Iraq. The Director shall define the term “foreign fighter”
11 in such reports.

12 (b) *MATTERS TO BE INCLUDED.*—Each report sub-
13 mitted under subsection (a) shall include each of the fol-
14 lowing:

15 (1) *The total number of foreign fighters who have*
16 *traveled to Syria or Iraq since January 1, 2011, the*
17 *total number of foreign fighters in Syria or Iraq as*
18 *of the date of the submittal of the report, the total*
19 *number of foreign fighters whose countries of origin*
20 *have a visa waiver program described in section 217*
21 *of the Immigration and Nationality Act (8 U.S.C.*
22 *1187), the total number of foreign fighters who have*
23 *left Syria or Iraq, the total number of female foreign*
24 *fighters, and the total number of deceased foreign*
25 *fighters.*

1 (2) *The total number of United States persons*
2 *who have traveled or attempted to travel to Syria or*
3 *Iraq since January 1, 2011, the total number of such*
4 *persons who have arrived in Syria or Iraq since such*
5 *date, and the total number of such persons who have*
6 *returned to the United States from Syria or Iraq*
7 *since such date.*

8 (3) *The total number of foreign fighters in the*
9 *Terrorist Identities Datamart Environment and the*
10 *status of each such foreign fighter in that database,*
11 *the number of such foreign fighters who are on a*
12 *watchlist, and the number of such foreign fighters who*
13 *are not on a watchlist.*

14 (4) *The total number of foreign fighters who have*
15 *been processed with biometrics, including face images,*
16 *fingerprints, and iris scans.*

17 (5) *Any programmatic updates to the foreign*
18 *fighter report since the last report was submitted, in-*
19 *cluding updated analysis on foreign country coopera-*
20 *tion, as well as actions taken, such as denying or re-*
21 *voking visas.*

22 (6) *A worldwide graphic that describes foreign*
23 *fighters flows to and from Syria, with points of origin*
24 *by country.*

1 (c) *ADDITIONAL REPORT.*—Not later than 180 days
2 after the date of the enactment of this Act, the Director of
3 National Intelligence shall submit to the congressional intel-
4 ligence committees a report that includes—

5 (1) *with respect to the travel of foreign fighters*
6 *to and from Iraq and Syria, a description of the in-*
7 *telligence sharing relationships between the United*
8 *States and member states of the European Union and*
9 *member states of the North Atlantic Treaty Organiza-*
10 *tion; and*

11 (2) *an analysis of the challenges impeding such*
12 *intelligence sharing relationships.*

13 (d) *FORM.*—The reports submitted under subsections
14 (a) and (c) may be submitted in classified form.

15 (e) *TERMINATION.*—The requirement to submit reports
16 under subsection (a) shall terminate on the date that is 3
17 years after the date of the enactment of this Act.

18 **SEC. 703. REPORT ON STRATEGY, EFFORTS, AND RE-**
19 **SOURCES TO DETECT, DETER, AND DEGRADE**
20 **ISLAMIC STATE REVENUE MECHANISMS.**

21 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
22 that the intelligence community should dedicate necessary
23 resources to defeating the revenue mechanisms of the Islamic
24 State.

1 (b) *REPORT.*—Not later than 90 days after the date
2 of the enactment of this Act, the Director of National Intel-
3 ligence shall submit to the congressional intelligence com-
4 mittees a report on the strategy, efforts, and resources of
5 the intelligence community that are necessary to detect,
6 deter, and degrade the revenue mechanisms of the Islamic
7 State.

8 **SEC. 704. REPORT ON UNITED STATES COUNTERTER-**
9 **RORISM STRATEGY TO DISRUPT, DISMANTLE,**
10 **AND DEFEAT THE ISLAMIC STATE, AL-QA'IDA,**
11 **AND THEIR AFFILIATED GROUPS, ASSOCI-**
12 **ATED GROUPS, AND ADHERENTS.**

13 (a) *REPORT.*—

14 (1) *IN GENERAL.*—Not later than 180 days after
15 the date of the enactment of this Act, the President
16 shall transmit to the appropriate congressional com-
17 mittees a comprehensive report on the counterter-
18 rorism strategy of the United States to disrupt, dis-
19 mantle, and defeat the Islamic State, al-Qa'ida, and
20 their affiliated groups, associated groups, and adher-
21 ents.

22 (2) *COORDINATION.*—The report under para-
23 graph (1) shall be prepared in coordination with the
24 Director of National Intelligence, the Secretary of
25 State, the Secretary of the Treasury, the Attorney

1 *General, and the Secretary of Defense, and the head*
2 *of any other department or agency of the Federal*
3 *Government that has responsibility for activities di-*
4 *rected at combating the Islamic State, al-Qa'ida, and*
5 *their affiliated groups, associated groups, and adher-*
6 *ents.*

7 (3) *ELEMENTS.—The report under by paragraph*
8 (1) *shall include each of the following:*

9 (A) *A definition of—*

10 (i) *core al-Qa'ida, including a list of*
11 *which known individuals constitute core al-*
12 *Qa'ida;*

13 (ii) *the Islamic State, including a list*
14 *of which known individuals constitute Is-*
15 *lamic State leadership;*

16 (iii) *an affiliated group of the Islamic*
17 *State or al-Qa'ida, including a list of which*
18 *known groups constitute an affiliate group*
19 *of the Islamic State or al-Qa'ida;*

20 (iv) *an associated group of the Islamic*
21 *State or al-Qa'ida, including a list of which*
22 *known groups constitute an associated*
23 *group of the Islamic State or al-Qa'ida;*

24 (v) *an adherent of the Islamic State or*
25 *al-Qa'ida, including a list of which known*

1 *groups constitute an adherent of the Islamic*
2 *State or al-Qa'ida; and*

3 *(vi) a group aligned with the Islamic*
4 *State or al-Qa'ida, including a description*
5 *of what actions a group takes or statements*
6 *it makes that qualify it as a group aligned*
7 *with the Islamic State or al-Qa'ida.*

8 *(B) An assessment of the relationship be-*
9 *tween all identified Islamic State or al-Qa'ida*
10 *affiliated groups, associated groups, and adher-*
11 *ents with Islamic State leadership or core al-*
12 *Qa'ida.*

13 *(C) An assessment of the strengthening or*
14 *weakening of the Islamic State or al-Qa'ida, its*
15 *affiliated groups, associated groups, and adher-*
16 *ents, from January 1, 2010, to the present, in-*
17 *cluding a description of the metrics that are used*
18 *to assess strengthening or weakening and an as-*
19 *essment of the relative increase or decrease in*
20 *violent attacks attributed to such entities.*

21 *(D) An assessment of whether an individual*
22 *can be a member of core al-Qa'ida if such indi-*
23 *vidual is not located in Afghanistan or Pakistan.*

24 *(E) An assessment of whether an individual*
25 *can be a member of core al-Qa'ida as well as a*

1 *member of an al-Qa'ida affiliated group, associ-*
2 *ated group, or adherent.*

3 *(F) A definition of defeat of the Islamic*
4 *State or core al-Qa'ida.*

5 *(G) An assessment of the extent or coordina-*
6 *tion, command, and control between the Islamic*
7 *State or core al-Qa'ida and their affiliated*
8 *groups, associated groups, and adherents, specifi-*
9 *cally addressing each such entity.*

10 *(H) An assessment of the effectiveness of*
11 *counterterrorism operations against the Islamic*
12 *State or core al-Qa'ida, their affiliated groups,*
13 *associated groups, and adherents, and whether*
14 *such operations have had a sustained impact on*
15 *the capabilities and effectiveness of the Islamic*
16 *State or core al-Qa'ida, their affiliated groups,*
17 *associated groups, and adherents.*

18 *(4) FORM.—The report under paragraph (1)*
19 *shall be submitted in unclassified form, but may in-*
20 *clude a classified annex.*

21 *(b) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
22 *FINED.—In this section, the term “appropriate congres-*
23 *sional committees” means the following:*

24 *(1) The congressional intelligence committees.*

1 (2) *The Committees on Armed Services of the*
2 *House of Representatives and the Senate.*

3 (3) *The Committee on Foreign Affairs of the*
4 *House of Representatives and the Committee on For-*
5 *foreign Relations of the Senate.*

6 **SEC. 705. REPORT ON EFFECTS OF DATA BREACH OF OF-**
7 **FIGE OF PERSONNEL MANAGEMENT.**

8 (a) *REPORT.*—*Not later than 120 days after the date*
9 *of the enactment of this Act, the President shall transmit*
10 *to the congressional intelligence committees a report on the*
11 *data breach of the Office of Personnel Management disclosed*
12 *in June 2015.*

13 (b) *MATTERS INCLUDED.*—*The report under subsection*
14 (i) *shall include the following:*

15 (1) *The effects, if any, of the data breach on the*
16 *operations of the intelligence community abroad, in-*
17 *cluding the types of operations, if any, that have been*
18 *negatively affected or entirely suspended or termi-*
19 *nated as a result of the data breach.*

20 (2) *An assessment of the effects of the data breach*
21 *on each element of the intelligence community.*

22 (3) *An assessment of how foreign persons,*
23 *groups, or countries may use the data collected by the*
24 *data breach (particularly regarding information in-*

1 *cluded in background investigations for security clear-*
2 *ances), including with respect to—*

3 *(A) recruiting intelligence assets;*

4 *(B) influencing decisionmaking processes*
5 *within the Federal Government, including re-*
6 *garding foreign policy decisions; and*

7 *(C) compromising employees of the Federal*
8 *Government and friends and families of such*
9 *employees for the purpose of gaining access to*
10 *sensitive national security and economic infor-*
11 *mation.*

12 *(4) An assessment of which departments or agen-*
13 *cies of the Federal Government use the best practices*
14 *to protect sensitive data, including a summary of any*
15 *such best practices that were not used by the Office*
16 *of Personnel Management.*

17 *(5) An assessment of the best practices used by*
18 *the departments or agencies identified under para-*
19 *graph (4) to identify and fix potential vulnerabilities*
20 *in the systems of the department or agency.*

21 *(c) BRIEFING.—The Director of National Intelligence*
22 *shall provide to the congressional intelligence committees an*
23 *interim briefing on the report under subsection (a), includ-*
24 *ing a discussion of proposals and options for responding*
25 *to cyber attacks.*

1 (d) *FORM.*—The report under subsection (a) shall be
2 submitted in unclassified form, but may include a classified
3 annex.

4 **SEC. 706. REPORT ON HIRING OF GRADUATES OF CYBER**
5 **CORPS SCHOLARSHIP PROGRAM BY INTEL-**
6 **LIGENCE COMMUNITY.**

7 (a) *IN GENERAL.*—Not later than 90 days after the
8 date of the enactment of this Act, the Director of National
9 Intelligence, in coordination with the Director of the Na-
10 tional Science Foundation, shall submit to the congressional
11 intelligence committees a report on the employment by the
12 intelligence community of graduates of the Cyber Corps
13 Scholarship Program. The report shall include the fol-
14 lowing:

15 (1) *The number of graduates of the Cyber Corps*
16 *Scholarship Program hired by each element of the in-*
17 *telligence community.*

18 (2) *A description of how each element of the in-*
19 *telligence community recruits graduates of the Cyber*
20 *Corps Scholar Program.*

21 (3) *A description of any processes available to*
22 *the intelligence community to expedite the hiring or*
23 *processing of security clearances for graduates of the*
24 *Cyber Corps Scholar Program.*

1 (A) each type of covered business concern;

2 and

3 (B) each element of the intelligence commu-

4 nity.

5 (2) If, as of the date of the enactment of this Act,

6 the Director does not record and monitor the statistics

7 required to carry out this section, a description of the

8 actions taken by the Director to ensure that such sta-

9 tistics are recorded and monitored beginning in fiscal

10 year 2016.

11 (3) The actions the Director plans to take during

12 fiscal year 2016 to enhance the awarding of contracts

13 to covered business concerns by elements of the intel-

14 ligence community.

15 (c) *COVERED BUSINESS CONCERNS DEFINED.*—In this

16 section, the term “covered business concerns” means the fol-

17 lowing:

18 (1) *Minority-owned businesses.*

19 (2) *Women-owned businesses.*

20 (3) *Small disadvantaged businesses.*

21 (4) *Service-disabled veteran-owned businesses.*

22 (5) *Veteran-owned small businesses.*

1 ***Subtitle B—Other Matters***

2 ***SEC. 711. USE OF HOMELAND SECURITY GRANT FUNDS IN***
3 ***CONJUNCTION WITH DEPARTMENT OF EN-***
4 ***ERGY NATIONAL LABORATORIES.***

5 *Section 2008(a) of the Homeland Security Act of 2002*
6 *(6 U.S.C. 609(a)) is amended in the matter preceding para-*
7 *graph (1) by inserting “including by working in conjunc-*
8 *tion with a National Laboratory (as defined in section 2(3)*
9 *of the Energy Policy Act of 2005 (42 U.S.C. 15801(3)),”*
10 *after “plans.”*

11 ***SEC. 712. INCLUSION OF CERTAIN MINORITY-SERVING IN-***
12 ***STITUTIONS IN GRANT PROGRAM TO EN-***
13 ***HANCE RECRUITING OF INTELLIGENCE COM-***
14 ***MUNITY WORKFORCE.***

15 *Section 1024 of the National Security Act of 1947 (50*
16 *U.S.C. 3224) is amended—*

17 *(1) in subsection (c)—*

18 *(A) in paragraph (1), by striking “histori-*
19 *cally black colleges and universities and Pre-*
20 *dominantly Black Institutions” and inserting*
21 *“historically black colleges and universities, Pre-*
22 *dominantly Black Institutions, Hispanic-serving*
23 *institutions, and Asian American and Native*
24 *American Pacific Islander-serving institutions”;*
25 *and*

TITLE I—CYBERSECURITY INFORMATION SHARING

- Sec. 101. Short title.*
Sec. 102. Definitions.
Sec. 103. Sharing of information by the Federal Government.
Sec. 104. Authorizations for preventing, detecting, analyzing, and mitigating cybersecurity threats.
Sec. 105. Sharing of cyber threat indicators and defensive measures with the Federal Government.
Sec. 106. Protection from liability.
Sec. 107. Oversight of Government activities.
Sec. 108. Construction and preemption.
Sec. 109. Report on cybersecurity threats.
Sec. 110. Exception to limitation on authority of Secretary of Defense to disseminate certain information.
Sec. 111. Effective period.

TITLE II—NATIONAL CYBERSECURITY ADVANCEMENT

Subtitle A—National Cybersecurity and Communications Integration Center

- Sec. 201. Short title.*
Sec. 202. Definitions.
Sec. 203. Information sharing structure and processes.
Sec. 204. Information sharing and analysis organizations.
Sec. 205. National response framework.
Sec. 206. Report on reducing cybersecurity risks in DHS data centers.
Sec. 207. Assessment.
Sec. 208. Multiple simultaneous cyber incidents at critical infrastructure.
Sec. 209. Report on cybersecurity vulnerabilities of United States ports.
Sec. 210. Prohibition on new regulatory authority.
Sec. 211. Termination of reporting requirements.

Subtitle B—Federal Cybersecurity Enhancement

- Sec. 221. Short title.*
Sec. 222. Definitions.
Sec. 223. Improved Federal network security.
Sec. 224. Advanced internal defenses.
Sec. 225. Federal cybersecurity requirements.
Sec. 226. Assessment; reports.
Sec. 227. Termination.
Sec. 228. Identification of information systems relating to national security.
Sec. 229. Direction to agencies.

TITLE III—FEDERAL CYBERSECURITY WORKFORCE ASSESSMENT

- Sec. 301. Short title.*
Sec. 302. Definitions.
Sec. 303. National cybersecurity workforce measurement initiative.
Sec. 304. Identification of cyber-related work roles of critical need.
Sec. 305. Government Accountability Office status reports.

TITLE IV—OTHER CYBER MATTERS

- Sec. 401. Study on mobile device security.*
Sec. 402. Department of State international cyberspace policy strategy.

Sec. 403. Apprehension and prosecution of international cyber criminals.

Sec. 404. Enhancement of emergency services.

Sec. 405. Improving cybersecurity in the health care industry.

Sec. 406. Federal computer security.

Sec. 407. Stopping the fraudulent sale of financial information of people of the United States.

1 **TITLE I—CYBERSECURITY**
2 **INFORMATION SHARING**

3 **SEC. 101. SHORT TITLE.**

4 *This title may be cited as the “Cybersecurity Informa-*
5 *tion Sharing Act of 2015”.*

6 **SEC. 102. DEFINITIONS.**

7 *In this title:*

8 (1) *AGENCY.*—*The term “agency” has the mean-*
9 *ing given the term in section 3502 of title 44, United*
10 *States Code.*

11 (2) *ANTITRUST LAWS.*—*The term “antitrust*
12 *laws”—*

13 (A) *has the meaning given the term in the*
14 *first section of the Clayton Act (15 U.S.C. 12);*

15 (B) *includes section 5 of the Federal Trade*
16 *Commission Act (15 U.S.C. 45) to the extent that*
17 *section 5 of that Act applies to unfair methods*
18 *of competition; and*

19 (C) *includes any State antitrust law, but*
20 *only to the extent that such law is consistent*
21 *with the law referred to in subparagraph (A) or*
22 *the law referred to in subparagraph (B).*

1 (3) *APPROPRIATE FEDERAL ENTITIES.*—*The*
2 *term “appropriate Federal entities” means the fol-*
3 *lowing:*

4 (A) *The Department of Commerce.*

5 (B) *The Department of Defense.*

6 (C) *The Department of Energy.*

7 (D) *The Department of Homeland Security.*

8 (E) *The Department of Justice.*

9 (F) *The Department of the Treasury.*

10 (G) *The Office of the Director of National*
11 *Intelligence.*

12 (4) *CYBERSECURITY PURPOSE.*—*The term “cy-*
13 *bersecurity purpose” means the purpose of protecting*
14 *an information system or information that is stored*
15 *on, processed by, or transiting an information system*
16 *from a cybersecurity threat or security vulnerability.*

17 (5) *CYBERSECURITY THREAT.*—

18 (A) *IN GENERAL.*—*Except as provided in*
19 *subparagraph (B), the term “cybersecurity*
20 *threat” means an action, not protected by the*
21 *First Amendment to the Constitution of the*
22 *United States, on or through an information sys-*
23 *tem that may result in an unauthorized effort to*
24 *adversely impact the security, availability, con-*
25 *fidentiality, or integrity of an information sys-*

1 *tem or information that is stored on, processed*
2 *by, or transiting an information system.*

3 (B) *EXCLUSION.—The term “cybersecurity*
4 *threat” does not include any action that solely*
5 *involves a violation of a consumer term of service*
6 *or a consumer licensing agreement.*

7 (6) *CYBER THREAT INDICATOR.—The term*
8 *“cyber threat indicator” means information that is*
9 *necessary to describe or identify—*

10 (A) *malicious reconnaissance, including*
11 *anomalous patterns of communications that ap-*
12 *pear to be transmitted for the purpose of gath-*
13 *ering technical information related to a cyberse-*
14 *curity threat or security vulnerability;*

15 (B) *a method of defeating a security control*
16 *or exploitation of a security vulnerability;*

17 (C) *a security vulnerability, including*
18 *anomalous activity that appears to indicate the*
19 *existence of a security vulnerability;*

20 (D) *a method of causing a user with legiti-*
21 *mate access to an information system or infor-*
22 *mation that is stored on, processed by, or*
23 *transiting an information system to unwittingly*
24 *enable the defeat of a security control or exploi-*
25 *tation of a security vulnerability;*

1 (E) malicious cyber command and control;

2 (F) the actual or potential harm caused by
3 an incident, including a description of the infor-
4 mation exfiltrated as a result of a particular cy-
5 bersecurity threat;

6 (G) any other attribute of a cybersecurity
7 threat, if disclosure of such attribute is not other-
8 wise prohibited by law; or

9 (H) any combination thereof.

10 (7) *DEFENSIVE MEASURE.*—

11 (A) *IN GENERAL.*—*Except as provided in*
12 *subparagraph (B), the term “defensive measure”*
13 *means an action, device, procedure, signature,*
14 *technique, or other measure applied to an infor-*
15 *mation system or information that is stored on,*
16 *processed by, or transiting an information sys-*
17 *tem that detects, prevents, or mitigates a known*
18 *or suspected cybersecurity threat or security vul-*
19 *nerability.*

20 (B) *EXCLUSION.*—*The term “defensive*
21 *measure” does not include a measure that de-*
22 *stroys, renders unusable, provides unauthorized*
23 *access to, or substantially harms an information*
24 *system or information stored on, processed by, or*

1 *transiting such information system not owned*
2 *by—*

3 *(i) the private entity operating the*
4 *measure; or*

5 *(ii) another entity or Federal entity*
6 *that is authorized to provide consent and*
7 *has provided consent to that private entity*
8 *for operation of such measure.*

9 (8) *FEDERAL ENTITY.*—*The term “Federal enti-*
10 *ty” means a department or agency of the United*
11 *States or any component of such department or agen-*
12 *cy.*

13 (9) *INFORMATION SYSTEM.*—*The term “informa-*
14 *tion system”—*

15 *(A) has the meaning given the term in sec-*
16 *tion 3502 of title 44, United States Code; and*

17 *(B) includes industrial control systems,*
18 *such as supervisory control and data acquisition*
19 *systems, distributed control systems, and pro-*
20 *grammable logic controllers.*

21 (10) *LOCAL GOVERNMENT.*—*The term “local gov-*
22 *ernment” means any borough, city, county, parish,*
23 *town, township, village, or other political subdivision*
24 *of a State.*

1 (11) *MALICIOUS CYBER COMMAND AND CON-*
2 *TROL.—The term “malicious cyber command and*
3 *control” means a method for unauthorized remote*
4 *identification of, access to, or use of, an information*
5 *system or information that is stored on, processed by,*
6 *or transiting an information system.*

7 (12) *MALICIOUS RECONNAISSANCE.—The term*
8 *“malicious reconnaissance” means a method for ac-*
9 *tively probing or passively monitoring an informa-*
10 *tion system for the purpose of discerning security*
11 *vulnerabilities of the information system, if such*
12 *method is associated with a known or suspected cyber-*
13 *security threat.*

14 (13) *MONITOR.—The term “monitor” means to*
15 *acquire, identify, or scan, or to possess, information*
16 *that is stored on, processed by, or transiting an infor-*
17 *mation system.*

18 (14) *NON-FEDERAL ENTITY.—*

19 (A) *IN GENERAL.—Except as otherwise pro-*
20 *vided in this paragraph, the term “non-Federal*
21 *entity” means any private entity, non-Federal*
22 *government agency or department, or State, trib-*
23 *al, or local government (including a political*
24 *subdivision, department, or component thereof).*

1 (B) *INCLUSIONS.*—*The term “non-Federal*
2 *entity” includes a government agency or depart-*
3 *ment of the District of Columbia, the Common-*
4 *wealth of Puerto Rico, the United States Virgin*
5 *Islands, Guam, American Samoa, the Northern*
6 *Mariana Islands, and any other territory or pos-*
7 *session of the United States.*

8 (C) *EXCLUSION.*—*The term “non-Federal*
9 *entity” does not include a foreign power as de-*
10 *fin ed in section 101 of the Foreign Intelligence*
11 *Surveillance Act of 1978 (50 U.S.C. 1801).*

12 (15) *PRIVATE ENTITY.*—

13 (A) *IN GENERAL.*—*Except as otherwise pro-*
14 *vided in this paragraph, the term “private enti-*
15 *ty” means any person or private group, organi-*
16 *zation, proprietorship, partnership, trust, cooper-*
17 *ative, corporation, or other commercial or non-*
18 *profit entity, including an officer, employee, or*
19 *agent thereof.*

20 (B) *INCLUSION.*—*The term “private entity”*
21 *includes a State, tribal, or local government per-*
22 *forming utility services, such as electric, natural*
23 *gas, or water services.*

24 (C) *EXCLUSION.*—*The term “private entity”*
25 *does not include a foreign power as defined in*

1 *jointly develop and issue procedures to facilitate and pro-*
2 *mote—*

3 (1) *the timely sharing of classified cyber threat*
4 *indicators and defensive measures in the possession of*
5 *the Federal Government with representatives of rel-*
6 *evant Federal entities and non-Federal entities that*
7 *have appropriate security clearances;*

8 (2) *the timely sharing with relevant Federal en-*
9 *tities and non-Federal entities of cyber threat indica-*
10 *tors, defensive measures, and information relating to*
11 *cybersecurity threats or authorized uses under this*
12 *title, in the possession of the Federal Government that*
13 *may be declassified and shared at an unclassified*
14 *level;*

15 (3) *the timely sharing with relevant Federal en-*
16 *tities and non-Federal entities, or the public if appro-*
17 *priate, of unclassified, including controlled unclassi-*
18 *fied, cyber threat indicators and defensive measures*
19 *in the possession of the Federal Government;*

20 (4) *the timely sharing with Federal entities and*
21 *non-Federal entities, if appropriate, of information*
22 *relating to cybersecurity threats or authorized uses*
23 *under this title, in the possession of the Federal Gov-*
24 *ernment about cybersecurity threats to such entities to*

1 *prevent or mitigate adverse effects from such cyberse-*
2 *curity threats; and*

3 *(5) the periodic sharing, through publication and*
4 *targeted outreach, of cybersecurity best practices that*
5 *are developed based on ongoing analyses of cyber*
6 *threat indicators, defensive measures, and informa-*
7 *tion relating to cybersecurity threats or authorized*
8 *uses under this title, in the possession of the Federal*
9 *Government, with attention to accessibility and im-*
10 *plementation challenges faced by small business con-*
11 *cerns (as defined in section 3 of the Small Business*
12 *Act (15 U.S.C. 632)).*

13 *(b) DEVELOPMENT OF PROCEDURES.—*

14 *(1) IN GENERAL.—The procedures developed*
15 *under subsection (a) shall—*

16 *(A) ensure the Federal Government has and*
17 *maintains the capability to share cyber threat*
18 *indicators and defensive measures in real time*
19 *consistent with the protection of classified infor-*
20 *mation;*

21 *(B) incorporate, to the greatest extent prac-*
22 *ticable, existing processes and existing roles and*
23 *responsibilities of Federal entities and non-Fed-*
24 *eral entities for information sharing by the Fed-*

1 *eral Government, including sector specific infor-*
2 *mation sharing and analysis centers;*

3 *(C) include procedures for notifying, in a*
4 *timely manner, Federal entities and non-Federal*
5 *entities that have received a cyber threat indi-*
6 *cator or defensive measure from a Federal entity*
7 *under this title that is known or determined to*
8 *be in error or in contravention of the require-*
9 *ments of this title or another provision of Fed-*
10 *eral law or policy of such error or contravention;*

11 *(D) include requirements for Federal enti-*
12 *ties sharing cyber threat indicators or defensive*
13 *measures to implement and utilize security con-*
14 *trols to protect against unauthorized access to or*
15 *acquisition of such cyber threat indicators or de-*
16 *fensive measures;*

17 *(E) include procedures that require a Fed-*
18 *eral entity, prior to the sharing of a cyber threat*
19 *indicator—*

20 *(i) to review such cyber threat indi-*
21 *cator to assess whether such cyber threat in-*
22 *dicator contains any information not di-*
23 *rectly related to a cybersecurity threat that*
24 *such Federal entity knows at the time of*
25 *sharing to be personal information of a spe-*

1 *cific individual or information that identi-*
2 *fies a specific individual and remove such*
3 *information; or*

4 *(ii) to implement and utilize a tech-*
5 *nical capability configured to remove any*
6 *information not directly related to a cyber-*
7 *security threat that the Federal entity*
8 *knows at the time of sharing to be personal*
9 *information of a specific individual or in-*
10 *formation that identifies a specific indi-*
11 *vidual; and*

12 *(F) include procedures for notifying, in a*
13 *timely manner, any United States person whose*
14 *personal information is known or determined to*
15 *have been shared by a Federal entity in violation*
16 *of this title.*

17 *(2) CONSULTATION.—In developing the proce-*
18 *dures required under this section, the Director of Na-*
19 *tional Intelligence, the Secretary of Homeland Secu-*
20 *rity, the Secretary of Defense, and the Attorney Gen-*
21 *eral shall consult with appropriate Federal entities,*
22 *including the Small Business Administration and the*
23 *National Laboratories (as defined in section 2 of the*
24 *Energy Policy Act of 2005 (42 U.S.C. 15801)), to en-*
25 *sure that effective protocols are implemented that will*

1 *facilitate and promote the sharing of cyber threat in-*
2 *dicators by the Federal Government in a timely man-*
3 *ner.*

4 *(c) SUBMITTAL TO CONGRESS.—Not later than 60*
5 *days after the date of the enactment of this Act, the Director*
6 *of National Intelligence, in consultation with the heads of*
7 *the appropriate Federal entities, shall submit to Congress*
8 *the procedures required by subsection (a).*

9 **SEC. 104. AUTHORIZATIONS FOR PREVENTING, DETECTING,**
10 **ANALYZING, AND MITIGATING CYBERSECU-**
11 **RITY THREATS.**

12 *(a) AUTHORIZATION FOR MONITORING.—*

13 *(1) IN GENERAL.—Notwithstanding any other*
14 *provision of law, a private entity may, for cybersecu-*
15 *rity purposes, monitor—*

16 *(A) an information system of such private*
17 *entity;*

18 *(B) an information system of another non-*
19 *Federal entity, upon the authorization and writ-*
20 *ten consent of such other entity;*

21 *(C) an information system of a Federal en-*
22 *tity, upon the authorization and written consent*
23 *of an authorized representative of the Federal en-*
24 *tity; and*

1 (D) information that is stored on, processed
2 by, or transiting an information system mon-
3 itored by the private entity under this para-
4 graph.

5 (2) CONSTRUCTION.—Nothing in this subsection
6 shall be construed—

7 (A) to authorize the monitoring of an infor-
8 mation system, or the use of any information ob-
9 tained through such monitoring, other than as
10 provided in this title; or

11 (B) to limit otherwise lawful activity.

12 (b) AUTHORIZATION FOR OPERATION OF DEFENSIVE
13 MEASURES.—

14 (1) IN GENERAL.—Notwithstanding any other
15 provision of law, a private entity may, for cybersecu-
16 rity purposes, operate a defensive measure that is ap-
17 plied to—

18 (A) an information system of such private
19 entity in order to protect the rights or property
20 of the private entity;

21 (B) an information system of another non-
22 Federal entity upon written consent of such enti-
23 ty for operation of such defensive measure to
24 protect the rights or property of such entity; and

1 (C) an information system of a Federal en-
2 tity upon written consent of an authorized rep-
3 resentative of such Federal entity for operation
4 of such defensive measure to protect the rights or
5 property of the Federal Government.

6 (2) CONSTRUCTION.—Nothing in this subsection
7 shall be construed—

8 (A) to authorize the use of a defensive meas-
9 ure other than as provided in this subsection; or

10 (B) to limit otherwise lawful activity.

11 (c) AUTHORIZATION FOR SHARING OR RECEIVING
12 CYBER THREAT INDICATORS OR DEFENSIVE MEASURES.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2) and notwithstanding any other provision of
15 law, a non-Federal entity may, for a cybersecurity
16 purpose and consistent with the protection of classi-
17 fied information, share with, or receive from, any
18 other non-Federal entity or the Federal Government a
19 cyber threat indicator or defensive measure.

20 (2) LAWFUL RESTRICTION.—A non-Federal enti-
21 ty receiving a cyber threat indicator or defensive
22 measure from another non-Federal entity or a Federal
23 entity shall comply with otherwise lawful restrictions
24 placed on the sharing or use of such cyber threat indi-

1 *cator or defensive measure by the sharing non-Federal*
2 *entity or Federal entity.*

3 (3) *CONSTRUCTION.—Nothing in this subsection*
4 *shall be construed—*

5 (A) *to authorize the sharing or receiving of*
6 *a cyber threat indicator or defensive measure*
7 *other than as provided in this subsection; or*

8 (B) *to limit otherwise lawful activity.*

9 (d) *PROTECTION AND USE OF INFORMATION.—*

10 (1) *SECURITY OF INFORMATION.—A non-Federal*
11 *entity monitoring an information system, operating a*
12 *defensive measure, or providing or receiving a cyber*
13 *threat indicator or defensive measure under this sec-*
14 *tion shall implement and utilize a security control to*
15 *protect against unauthorized access to or acquisition*
16 *of such cyber threat indicator or defensive measure.*

17 (2) *REMOVAL OF CERTAIN PERSONAL INFORMA-*
18 *TION.—A non-Federal entity sharing a cyber threat*
19 *indicator pursuant to this title shall, prior to such*
20 *sharing—*

21 (A) *review such cyber threat indicator to as-*
22 *sess whether such cyber threat indicator contains*
23 *any information not directly related to a cyber-*
24 *security threat that the non-Federal entity knows*
25 *at the time of sharing to be personal information*

1 of a specific individual or information that iden-
2 tifies a specific individual and remove such in-
3 formation; or

4 (B) implement and utilize a technical capa-
5 bility configured to remove any information not
6 directly related to a cybersecurity threat that the
7 non-Federal entity knows at the time of sharing
8 to be personal information of a specific indi-
9 vidual or information that identifies a specific
10 individual.

11 (3) *USE OF CYBER THREAT INDICATORS AND DE-*
12 *FENSIVE MEASURES BY NON-FEDERAL ENTITIES.*—

13 (A) *IN GENERAL.*—*Consistent with this*
14 *title, a cyber threat indicator or defensive meas-*
15 *ure shared or received under this section may,*
16 *for cybersecurity purposes—*

17 (i) *be used by a non-Federal entity to*
18 *monitor or operate a defensive measure that*
19 *is applied to—*

20 (I) *an information system of the*
21 *non-Federal entity; or*

22 (II) *an information system of an-*
23 *other non-Federal entity or a Federal*
24 *entity upon the written consent of that*

1 *other non-Federal entity or that Fed-*
2 *eral entity; and*

3 *(ii) be otherwise used, retained, and*
4 *further shared by a non-Federal entity sub-*
5 *ject to—*

6 *(I) an otherwise lawful restriction*
7 *placed by the sharing non-Federal enti-*
8 *ty or Federal entity on such cyber*
9 *threat indicator or defensive measure;*
10 *or*

11 *(II) an otherwise applicable pro-*
12 *vision of law.*

13 *(B) CONSTRUCTION.—Nothing in this para-*
14 *graph shall be construed to authorize the use of*
15 *a cyber threat indicator or defensive measure*
16 *other than as provided in this section.*

17 *(4) USE OF CYBER THREAT INDICATORS BY*
18 *STATE, TRIBAL, OR LOCAL GOVERNMENT.—*

19 *(A) LAW ENFORCEMENT USE.—A State,*
20 *tribal, or local government that receives a cyber*
21 *threat indicator or defensive measure under this*
22 *title may use such cyber threat indicator or de-*
23 *fensive measure for the purposes described in sec-*
24 *tion 105(d)(5)(A).*

1 (B) *EXEMPTION FROM DISCLOSURE.*—A
2 *cyber threat indicator or defensive measure*
3 *shared by or with a State, tribal, or local govern-*
4 *ment, including a component of a State, tribal,*
5 *or local government that is a private entity,*
6 *under this section shall be—*

7 (i) *deemed voluntarily shared informa-*
8 *tion; and*

9 (ii) *exempt from disclosure under any*
10 *provision of State, tribal, or local freedom*
11 *of information law, open government law,*
12 *open meetings law, open records law, sun-*
13 *shine law, or similar law requiring disclo-*
14 *sure of information or records.*

15 (C) *STATE, TRIBAL, AND LOCAL REGU-*
16 *LATORY AUTHORITY.*—

17 (i) *IN GENERAL.*—*Except as provided*
18 *in clause (ii), a cyber threat indicator or*
19 *defensive measure shared with a State, trib-*
20 *al, or local government under this title shall*
21 *not be used by any State, tribal, or local*
22 *government to regulate, including an en-*
23 *forcement action, the lawful activity of any*
24 *non-Federal entity or any activity taken by*
25 *a non-Federal entity pursuant to manda-*

1 *tory standards, including an activity relat-*
2 *ing to monitoring, operating a defensive*
3 *measure, or sharing of a cyber threat indi-*
4 *cator.*

5 *(ii) REGULATORY AUTHORITY SPECIFI-*
6 *CALLY RELATING TO PREVENTION OR MITI-*
7 *GATION OF CYBERSECURITY THREATS.—A*
8 *cyber threat indicator or defensive measure*
9 *shared as described in clause (i) may, con-*
10 *sistent with a State, tribal, or local govern-*
11 *ment regulatory authority specifically relat-*
12 *ing to the prevention or mitigation of cyber-*
13 *security threats to information systems, in-*
14 *form the development or implementation of*
15 *a regulation relating to such information*
16 *systems.*

17 *(e) ANTITRUST EXEMPTION.—*

18 *(1) IN GENERAL.—Except as provided in section*
19 *108(e), it shall not be considered a violation of any*
20 *provision of antitrust laws for 2 or more private enti-*
21 *ties to exchange or provide a cyber threat indicator*
22 *or defensive measure, or assistance relating to the pre-*
23 *vention, investigation, or mitigation of a cybersecu-*
24 *rity threat, for cybersecurity purposes under this title.*

1 (2) *APPLICABILITY.*—*Paragraph (1) shall apply*
2 *only to information that is exchanged or assistance*
3 *provided in order to assist with—*

4 (A) *facilitating the prevention, investiga-*
5 *tion, or mitigation of a cybersecurity threat to*
6 *an information system or information that is*
7 *stored on, processed by, or transiting an infor-*
8 *mation system; or*

9 (B) *communicating or disclosing a cyber*
10 *threat indicator to help prevent, investigate, or*
11 *mitigate the effect of a cybersecurity threat to an*
12 *information system or information that is stored*
13 *on, processed by, or transiting an information*
14 *system.*

15 (f) *NO RIGHT OR BENEFIT.*—*The sharing of a cyber*
16 *threat indicator or defensive measure with a non-Federal*
17 *entity under this title shall not create a right or benefit*
18 *to similar information by such non-Federal entity or any*
19 *other non-Federal entity.*

20 **SEC. 105. SHARING OF CYBER THREAT INDICATORS AND**
21 **DEFENSIVE MEASURES WITH THE FEDERAL**
22 **GOVERNMENT.**

23 (a) *REQUIREMENT FOR POLICIES AND PROCE-*
24 *DURES.*—

1 (1) *INTERIM POLICIES AND PROCEDURES.*—Not
2 *later than 60 days after the date of the enactment of*
3 *this Act, the Attorney General and the Secretary of*
4 *Homeland Security shall, in consultation with the*
5 *heads of the appropriate Federal entities, jointly de-*
6 *velop and submit to Congress interim policies and*
7 *procedures relating to the receipt of cyber threat indi-*
8 *cators and defensive measures by the Federal Govern-*
9 *ment.*

10 (2) *FINAL POLICIES AND PROCEDURES.*—Not
11 *later than 180 days after the date of the enactment*
12 *of this Act, the Attorney General and the Secretary of*
13 *Homeland Security shall, in consultation with the*
14 *heads of the appropriate Federal entities, jointly issue*
15 *and make publicly available final policies and proce-*
16 *dures relating to the receipt of cyber threat indicators*
17 *and defensive measures by the Federal Government.*

18 (3) *REQUIREMENTS CONCERNING POLICIES AND*
19 *PROCEDURES.*—*Consistent with the guidelines re-*
20 *quired by subsection (b), the policies and procedures*
21 *developed or issued under this subsection shall—*

22 (A) *ensure that cyber threat indicators*
23 *shared with the Federal Government by any non-*
24 *Federal entity pursuant to section 104(c)*

1 through the real-time process described in sub-
2 section (c) of this section—

3 (i) are shared in an automated man-
4 ner with all of the appropriate Federal enti-
5 ties;

6 (ii) are only subject to a delay, modi-
7 fication, or other action due to controls es-
8 tablished for such real-time process that
9 could impede real-time receipt by all of the
10 appropriate Federal entities when the delay,
11 modification, or other action is due to con-
12 trols—

13 (I) agreed upon unanimously by
14 all of the heads of the appropriate Fed-
15 eral entities;

16 (II) carried out before any of the
17 appropriate Federal entities retains or
18 uses the cyber threat indicators or de-
19 fensive measures; and

20 (III) uniformly applied such that
21 each of the appropriate Federal entities
22 is subject to the same delay, modifica-
23 tion, or other action; and

24 (iii) may be provided to other Federal
25 entities;

1 (B) ensure that cyber threat indicators
2 shared with the Federal Government by any non-
3 Federal entity pursuant to section 104 in a
4 manner other than the real-time process de-
5 scribed in subsection (c) of this section—

6 (i) are shared as quickly as operation-
7 ally practicable with all of the appropriate
8 Federal entities;

9 (ii) are not subject to any unnecessary
10 delay, interference, or any other action that
11 could impede receipt by all of the appro-
12 priate Federal entities; and

13 (iii) may be provided to other Federal
14 entities; and

15 (C) ensure there are—

16 (i) audit capabilities; and

17 (ii) appropriate sanctions in place for
18 officers, employees, or agents of a Federal
19 entity who knowingly and willfully conduct
20 activities under this title in an unauthor-
21 ized manner.

22 (4) GUIDELINES FOR ENTITIES SHARING CYBER
23 THREAT INDICATORS WITH FEDERAL GOVERNMENT.—

24 (A) IN GENERAL.—Not later than 60 days
25 after the date of the enactment of this Act, the

1 *Attorney General and the Secretary of Homeland*
2 *Security shall jointly develop and make publicly*
3 *available guidance to assist entities and promote*
4 *sharing of cyber threat indicators with Federal*
5 *entities under this title.*

6 *(B) CONTENTS.—The guidelines developed*
7 *and made publicly available under subpara-*
8 *graph (A) shall include guidance on the fol-*
9 *lowing:*

10 *(i) Identification of types of informa-*
11 *tion that would qualify as a cyber threat*
12 *indicator under this title that would be un-*
13 *likely to include information that—*

14 *(I) is not directly related to a cy-*
15 *bersecurity threat; and*

16 *(II) is personal information of a*
17 *specific individual or information that*
18 *identifies a specific individual.*

19 *(ii) Identification of types of informa-*
20 *tion protected under otherwise applicable*
21 *privacy laws that are unlikely to be directly*
22 *related to a cybersecurity threat.*

23 *(iii) Such other matters as the Attor-*
24 *ney General and the Secretary of Homeland*
25 *Security consider appropriate for entities*

1 *sharing cyber threat indicators with Federal*
2 *entities under this title.*

3 **(b) PRIVACY AND CIVIL LIBERTIES.—**

4 **(1) INTERIM GUIDELINES.—***Not later than 60*
5 *days after the date of the enactment of this Act, the*
6 *Attorney General and the Secretary of Homeland Se-*
7 *curity shall, in consultation with heads of the appro-*
8 *priate Federal entities and in consultation with offi-*
9 *cers designated under section 1062 of the National Se-*
10 *curity Intelligence Reform Act of 2004 (42 U.S.C.*
11 *2000ee–1), jointly develop, submit to Congress, and*
12 *make available to the public interim guidelines relat-*
13 *ing to privacy and civil liberties which shall govern*
14 *the receipt, retention, use, and dissemination of cyber*
15 *threat indicators by a Federal entity obtained in con-*
16 *nection with activities authorized in this title.*

17 **(2) FINAL GUIDELINES.—**

18 **(A) IN GENERAL.—***Not later than 180 days*
19 *after the date of the enactment of this Act, the*
20 *Attorney General and the Secretary of Homeland*
21 *Security shall, in coordination with heads of the*
22 *appropriate Federal entities and in consultation*
23 *with officers designated under section 1062 of the*
24 *National Security Intelligence Reform Act of*
25 *2004 (42 U.S.C. 2000ee–1) and such private en-*

1 *tities with industry expertise as the Attorney*
2 *General and the Secretary consider relevant,*
3 *jointly issue and make publicly available final*
4 *guidelines relating to privacy and civil liberties*
5 *which shall govern the receipt, retention, use,*
6 *and dissemination of cyber threat indicators by*
7 *a Federal entity obtained in connection with ac-*
8 *tivities authorized in this title.*

9 *(B) PERIODIC REVIEW.—The Attorney Gen-*
10 *eral and the Secretary of Homeland Security*
11 *shall, in coordination with heads of the appro-*
12 *priate Federal entities and in consultation with*
13 *officers and private entities described in sub-*
14 *paragraph (A), periodically, but not less fre-*
15 *quently than once every 2 years, jointly review*
16 *the guidelines issued under subparagraph (A).*

17 *(3) CONTENT.—The guidelines required by para-*
18 *graphs (1) and (2) shall, consistent with the need to*
19 *protect information systems from cybersecurity*
20 *threats and mitigate cybersecurity threats—*

21 *(A) limit the effect on privacy and civil lib-*
22 *erties of activities by the Federal Government*
23 *under this title;*

24 *(B) limit the receipt, retention, use, and*
25 *dissemination of cyber threat indicators con-*

1 *taining personal information of specific individ-*
2 *uals or information that identifies specific indi-*
3 *viduals, including by establishing—*

4 *(i) a process for the timely destruction*
5 *of such information that is known not to be*
6 *directly related to uses authorized under*
7 *this title; and*

8 *(ii) specific limitations on the length of*
9 *any period in which a cyber threat indi-*
10 *cator may be retained;*

11 *(C) include requirements to safeguard cyber*
12 *threat indicators containing personal informa-*
13 *tion of specific individuals or information that*
14 *identifies specific individuals from unauthorized*
15 *access or acquisition, including appropriate*
16 *sanctions for activities by officers, employees, or*
17 *agents of the Federal Government in contraven-*
18 *tion of such guidelines;*

19 *(D) consistent with this title, any other ap-*
20 *licable provisions of law, and the fair informa-*
21 *tion practice principles set forth in appendix A*
22 *of the document entitled “National Strategy for*
23 *Trusted Identities in Cyberspace” and published*
24 *by the President in April 2011, govern the reten-*
25 *tion, use, and dissemination by the Federal Gov-*

1 *ernment of cyber threat indicators shared with*
2 *the Federal Government under this title, includ-*
3 *ing the extent, if any, to which such cyber threat*
4 *indicators may be used by the Federal Govern-*
5 *ment;*

6 *(E) include procedures for notifying entities*
7 *and Federal entities if information received pur-*
8 *suant to this section is known or determined by*
9 *a Federal entity receiving such information not*
10 *to constitute a cyber threat indicator;*

11 *(F) protect the confidentiality of cyber*
12 *threat indicators containing personal informa-*
13 *tion of specific individuals or information that*
14 *identifies specific individuals to the greatest ex-*
15 *tent practicable and require recipients to be in-*
16 *formed that such indicators may only be used for*
17 *purposes authorized under this title; and*

18 *(G) include steps that may be needed so*
19 *that dissemination of cyber threat indicators is*
20 *consistent with the protection of classified and*
21 *other sensitive national security information.*

22 *(c) CAPABILITY AND PROCESS WITHIN THE DEPART-*
23 *MENT OF HOMELAND SECURITY.—*

24 *(1) IN GENERAL.—Not later than 90 days after*
25 *the date of the enactment of this Act, the Secretary of*

1 *Homeland Security, in coordination with the heads of*
2 *the appropriate Federal entities, shall develop and*
3 *implement a capability and process within the De-*
4 *partment of Homeland Security that—*

5 *(A) shall accept from any non-Federal enti-*
6 *ty in real time cyber threat indicators and de-*
7 *fensive measures, pursuant to this section;*

8 *(B) shall, upon submittal of the certifi-*
9 *cation under paragraph (2) that such capability*
10 *and process fully and effectively operates as de-*
11 *scribed in such paragraph, be the process by*
12 *which the Federal Government receives cyber*
13 *threat indicators and defensive measures under*
14 *this title that are shared by a non-Federal entity*
15 *with the Federal Government through electronic*
16 *mail or media, an interactive form on an Inter-*
17 *net website, or a real time, automated process be-*
18 *tween information systems except—*

19 *(i) consistent with section 104, commu-*
20 *nications between a Federal entity and a*
21 *non-Federal entity regarding a previously*
22 *shared cyber threat indicator to describe the*
23 *relevant cybersecurity threat or develop a*
24 *defensive measure based on such cyber*
25 *threat indicator; and*

1 (ii) communications by a regulated
2 non-Federal entity with such entity's Fed-
3 eral regulatory authority regarding a cyber-
4 security threat;

5 (C) ensures that all of the appropriate Fed-
6 eral entities receive in an automated manner
7 such cyber threat indicators and defensive meas-
8 ures shared through the real-time process within
9 the Department of Homeland Security;

10 (D) is in compliance with the policies, pro-
11 cedures, and guidelines required by this section;
12 and

13 (E) does not limit or prohibit otherwise
14 lawful disclosures of communications, records, or
15 other information, including—

16 (i) reporting of known or suspected
17 criminal activity, by a non-Federal entity
18 to any other non-Federal entity or a Fed-
19 eral entity, including cyber threat indica-
20 tors or defensive measures shared with a
21 Federal entity in furtherance of opening a
22 Federal law enforcement investigation;

23 (ii) voluntary or legally compelled par-
24 ticipation in a Federal investigation; and

1 (iii) providing cyber threat indicators
2 or defensive measures as part of a statutory
3 or authorized contractual requirement.

4 (2) CERTIFICATION AND DESIGNATION.—

5 (A) CERTIFICATION OF CAPABILITY AND
6 PROCESS.—Not later than 90 days after the date
7 of the enactment of this Act, the Secretary of
8 Homeland Security shall, in consultation with
9 the heads of the appropriate Federal entities,
10 submit to Congress a certification as to whether
11 the capability and process required by para-
12 graph (1) fully and effectively operates—

13 (i) as the process by which the Federal
14 Government receives from any non-Federal
15 entity a cyber threat indicator or defensive
16 measure under this title; and

17 (ii) in accordance with the interim
18 policies, procedures, and guidelines devel-
19 oped under this title.

20 (B) DESIGNATION.—

21 (i) IN GENERAL.—At any time after
22 certification is submitted under subpara-
23 graph (A), the President may designate an
24 appropriate Federal entity, other than the
25 Department of Defense (including the Na-

1 *tional Security Agency), to develop and im-*
2 *plement a capability and process as de-*
3 *scribed in paragraph (1) in addition to the*
4 *capability and process developed under such*
5 *paragraph by the Secretary of Homeland*
6 *Security, if, not fewer than 30 days before*
7 *making such designation, the President sub-*
8 *mits to Congress a certification and expla-*
9 *nation that—*

10 *(I) such designation is necessary*
11 *to ensure that full, effective, and secure*
12 *operation of a capability and process*
13 *for the Federal Government to receive*
14 *from any non-Federal entity cyber*
15 *threat indicators or defensive measures*
16 *under this title;*

17 *(II) the designated appropriate*
18 *Federal entity will receive and share*
19 *cyber threat indicators and defensive*
20 *measures in accordance with the poli-*
21 *cies, procedures, and guidelines devel-*
22 *oped under this title, including sub-*
23 *section (a)(3)(A); and*

24 *(III) such designation is con-*
25 *sistent with the mission of such appro-*

1 *appropriate Federal entity and improves the*
2 *ability of the Federal Government to*
3 *receive, share, and use cyber threat in-*
4 *dicators and defensive measures as au-*
5 *thorized under this title.*

6 *(ii) APPLICATION TO ADDITIONAL CA-*
7 *PABILITY AND PROCESS.—If the President*
8 *designates an appropriate Federal entity to*
9 *develop and implement a capability and*
10 *process under clause (i), the provisions of*
11 *this title that apply to the capability and*
12 *process required by paragraph (1) shall also*
13 *be construed to apply to the capability and*
14 *process developed and implemented under*
15 *clause (i).*

16 *(3) PUBLIC NOTICE AND ACCESS.—The Secretary*
17 *of Homeland Security shall ensure there is public no-*
18 *tice of, and access to, the capability and process devel-*
19 *oped and implemented under paragraph (1) so that—*

20 *(A) any non-Federal entity may share cyber*
21 *threat indicators and defensive measures through*
22 *such process with the Federal Government; and*

23 *(B) all of the appropriate Federal entities*
24 *receive such cyber threat indicators and defensive*
25 *measures in real time with receipt through the*

1 *process within the Department of Homeland Se-*
2 *curity consistent with the policies and proce-*
3 *dures issued under subsection (a).*

4 (4) *OTHER FEDERAL ENTITIES.*—*The process de-*
5 *veloped and implemented under paragraph (1) shall*
6 *ensure that other Federal entities receive in a timely*
7 *manner any cyber threat indicators and defensive*
8 *measures shared with the Federal Government*
9 *through such process.*

10 (d) *INFORMATION SHARED WITH OR PROVIDED TO*
11 *THE FEDERAL GOVERNMENT.*—

12 (1) *NO WAIVER OF PRIVILEGE OR PROTEC-*
13 *TION.*—*The provision of cyber threat indicators and*
14 *defensive measures to the Federal Government under*
15 *this title shall not constitute a waiver of any applica-*
16 *ble privilege or protection provided by law, including*
17 *trade secret protection.*

18 (2) *PROPRIETARY INFORMATION.*—*Consistent*
19 *with section 104(c)(2) and any other applicable pro-*
20 *vision of law, a cyber threat indicator or defensive*
21 *measure provided by a non-Federal entity to the Fed-*
22 *eral Government under this title shall be considered*
23 *the commercial, financial, and proprietary informa-*
24 *tion of such non-Federal entity when so designated by*
25 *the originating non-Federal entity or a third party*

1 *acting in accordance with the written authorization*
2 *of the originating non-Federal entity.*

3 (3) *EXEMPTION FROM DISCLOSURE.—A cyber*
4 *threat indicator or defensive measure shared with the*
5 *Federal Government under this title shall be—*

6 (A) *deemed voluntarily shared information*
7 *and exempt from disclosure under section 552 of*
8 *title 5, United States Code, and any State, trib-*
9 *al, or local provision of law requiring disclosure*
10 *of information or records; and*

11 (B) *withheld, without discretion, from the*
12 *public under section 552(b)(3)(B) of title 5,*
13 *United States Code, and any State, tribal, or*
14 *local provision of law requiring disclosure of in-*
15 *formation or records.*

16 (4) *EX PARTE COMMUNICATIONS.—The provision*
17 *of a cyber threat indicator or defensive measure to the*
18 *Federal Government under this title shall not be sub-*
19 *ject to a rule of any Federal agency or department or*
20 *any judicial doctrine regarding ex parte communica-*
21 *tions with a decision-making official.*

22 (5) *DISCLOSURE, RETENTION, AND USE.—*

23 (A) *AUTHORIZED ACTIVITIES.—Cyber*
24 *threat indicators and defensive measures pro-*
25 *vided to the Federal Government under this title*

1 *may be disclosed to, retained by, and used by,*
2 *consistent with otherwise applicable provisions of*
3 *Federal law, any Federal agency or department,*
4 *component, officer, employee, or agent of the Fed-*
5 *eral Government solely for—*

6 *(i) a cybersecurity purpose;*

7 *(ii) the purpose of identifying—*

8 *(I) a cybersecurity threat, includ-*
9 *ing the source of such cybersecurity*
10 *threat; or*

11 *(II) a security vulnerability;*

12 *(iii) the purpose of responding to, or*
13 *otherwise preventing or mitigating, a spe-*
14 *cific threat of death, a specific threat of se-*
15 *rious bodily harm, or a specific threat of se-*
16 *rious economic harm, including a terrorist*
17 *act or a use of a weapon of mass destruc-*
18 *tion;*

19 *(iv) the purpose of responding to, in-*
20 *vestigating, prosecuting, or otherwise pre-*
21 *venting or mitigating, a serious threat to a*
22 *minor, including sexual exploitation and*
23 *threats to physical safety; or*

24 *(v) the purpose of preventing, inves-*
25 *tigating, disrupting, or prosecuting an of-*

1 *fense arising out of a threat described in*
2 *clause (iii) or any of the offenses listed in—*

3 (I) *sections 1028 through 1030 of*
4 *title 18, United States Code (relating*
5 *to fraud and identity theft);*

6 (II) *chapter 37 of such title (relat-*
7 *ing to espionage and censorship); and*

8 (III) *chapter 90 of such title (re-*
9 *lating to protection of trade secrets).*

10 (B) *PROHIBITED ACTIVITIES.—Cyber threat*
11 *indicators and defensive measures provided to*
12 *the Federal Government under this title shall not*
13 *be disclosed to, retained by, or used by any Fed-*
14 *eral agency or department for any use not per-*
15 *mitted under subparagraph (A).*

16 (C) *PRIVACY AND CIVIL LIBERTIES.—Cyber*
17 *threat indicators and defensive measures pro-*
18 *vided to the Federal Government under this title*
19 *shall be retained, used, and disseminated by the*
20 *Federal Government—*

21 (i) *in accordance with the policies,*
22 *procedures, and guidelines required by sub-*
23 *sections (a) and (b);*

1 (ii) *in a manner that protects from*
2 *unauthorized use or disclosure any cyber*
3 *threat indicators that may contain—*

4 (I) *personal information of a spe-*
5 *cific individual; or*

6 (II) *information that identifies a*
7 *specific individual; and*

8 (iii) *in a manner that protects the con-*
9 *fidentiality of cyber threat indicators con-*
10 *taining—*

11 (I) *personal information of a spe-*
12 *cific individual; or*

13 (II) *information that identifies a*
14 *specific individual.*

15 (D) *FEDERAL REGULATORY AUTHORITY.—*

16 (i) *IN GENERAL.—Except as provided*
17 *in clause (ii), cyber threat indicators and*
18 *defensive measures provided to the Federal*
19 *Government under this title shall not be*
20 *used by any Federal, State, tribal, or local*
21 *government to regulate, including an en-*
22 *forcement action, the lawful activities of*
23 *any non-Federal entity or any activities*
24 *taken by a non-Federal entity pursuant to*
25 *mandatory standards, including activities*

1 relating to monitoring, operating defensive
2 measures, or sharing cyber threat indica-
3 tors.

4 (ii) *EXCEPTIONS.*—

5 (I) *REGULATORY AUTHORITY SPE-*
6 *CIFICALLY RELATING TO PREVENTION*
7 *OR MITIGATION OF CYBERSECURITY*
8 *THREATS.*—*Cyber threat indicators*
9 *and defensive measures provided to the*
10 *Federal Government under this title*
11 *may, consistent with Federal or State*
12 *regulatory authority specifically relat-*
13 *ing to the prevention or mitigation of*
14 *cybersecurity threats to information*
15 *systems, inform the development or im-*
16 *plementation of regulations relating to*
17 *such information systems.*

18 (II) *PROCEDURES DEVELOPED*
19 *AND IMPLEMENTED UNDER THIS*
20 *TITLE.*—*Clause (i) shall not apply to*
21 *procedures developed and implemented*
22 *under this title.*

23 **SEC. 106. PROTECTION FROM LIABILITY.**

24 (a) *MONITORING OF INFORMATION SYSTEMS.*—*No*
25 *cause of action shall lie or be maintained in any court*

1 *against any private entity, and such action shall be*
2 *promptly dismissed, for the monitoring of an information*
3 *system and information under section 104(a) that is con-*
4 *ducted in accordance with this title.*

5 **(b) SHARING OR RECEIPT OF CYBER THREAT INDICA-**
6 *TORS.—No cause of action shall lie or be maintained in*
7 *any court against any private entity, and such action shall*
8 *be promptly dismissed, for the sharing or receipt of a cyber*
9 *threat indicator or defensive measure under section 104(c)*
10 *if—*

11 (1) *such sharing or receipt is conducted in ac-*
12 *cordance with this title; and*

13 (2) *in a case in which a cyber threat indicator*
14 *or defensive measure is shared with the Federal Gov-*
15 *ernment, the cyber threat indicator or defensive meas-*
16 *ure is shared in a manner that is consistent with sec-*
17 *tion 105(c)(1)(B) and the sharing or receipt, as the*
18 *case may be, occurs after the earlier of—*

19 (A) *the date on which the interim policies*
20 *and procedures are submitted to Congress under*
21 *section 105(a)(1) and guidelines are submitted to*
22 *Congress under section 105(b)(1); or*

23 (B) *the date that is 60 days after the date*
24 *of the enactment of this Act.*

1 (c) *CONSTRUCTION.*—*Nothing in this title shall be con-*
2 *strued—*

3 (1) *to create—*

4 (A) *a duty to share a cyber threat indicator*
5 *or defensive measure; or*

6 (B) *a duty to warn or act based on the re-*
7 *ceipt of a cyber threat indicator or defensive*
8 *measure; or*

9 (2) *to undermine or limit the availability of oth-*
10 *erwise applicable common law or statutory defenses.*

11 **SEC. 107. OVERSIGHT OF GOVERNMENT ACTIVITIES.**

12 (a) *REPORT ON IMPLEMENTATION.*—

13 (1) *IN GENERAL.*—*Not later than 1 year after*
14 *the date of the enactment of this title, the heads of the*
15 *appropriate Federal entities shall jointly submit to*
16 *Congress a detailed report concerning the implemen-*
17 *tation of this title.*

18 (2) *CONTENTS.*—*The report required by para-*
19 *graph (1) may include such recommendations as the*
20 *heads of the appropriate Federal entities may have*
21 *for improvements or modifications to the authorities,*
22 *policies, procedures, and guidelines under this title*
23 *and shall include the following:*

24 (A) *An evaluation of the effectiveness of*
25 *real-time information sharing through the capa-*

1 *bility and process developed under section*
2 *105(c), including any impediments to such real-*
3 *time sharing.*

4 *(B) An assessment of whether cyber threat*
5 *indicators or defensive measures have been prop-*
6 *erly classified and an accounting of the number*
7 *of security clearances authorized by the Federal*
8 *Government for the purpose of sharing cyber*
9 *threat indicators or defensive measures with the*
10 *private sector.*

11 *(C) The number of cyber threat indicators*
12 *or defensive measures received through the capa-*
13 *bility and process developed under section*
14 *105(c).*

15 *(D) A list of Federal entities that have re-*
16 *ceived cyber threat indicators or defensive meas-*
17 *ures under this title.*

18 *(b) BIENNIAL REPORT ON COMPLIANCE.—*

19 *(1) IN GENERAL.—Not later than 2 years after*
20 *the date of the enactment of this Act and not less fre-*
21 *quently than once every 2 years thereafter, the inspec-*
22 *tors general of the appropriate Federal entities, in*
23 *consultation with the Inspector General of the Intel-*
24 *ligence Community and the Council of Inspectors*
25 *General on Financial Oversight, shall jointly submit*

1 to Congress an interagency report on the actions of
2 the executive branch of the Federal Government to
3 carry out this title during the most recent 2-year pe-
4 riod.

5 (2) *CONTENTS.*—Each report submitted under
6 paragraph (1) shall include, for the period covered by
7 the report, the following:

8 (A) *An assessment of the sufficiency of the*
9 *policies, procedures, and guidelines relating to*
10 *the sharing of cyber threat indicators within the*
11 *Federal Government, including those policies,*
12 *procedures, and guidelines relating to the re-*
13 *moval of information not directly related to a*
14 *cybersecurity threat that is personal information*
15 *of a specific individual or information that iden-*
16 *tifies a specific individual.*

17 (B) *An assessment of whether cyber threat*
18 *indicators or defensive measures have been prop-*
19 *erly classified and an accounting of the number*
20 *of security clearances authorized by the Federal*
21 *Government for the purpose of sharing cyber*
22 *threat indicators or defensive measures with the*
23 *private sector.*

24 (C) *A review of the actions taken by the*
25 *Federal Government based on cyber threat indi-*

1 *cators or defensive measures shared with the Fed-*
2 *eral Government under this title, including a re-*
3 *view of the following:*

4 *(i) The appropriateness of subsequent*
5 *uses and disseminations of cyber threat in-*
6 *dicators or defensive measures.*

7 *(ii) Whether cyber threat indicators or*
8 *defensive measures were shared in a timely*
9 *and adequate manner with appropriate en-*
10 *tities, or, if appropriate, were made pub-*
11 *licly available.*

12 *(D) An assessment of the cyber threat indi-*
13 *cators or defensive measures shared with the ap-*
14 *propriate Federal entities under this title, in-*
15 *cluding the following:*

16 *(i) The number of cyber threat indica-*
17 *tors or defensive measures shared through*
18 *the capability and process developed under*
19 *section 105(c).*

20 *(ii) An assessment of any information*
21 *not directly related to a cybersecurity threat*
22 *that is personal information of a specific*
23 *individual or information identifying a*
24 *specific individual and was shared by a*
25 *non-Federal government entity with the*

1 *Federal government in contravention of this*
2 *title, or was shared within the Federal Gov-*
3 *ernment in contravention of the guidelines*
4 *required by this title, including a descrip-*
5 *tion of any significant violation of this*
6 *title.*

7 *(iii) The number of times, according to*
8 *the Attorney General, that information*
9 *shared under this title was used by a Fed-*
10 *eral entity to prosecute an offense listed in*
11 *section 105(d)(5)(A).*

12 *(iv) A quantitative and qualitative as-*
13 *essment of the effect of the sharing of cyber*
14 *threat indicators or defensive measures with*
15 *the Federal Government on privacy and*
16 *civil liberties of specific individuals, includ-*
17 *ing the number of notices that were issued*
18 *with respect to a failure to remove informa-*
19 *tion not directly related to a cybersecurity*
20 *threat that was personal information of a*
21 *specific individual or information that*
22 *identified a specific individual in accord-*
23 *ance with the procedures required by section*
24 *105(b)(3)(E).*

1 (v) *The adequacy of any steps taken by*
2 *the Federal Government to reduce any ad-*
3 *verse effect from activities carried out under*
4 *this title on the privacy and civil liberties*
5 *of United States persons.*

6 (E) *An assessment of the sharing of cyber*
7 *threat indicators or defensive measures among*
8 *Federal entities to identify inappropriate bar-*
9 *riers to sharing information.*

10 (3) *RECOMMENDATIONS.—Each report submitted*
11 *under this subsection may include such recommenda-*
12 *tions as the inspectors general may have for improve-*
13 *ments or modifications to the authorities and proc-*
14 *esses under this title.*

15 (c) *INDEPENDENT REPORT ON REMOVAL OF PER-*
16 *SONAL INFORMATION.—Not later than 3 years after the date*
17 *of the enactment of this Act, the Comptroller General of the*
18 *United States shall submit to Congress a report on the ac-*
19 *tions taken by the Federal Government to remove personal*
20 *information from cyber threat indicators or defensive meas-*
21 *ures pursuant to this title. Such report shall include an*
22 *assessment of the sufficiency of the policies, procedures, and*
23 *guidelines established under this title in addressing con-*
24 *cerns relating to privacy and civil liberties.*

1 (d) *FORM OF REPORTS.*—Each report required under
2 this section shall be submitted in an unclassified form, but
3 may include a classified annex.

4 (e) *PUBLIC AVAILABILITY OF REPORTS.*—The unclas-
5 sified portions of the reports required under this section
6 shall be made available to the public.

7 **SEC. 108. CONSTRUCTION AND PREEMPTION.**

8 (a) *OTHERWISE LAWFUL DISCLOSURES.*—Nothing in
9 this title shall be construed—

10 (1) to limit or prohibit otherwise lawful disclo-
11 sures of communications, records, or other informa-
12 tion, including reporting of known or suspected
13 criminal activity, by a non-Federal entity to any
14 other non-Federal entity or the Federal Government
15 under this title; or

16 (2) to limit or prohibit otherwise lawful use of
17 such disclosures by any Federal entity, even when
18 such otherwise lawful disclosures duplicate or rep-
19 licate disclosures made under this title.

20 (b) *WHISTLE BLOWER PROTECTIONS.*—Nothing in
21 this title shall be construed to prohibit or limit the disclo-
22 sure of information protected under section 2302(b)(8) of
23 title 5, United States Code (governing disclosures of ille-
24 gality, waste, fraud, abuse, or public health or safety
25 threats), section 7211 of title 5, United States Code (gov-

1 *erning disclosures to Congress), section 1034 of title 10,*
2 *United States Code (governing disclosure to Congress by*
3 *members of the military), section 1104 of the National Secu-*
4 *rity Act of 1947 (50 U.S.C. 3234) (governing disclosure by*
5 *employees of elements of the intelligence community), or*
6 *any similar provision of Federal or State law.*

7 *(c) PROTECTION OF SOURCES AND METHODS.—Noth-*
8 *ing in this title shall be construed—*

9 *(1) as creating any immunity against, or other-*
10 *wise affecting, any action brought by the Federal*
11 *Government, or any agency or department thereof, to*
12 *enforce any law, executive order, or procedure gov-*
13 *erning the appropriate handling, disclosure, or use of*
14 *classified information;*

15 *(2) to affect the conduct of authorized law en-*
16 *forcement or intelligence activities; or*

17 *(3) to modify the authority of a department or*
18 *agency of the Federal Government to protect classified*
19 *information and sources and methods and the na-*
20 *tional security of the United States.*

21 *(d) RELATIONSHIP TO OTHER LAWS.—Nothing in this*
22 *title shall be construed to affect any requirement under any*
23 *other provision of law for a non-Federal entity to provide*
24 *information to the Federal Government.*

1 (e) *PROHIBITED CONDUCT.*—*Nothing in this title shall*
2 *be construed to permit price-fixing, allocating a market be-*
3 *tween competitors, monopolizing or attempting to monopo-*
4 *lize a market, boycotting, or exchanges of price or cost infor-*
5 *mation, customer lists, or information regarding future*
6 *competitive planning.*

7 (f) *INFORMATION SHARING RELATIONSHIPS.*—*Nothing*
8 *in this title shall be construed—*

9 (1) *to limit or modify an existing information*
10 *sharing relationship;*

11 (2) *to prohibit a new information sharing rela-*
12 *tionship;*

13 (3) *to require a new information sharing rela-*
14 *tionship between any non-Federal entity and a Fed-*
15 *eral entity or another non-Federal entity; or*

16 (4) *to require the use of the capability and proc-*
17 *ess within the Department of Homeland Security de-*
18 *veloped under section 105(c).*

19 (g) *PRESERVATION OF CONTRACTUAL OBLIGATIONS*
20 *AND RIGHTS.*—*Nothing in this title shall be construed—*

21 (1) *to amend, repeal, or supersede any current or*
22 *future contractual agreement, terms of service agree-*
23 *ment, or other contractual relationship between any*
24 *non-Federal entities, or between any non-Federal en-*
25 *tity and a Federal entity; or*

1 (2) to abrogate trade secret or intellectual prop-
2 erty rights of any non-Federal entity or Federal enti-
3 ty.

4 (h) *ANTI-TASKING RESTRICTION*.—Nothing in this
5 title shall be construed to permit a Federal entity—

6 (1) to require a non-Federal entity to provide in-
7 formation to a Federal entity or another non-Federal
8 entity;

9 (2) to condition the sharing of cyber threat indi-
10 cators with a non-Federal entity on such entity's pro-
11 vision of cyber threat indicators to a Federal entity
12 or another non-Federal entity; or

13 (3) to condition the award of any Federal grant,
14 contract, or purchase on the provision of a cyber
15 threat indicator to a Federal entity or another non-
16 Federal entity.

17 (i) *NO LIABILITY FOR NON-PARTICIPATION*.—Nothing
18 in this title shall be construed to subject any entity to liabil-
19 ity for choosing not to engage in the voluntary activities
20 authorized in this title.

21 (j) *USE AND RETENTION OF INFORMATION*.—Nothing
22 in this title shall be construed to authorize, or to modify
23 any existing authority of, a department or agency of the
24 Federal Government to retain or use any information

1 *shared under this title for any use other than permitted*
2 *in this title.*

3 *(k) FEDERAL PREEMPTION.—*

4 *(1) IN GENERAL.—This title supersedes any stat-*
5 *ute or other provision of law of a State or political*
6 *subdivision of a State that restricts or otherwise ex-*
7 *pressly regulates an activity authorized under this*
8 *title.*

9 *(2) STATE LAW ENFORCEMENT.—Nothing in this*
10 *title shall be construed to supersede any statute or*
11 *other provision of law of a State or political subdivi-*
12 *sion of a State concerning the use of authorized law*
13 *enforcement practices and procedures.*

14 *(l) REGULATORY AUTHORITY.—Nothing in this title*
15 *shall be construed—*

16 *(1) to authorize the promulgation of any regula-*
17 *tions not specifically authorized to be issued under*
18 *this title;*

19 *(2) to establish or limit any regulatory authority*
20 *not specifically established or limited under this title;*
21 *or*

22 *(3) to authorize regulatory actions that would*
23 *duplicate or conflict with regulatory requirements,*
24 *mandatory standards, or related processes under an-*
25 *other provision of Federal law.*

1 (m) *AUTHORITY OF SECRETARY OF DEFENSE TO RE-*
2 *SPOND TO MALICIOUS CYBER ACTIVITY CARRIED OUT BY*
3 *FOREIGN POWERS.*—*Nothing in this title shall be construed*
4 *to limit the authority of the Secretary of Defense under sec-*
5 *tion 130g of title 10, United States Code.*

6 (n) *CRIMINAL PROSECUTION.*—*Nothing in this title*
7 *shall be construed to prevent the disclosure of a cyber threat*
8 *indicator or defensive measure shared under this title in*
9 *a case of criminal prosecution, when an applicable provi-*
10 *sion of Federal, State, tribal, or local law requires disclo-*
11 *sure in such case.*

12 **SEC. 109. REPORT ON CYBERSECURITY THREATS.**

13 (a) *REPORT REQUIRED.*—*Not later than 180 days*
14 *after the date of the enactment of this Act, the Director of*
15 *National Intelligence, in coordination with the heads of*
16 *other appropriate elements of the intelligence community,*
17 *shall submit to the Select Committee on Intelligence of the*
18 *Senate and the Permanent Select Committee on Intelligence*
19 *of the House of Representatives a report on cybersecurity*
20 *threats, including cyber attacks, theft, and data breaches.*

21 (b) *CONTENTS.*—*The report required by subsection (a)*
22 *shall include the following:*

23 (1) *An assessment of the current intelligence*
24 *sharing and cooperation relationships of the United*
25 *States with other countries regarding cybersecurity*

1 *threats, including cyber attacks, theft, and data*
2 *breaches, directed against the United States and*
3 *which threaten the United States national security*
4 *interests and economy and intellectual property, spe-*
5 *cifically identifying the relative utility of such rela-*
6 *tionships, which elements of the intelligence commu-*
7 *nity participate in such relationships, and whether*
8 *and how such relationships could be improved.*

9 *(2) A list and an assessment of the countries and*
10 *nonstate actors that are the primary threats of car-*
11 *rying out a cybersecurity threat, including a cyber*
12 *attack, theft, or data breach, against the United*
13 *States and which threaten the United States national*
14 *security, economy, and intellectual property.*

15 *(3) A description of the extent to which the capa-*
16 *bilities of the United States Government to respond to*
17 *or prevent cybersecurity threats, including cyber at-*
18 *tacks, theft, or data breaches, directed against the*
19 *United States private sector are degraded by a delay*
20 *in the prompt notification by private entities of such*
21 *threats or cyber attacks, theft, and data breaches.*

22 *(4) An assessment of additional technologies or*
23 *capabilities that would enhance the ability of the*
24 *United States to prevent and to respond to cybersecu-*

1 *urity threats, including cyber attacks, theft, and data*
2 *breaches.*

3 *(5) An assessment of any technologies or prac-*
4 *tices utilized by the private sector that could be rap-*
5 *idly fielded to assist the intelligence community in*
6 *preventing and responding to cybersecurity threats.*

7 *(c) FORM OF REPORT.—The report required by sub-*
8 *section (a) shall be made available in classified and unclas-*
9 *sified forms.*

10 *(d) INTELLIGENCE COMMUNITY DEFINED.—In this*
11 *section, the term “intelligence community” has the meaning*
12 *given that term in section 3 of the National Security Act*
13 *of 1947 (50 U.S.C. 3003).*

14 **SEC. 110. EXCEPTION TO LIMITATION ON AUTHORITY OF**
15 **SECRETARY OF DEFENSE TO DISSEMINATE**
16 **CERTAIN INFORMATION.**

17 *Notwithstanding subsection (c)(3) of section 393 of*
18 *title 10, United States Code, the Secretary of Defense may*
19 *authorize the sharing of cyber threat indicators and defen-*
20 *sive measures pursuant to the policies, procedures, and*
21 *guidelines developed or issued under this title.*

22 **SEC. 111. EFFECTIVE PERIOD.**

23 *(a) IN GENERAL.—Except as provided in subsection*
24 *(b), this title and the amendments made by this title shall*

1 *be effective during the period beginning on the date of the*
2 *enactment of this Act and ending on September 30, 2025.*

3 (b) *EXCEPTION.*—*With respect to any action author-*
4 *ized by this title or information obtained pursuant to an*
5 *action authorized by this title, which occurred before the*
6 *date on which the provisions referred to in subsection (a)*
7 *cease to have effect, the provisions of this title shall continue*
8 *in effect.*

9 **TITLE II—NATIONAL**
10 **CYBERSECURITY ADVANCEMENT**
11 **Subtitle A—National Cybersecurity**
12 **and Communications Integra-**
13 **tion Center**

14 **SEC. 201. SHORT TITLE.**

15 *This subtitle may be cited as the “National Cybersecu-*
16 *rity Protection Advancement Act of 2015”.*

17 **SEC. 202. DEFINITIONS.**

18 *In this subtitle:*

19 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
20 *TEES.*—*The term “appropriate congressional commit-*
21 *tees” means—*

22 (A) *the Committee on Homeland Security*
23 *and Governmental Affairs of the Senate; and*

24 (B) *the Committee on Homeland Security of*
25 *the House of Representatives.*

1 “(A) means threats to and vulnerabilities of
2 information or information systems and any re-
3 lated consequences caused by or resulting from
4 unauthorized access, use, disclosure, degradation,
5 disruption, modification, or destruction of such
6 information or information systems, including
7 such related consequences caused by an act of
8 terrorism; and

9 “(B) does not include any action that solely
10 involves a violation of a consumer term of service
11 or a consumer licensing agreement;

12 “(2) the terms ‘cyber threat indicator’ and ‘de-
13 fensive measure’ have the meanings given those terms
14 in section 102 of the Cybersecurity Act of 2015;

15 “(3) the term ‘incident’ means an occurrence
16 that actually or imminently jeopardizes, without law-
17 ful authority, the integrity, confidentiality, or avail-
18 ability of information on an information system, or
19 actually or imminently jeopardizes, without lawful
20 authority, an information system;”;

21 (C) in paragraph (4), as so redesignated, by
22 striking “and” at the end;

23 (D) in paragraph (5), as so redesignated, by
24 striking the period at the end and inserting “;
25 and”; and

1 (E) by adding at the end the following:

2 “(6) the term ‘sharing’ (including all conjuga-
3 tions thereof) means providing, receiving, and dis-
4 seminating (including all conjugations of each of such
5 terms).”;

6 (2) in subsection (c)—

7 (A) in paragraph (1)—

8 (i) by inserting “, including the imple-
9 mentation of title I of the Cybersecurity Act
10 of 2015” before the semicolon at the end;
11 and

12 (ii) by inserting “cyber threat indica-
13 tors, defensive measures,” before “cybersecu-
14 rity risks”;

15 (B) in paragraph (3), by striking “cyberse-
16 curity risks” and inserting “cyber threat indica-
17 tors, defensive measures, cybersecurity risks,”;

18 (C) in paragraph (5)(A), by striking “cy-
19 bersecurity risks” and inserting “cyber threat in-
20 dicators, defensive measures, cybersecurity
21 risks,”;

22 (D) in paragraph (6)—

23 (i) by striking “cybersecurity risks”
24 and inserting “cyber threat indicators, de-
25 fensive measures, cybersecurity risks,”; and

1 (ii) by striking “and” at the end;

2 (E) in paragraph (7)—

3 (i) in subparagraph (A), by striking
4 “and” at the end;

5 (ii) in subparagraph (B), by striking
6 the period at the end and inserting “; and”;
7 and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(C) sharing cyber threat indicators and de-
11 fensive measures;” and

12 (F) by adding at the end the following:

13 “(8) engaging with international partners, in
14 consultation with other appropriate agencies, to—

15 “(A) collaborate on cyber threat indicators,
16 defensive measures, and information related to
17 cybersecurity risks and incidents; and

18 “(B) enhance the security and resilience of
19 global cybersecurity;

20 “(9) sharing cyber threat indicators, defensive
21 measures, and other information related to cybersecu-
22 rity risks and incidents with Federal and non-Fed-
23 eral entities, including across sectors of critical infra-
24 structure and with State and major urban area fu-
25 sion centers, as appropriate;

1 “(10) participating, as appropriate, in national
2 exercises run by the Department; and

3 “(11) in coordination with the Office of Emer-
4 gency Communications of the Department, assessing
5 and evaluating consequence, vulnerability, and threat
6 information regarding cyber incidents to public safety
7 communications to help facilitate continuous im-
8 provements to the security and resiliency of such com-
9 munications.”;

10 (3) in subsection (d)(1)—

11 (A) in subparagraph (B)—

12 (i) in clause (i), by striking “and
13 local” and inserting “, local, and tribal”;

14 (ii) in clause (ii), by striking “; and”
15 and inserting “, including information
16 sharing and analysis centers;”;

17 (iii) in clause (iii), by adding “and”
18 at the end; and

19 (iv) by adding at the end the following:
20 “(iv) private entities;”.

21 (B) in subparagraph (D), by striking “and”
22 at the end;

23 (C) by redesignating subparagraph (E) as
24 subparagraph (F); and

1 (D) by inserting after subparagraph (D) the
2 following:

3 “(E) an entity that collaborates with State
4 and local governments on cybersecurity risks and
5 incidents, and has entered into a voluntary in-
6 formation sharing relationship with the Center;
7 and”;

8 (4) in subsection (e)—

9 (A) in paragraph (1)—

10 (i) in subparagraph (A), by inserting
11 “cyber threat indicators, defensive measures,
12 and” before “information”;

13 (ii) in subparagraph (B), by inserting
14 “cyber threat indicators, defensive measures,
15 and” before “information related”;

16 (iii) in subparagraph (F)—

17 (I) by striking “cybersecurity
18 risks” and inserting “cyber threat in-
19 dicators, defensive measures, cybersecu-
20 rity risks,”; and

21 (II) by striking “and” at the end;

22 (iv) in subparagraph (G), by striking
23 “cybersecurity risks and incidents” and in-
24 serting “cyber threat indicators, defensive

1 *measures, cybersecurity risks, and incidents;*
2 *and”;* and

3 *(v) by adding at the end the following:*

4 *“(H) the Center designates an agency con-*
5 *tact for non-Federal entities;”;*

6 *(B) in paragraph (2)—*

7 *(i) by striking “cybersecurity risks”*
8 *and inserting “cyber threat indicators, de-*
9 *fensive measures, cybersecurity risks;”;* and

10 *(ii) by inserting “or disclosure” after*
11 *“access”; and*

12 *(C) in paragraph (3), by inserting before*
13 *the period at the end the following: “, including*
14 *by working with the Privacy Officer appointed*
15 *under section 222 to ensure that the Center fol-*
16 *lows the policies and procedures specified in sub-*
17 *sections (b) and (d)(5)(C) of section 105 of the*
18 *Cybersecurity Act of 2015”; and*

19 *(5) by adding at the end the following:*

20 *“(g) AUTOMATED INFORMATION SHARING.—*

21 *“(1) IN GENERAL.—The Under Secretary ap-*
22 *pointed under section 103(a)(1)(H), in coordination*
23 *with industry and other stakeholders, shall develop*
24 *capabilities making use of existing information tech-*
25 *nology industry standards and best practices, as ap-*

1 *appropriate, that support and rapidly advance the de-*
2 *velopment, adoption, and implementation of auto-*
3 *mated mechanisms for the sharing of cyber threat in-*
4 *dicators and defensive measures in accordance with*
5 *title I of the Cybersecurity Act of 2015.*

6 “(2) *ANNUAL REPORT.*—*The Under Secretary*
7 *appointed under section 103(a)(1)(H) shall submit to*
8 *the Committee on Homeland Security and Govern-*
9 *mental Affairs of the Senate and the Committee on*
10 *Homeland Security of the House of Representatives*
11 *an annual report on the status and progress of the de-*
12 *velopment of the capabilities described in paragraph*
13 *(1). Such reports shall be required until such capa-*
14 *bilities are fully implemented.*

15 “(h) *VOLUNTARY INFORMATION SHARING PROCE-*
16 *DURES.*—

17 “(1) *PROCEDURES.*—

18 “(A) *IN GENERAL.*—*The Center may enter*
19 *into a voluntary information sharing relation-*
20 *ship with any consenting non-Federal entity for*
21 *the sharing of cyber threat indicators and defen-*
22 *sive measures for cybersecurity purposes in ac-*
23 *cordance with this section. Nothing in this sub-*
24 *section may be construed to require any non-*
25 *Federal entity to enter into any such informa-*

1 *tion sharing relationship with the Center or any*
2 *other entity. The Center may terminate a vol-*
3 *untary information sharing relationship under*
4 *this subsection, at the sole and unreviewable dis-*
5 *cretion of the Secretary, acting through the*
6 *Under Secretary appointed under section*
7 *103(a)(1)(H), for any reason, including if the*
8 *Center determines that the non-Federal entity*
9 *with which the Center has entered into such a re-*
10 *lationship has violated the terms of this sub-*
11 *section.*

12 *“(B) NATIONAL SECURITY.—The Secretary*
13 *may decline to enter into a voluntary informa-*
14 *tion sharing relationship under this subsection,*
15 *at the sole and unreviewable discretion of the*
16 *Secretary, acting through the Under Secretary*
17 *appointed under section 103(a)(1)(H), for any*
18 *reason, including if the Secretary determines*
19 *that such is appropriate for national security.*

20 *“(2) VOLUNTARY INFORMATION SHARING RELA-*
21 *TIONSHIPS.—A voluntary information sharing rela-*
22 *tionship under this subsection may be characterized*
23 *as an agreement described in this paragraph.*

24 *“(A) STANDARD AGREEMENT.—For the use*
25 *of a non-Federal entity, the Center shall make*

1 *available a standard agreement, consistent with*
2 *this section, on the Department’s website.*

3 “(B) *NEGOTIATED AGREEMENT.*—*At the re-*
4 *quest of a non-Federal entity, and if determined*
5 *appropriate by the Center, at the sole and*
6 *unreviewable discretion of the Secretary, acting*
7 *through the Under Secretary appointed under*
8 *section 103(a)(1)(H), the Department shall nego-*
9 *tiate a non-standard agreement, consistent with*
10 *this section.*

11 “(C) *EXISTING AGREEMENTS.*—*An agree-*
12 *ment between the Center and a non-Federal enti-*
13 *ty that is entered into before the date of enact-*
14 *ment of this subsection, or such an agreement*
15 *that is in effect before such date, shall be deemed*
16 *in compliance with the requirements of this sub-*
17 *section, notwithstanding any other provision or*
18 *requirement of this subsection. An agreement*
19 *under this subsection shall include the relevant*
20 *privacy protections as in effect under the Cooper-*
21 *ative Research and Development Agreement for*
22 *Cybersecurity Information Sharing and Collabo-*
23 *ration, as of December 31, 2014. Nothing in this*
24 *subsection may be construed to require a non-*
25 *Federal entity to enter into either a standard or*

1 *negotiated agreement to be in compliance with*
2 *this subsection.*

3 “(i) *DIRECT REPORTING.*—*The Secretary shall develop*
4 *policies and procedures for direct reporting to the Secretary*
5 *by the Director of the Center regarding significant cyberse-*
6 *curity risks and incidents.*

7 “(j) *REPORTS ON INTERNATIONAL COOPERATION.*—
8 *Not later than 180 days after the date of enactment of this*
9 *subsection, and periodically thereafter, the Secretary of*
10 *Homeland Security shall submit to the Committee on*
11 *Homeland Security and Governmental Affairs of the Senate*
12 *and the Committee on Homeland Security of the House of*
13 *Representatives a report on the range of efforts underway*
14 *to bolster cybersecurity collaboration with relevant inter-*
15 *national partners in accordance with subsection (c)(8).*

16 “(k) *OUTREACH.*—*Not later than 60 days after the*
17 *date of enactment of this subsection, the Secretary, acting*
18 *through the Under Secretary appointed under section*
19 *103(a)(1)(H), shall—*

20 “(1) *disseminate to the public information about*
21 *how to voluntarily share cyber threat indicators and*
22 *defensive measures with the Center; and*

23 “(2) *enhance outreach to critical infrastructure*
24 *owners and operators for purposes of such sharing.*

1 “(l) *COORDINATED VULNERABILITY DISCLOSURE.*—
2 *The Secretary, in coordination with industry and other*
3 *stakeholders, may develop and adhere to Department poli-*
4 *cies and procedures for coordinating vulnerability disclo-*
5 *tures.*”.

6 **SEC. 204. INFORMATION SHARING AND ANALYSIS ORGANI-**
7 **ZATIONS.**

8 *Section 212 of the Homeland Security Act of 2002 (6*
9 *U.S.C. 131) is amended—*

10 (1) *in paragraph (5)—*

11 (A) *in subparagraph (A)—*

12 (i) *by inserting “, including informa-*
13 *tion related to cybersecurity risks and inci-*
14 *dents,” after “critical infrastructure infor-*
15 *mation”;* and

16 (ii) *by inserting “, including cyberse-*
17 *curity risks and incidents,” after “related to*
18 *critical infrastructure”;*

19 (B) *in subparagraph (B)—*

20 (i) *by inserting “, including cyberse-*
21 *curity risks and incidents,” after “critical in-*
22 *frastructure information”;* and

23 (ii) *by inserting “, including cyberse-*
24 *curity risks and incidents,” after “related to*
25 *critical infrastructure”;* and

1 (C) in subparagraph (C), by inserting “,
2 including cybersecurity risks and incidents,”
3 after “critical infrastructure information”; and
4 (2) by adding at the end the following:

5 “(8) *CYBERSECURITY RISK; INCIDENT.*—The
6 terms ‘cybersecurity risk’ and ‘incident’ have the
7 meanings given those terms in section 227.”.

8 **SEC. 205. NATIONAL RESPONSE FRAMEWORK.**

9 Section 228 of the Homeland Security Act of 2002, as
10 added by section 223(a)(4) of this division, is amended by
11 adding at the end the following:

12 “(d) *NATIONAL RESPONSE FRAMEWORK.*—The Sec-
13 retary, in coordination with the heads of other appropriate
14 Federal departments and agencies, and in accordance with
15 the National Cybersecurity Incident Response Plan re-
16 quired under subsection (c), shall regularly update, main-
17 tain, and exercise the Cyber Incident Annex to the National
18 Response Framework of the Department.”.

19 **SEC. 206. REPORT ON REDUCING CYBERSECURITY RISKS IN**
20 **DHS DATA CENTERS.**

21 Not later than 1 year after the date of the enactment
22 of this Act, the Secretary shall submit to the appropriate
23 congressional committees a report on the feasibility of the
24 Department creating an environment for the reduction in
25 cybersecurity risks in Department data centers, including

1 *by increasing compartmentalization between systems, and*
2 *providing a mix of security controls between such compart-*
3 *ments.*

4 **SEC. 207. ASSESSMENT.**

5 *Not later than 2 years after the date of enactment of*
6 *this Act, the Comptroller General of the United States shall*
7 *submit to the appropriate congressional committees a report*
8 *that includes—*

9 *(1) an assessment of the implementation by the*
10 *Secretary of this title and the amendments made by*
11 *this title; and*

12 *(2) to the extent practicable, findings regarding*
13 *increases in the sharing of cyber threat indicators, de-*
14 *fensive measures, and information relating to cyberse-*
15 *curity risks and incidents at the center established*
16 *under section 227 of the Homeland Security Act of*
17 *2002, as redesignated by section 223(a) of this divi-*
18 *sion, and throughout the United States.*

19 **SEC. 208. MULTIPLE SIMULTANEOUS CYBER INCIDENTS AT**
20 **CRITICAL INFRASTRUCTURE.**

21 *Not later than 1 year after the date of enactment of*
22 *this Act, the Under Secretary appointed under section*
23 *103(a)(1)(H) of the Homeland Security Act of 2002 (6*
24 *U.S.C. 113(a)(1)(H)) shall provide information to the ap-*
25 *propriate congressional committees on the feasibility of pro-*

1 *ducing a risk-informed plan to address the risk of multiple*
2 *simultaneous cyber incidents affecting critical infrastruc-*
3 *ture, including cyber incidents that may have a cascading*
4 *effect on other critical infrastructure.*

5 **SEC. 209. REPORT ON CYBERSECURITY VULNERABILITIES**
6 **OF UNITED STATES PORTS.**

7 *Not later than 180 days after the date of enactment*
8 *of this Act, the Secretary shall submit to the appropriate*
9 *congressional committees, the Committee on Commerce,*
10 *Science and Transportation of the Senate, and the Com-*
11 *mittee on Transportation and Infrastructure of the House*
12 *of Representatives a report on cybersecurity vulnerabilities*
13 *for the 10 United States ports that the Secretary determines*
14 *are at greatest risk of a cybersecurity incident and provide*
15 *recommendations to mitigate such vulnerabilities.*

16 **SEC. 210. PROHIBITION ON NEW REGULATORY AUTHORITY.**

17 *Nothing in this subtitle or the amendments made by*
18 *this subtitle may be construed to grant the Secretary any*
19 *authority to promulgate regulations or set standards relat-*
20 *ing to the cybersecurity of non-Federal entities, not includ-*
21 *ing State, local, and tribal governments, that was not in*
22 *effect on the day before the date of enactment of this Act.*

1 **SEC. 211. TERMINATION OF REPORTING REQUIREMENTS.**

2 *Any reporting requirements in this subtitle shall ter-*
3 *minate on the date that is 7 years after the date of enact-*
4 *ment of this Act.*

5 **Subtitle B—Federal Cybersecurity**
6 ***Enhancement***

7 **SEC. 221. SHORT TITLE.**

8 *This subtitle may be cited as the “Federal Cybersecu-*
9 *rity Enhancement Act of 2015”.*

10 **SEC. 222. DEFINITIONS.**

11 *In this subtitle:*

12 (1) *AGENCY.*—*The term “agency” has the mean-*
13 *ing given the term in section 3502 of title 44, United*
14 *States Code.*

15 (2) *AGENCY INFORMATION SYSTEM.*—*The term*
16 *“agency information system” has the meaning given*
17 *the term in section 228 of the Homeland Security Act*
18 *of 2002, as added by section 223(a)(4) of this divi-*
19 *sion.*

20 (3) *APPROPRIATE CONGRESSIONAL COMMIT-*
21 *TEES.*—*The term “appropriate congressional commit-*
22 *tees” means—*

23 (A) *the Committee on Homeland Security*
24 *and Governmental Affairs of the Senate; and*

25 (B) *the Committee on Homeland Security of*
26 *the House of Representatives.*

1 (4) *CYBERSECURITY RISK; INFORMATION SYS-*
2 *TEM.—The terms “cybersecurity risk” and “informa-*
3 *tion system” have the meanings given those terms in*
4 *section 227 of the Homeland Security Act of 2002, as*
5 *so redesignated by section 223(a)(3) of this division.*

6 (5) *DIRECTOR.—The term “Director” means the*
7 *Director of the Office of Management and Budget.*

8 (6) *INTELLIGENCE COMMUNITY.—The term “in-*
9 *telligence community” has the meaning given the*
10 *term in section 3(4) of the National Security Act of*
11 *1947 (50 U.S.C. 3003(4)).*

12 (7) *NATIONAL SECURITY SYSTEM.—The term*
13 *“national security system” has the meaning given the*
14 *term in section 11103 of title 40, United States Code.*

15 (8) *SECRETARY.—The term “Secretary” means*
16 *the Secretary of Homeland Security.*

17 **SEC. 223. IMPROVED FEDERAL NETWORK SECURITY.**

18 (a) *IN GENERAL.—Subtitle C of title II of the Home-*
19 *land Security Act of 2002 (6 U.S.C. 141 et seq.) is amend-*
20 *ed—*

21 (1) *by redesignating section 228 as section 229;*

22 (2) *by redesignating section 227 as subsection (c)*
23 *of section 228, as added by paragraph (4), and ad-*
24 *justing the margins accordingly;*

1 (3) *by redesignating the second section des-*
2 *ignated as section 226 (relating to the national cyber-*
3 *security and communications integration center) as*
4 *section 227;*

5 (4) *by inserting after section 227, as so redesi-*
6 *gnated, the following:*

7 **“SEC. 228. CYBERSECURITY PLANS.**

8 “(a) *DEFINITIONS.—In this section—*

9 “(1) *the term ‘agency information system’ means*
10 *an information system used or operated by an agency*
11 *or by another entity on behalf of an agency;*

12 “(2) *the terms ‘cybersecurity risk’ and ‘informa-*
13 *tion system’ have the meanings given those terms in*
14 *section 227;*

15 “(3) *the term ‘intelligence community’ has the*
16 *meaning given the term in section 3(4) of the Na-*
17 *tional Security Act of 1947 (50 U.S.C. 3003(4)); and*

18 “(4) *the term ‘national security system’ has the*
19 *meaning given the term in section 11103 of title 40,*
20 *United States Code.*

21 “(b) *INTRUSION ASSESSMENT PLAN.—*

22 “(1) *REQUIREMENT.—The Secretary, in coordi-*
23 *nation with the Director of the Office of Management*
24 *and Budget, shall—*

1 “(A) develop and implement an intrusion
2 assessment plan to proactively detect, identify,
3 and remove intruders in agency information sys-
4 tems on a routine basis; and

5 “(B) update such plan as necessary.

6 “(2) *EXCEPTION.*—The intrusion assessment
7 plan required under paragraph (1) shall not apply to
8 the Department of Defense, a national security sys-
9 tem, or an element of the intelligence community.”;

10 (5) in section 228(c), as so redesignated, by
11 striking “section 226” and inserting “section 227”;
12 and

13 (6) by inserting after section 229, as so redesign-
14 ated, the following:

15 **“SEC. 230. FEDERAL INTRUSION DETECTION AND PREVEN-**
16 **TION SYSTEM.**

17 “(a) *DEFINITIONS.*—In this section—

18 “(1) the term ‘agency’ has the meaning given the
19 term in section 3502 of title 44, United States Code;

20 “(2) the term ‘agency information’ means infor-
21 mation collected or maintained by or on behalf of an
22 agency;

23 “(3) the term ‘agency information system’ has
24 the meaning given the term in section 228; and

1 “(4) the terms ‘cybersecurity risk’ and ‘infor-
2 mation system’ have the meanings given those terms in
3 section 227.

4 “(b) *REQUIREMENT.*—

5 “(1) *IN GENERAL.*—Not later than 1 year after
6 the date of enactment of this section, the Secretary
7 shall deploy, operate, and maintain, to make avail-
8 able for use by any agency, with or without reim-
9 bursement—

10 “(A) a capability to detect cybersecurity
11 risks in network traffic transiting or traveling to
12 or from an agency information system; and

13 “(B) a capability to prevent network traffic
14 associated with such cybersecurity risks from
15 transiting or traveling to or from an agency in-
16 formation system or modify such network traffic
17 to remove the cybersecurity risk.

18 “(2) *REGULAR IMPROVEMENT.*—The Secretary
19 shall regularly deploy new technologies and modify
20 existing technologies to the intrusion detection and
21 prevention capabilities described in paragraph (1) as
22 appropriate to improve the intrusion detection and
23 prevention capabilities.

24 “(c) *ACTIVITIES.*—In carrying out subsection (b), the
25 Secretary—

1 “(1) may access, and the head of an agency may
2 disclose to the Secretary or a private entity providing
3 assistance to the Secretary under paragraph (2), in-
4 formation transiting or traveling to or from an agen-
5 cy information system, regardless of the location from
6 which the Secretary or a private entity providing as-
7 sistance to the Secretary under paragraph (2) accesses
8 such information, notwithstanding any other provi-
9 sion of law that would otherwise restrict or prevent
10 the head of an agency from disclosing such informa-
11 tion to the Secretary or a private entity providing as-
12 sistance to the Secretary under paragraph (2);

13 “(2) may enter into contracts or other agree-
14 ments with, or otherwise request and obtain the as-
15 sistance of, private entities to deploy, operate, and
16 maintain technologies in accordance with subsection
17 (b);

18 “(3) may retain, use, and disclose information
19 obtained through the conduct of activities authorized
20 under this section only to protect information and in-
21 formation systems from cybersecurity risks;

22 “(4) shall regularly assess through operational
23 test and evaluation in real world or simulated envi-
24 ronments available advanced protective technologies to
25 improve detection and prevention capabilities, includ-

1 *ing commercial and noncommercial technologies and*
2 *detection technologies beyond signature-based detec-*
3 *tion, and acquire, test, and deploy such technologies*
4 *when appropriate;*

5 *“(5) shall establish a pilot through which the*
6 *Secretary may acquire, test, and deploy, as rapidly*
7 *as possible, technologies described in paragraph (4);*
8 *and*

9 *“(6) shall periodically update the privacy im-*
10 *pact assessment required under section 208(b) of the*
11 *E-Government Act of 2002 (44 U.S.C. 3501 note).*

12 *“(d) PRINCIPLES.—In carrying out subsection (b), the*
13 *Secretary shall ensure that—*

14 *“(1) activities carried out under this section are*
15 *reasonably necessary for the purpose of protecting*
16 *agency information and agency information systems*
17 *from a cybersecurity risk;*

18 *“(2) information accessed by the Secretary will*
19 *be retained no longer than reasonably necessary for*
20 *the purpose of protecting agency information and*
21 *agency information systems from a cybersecurity risk;*

22 *“(3) notice has been provided to users of an*
23 *agency information system concerning access to com-*
24 *munications of users of the agency information sys-*

1 *tem for the purpose of protecting agency information*
2 *and the agency information system; and*

3 *“(4) the activities are implemented pursuant to*
4 *policies and procedures governing the operation of the*
5 *intrusion detection and prevention capabilities.*

6 *“(e) PRIVATE ENTITIES.—*

7 *“(1) CONDITIONS.—A private entity described in*
8 *subsection (c)(2) may not—*

9 *“(A) disclose any network traffic transiting*
10 *or traveling to or from an agency information*
11 *system to any entity other than the Department*
12 *or the agency that disclosed the information*
13 *under subsection (c)(1), including personal infor-*
14 *mation of a specific individual or information*
15 *that identifies a specific individual not directly*
16 *related to a cybersecurity risk; or*

17 *“(B) use any network traffic transiting or*
18 *traveling to or from an agency information sys-*
19 *tem to which the private entity gains access in*
20 *accordance with this section for any purpose*
21 *other than to protect agency information and*
22 *agency information systems against cybersecu-*
23 *rity risks or to administer a contract or other*
24 *agreement entered into pursuant to subsection*

1 (c)(2) or as part of another contract with the
2 Secretary.

3 “(2) *LIMITATION ON LIABILITY.*—No cause of ac-
4 tion shall lie in any court against a private entity
5 for assistance provided to the Secretary in accordance
6 with this section and any contract or agreement en-
7 tered into pursuant to subsection (c)(2).

8 “(3) *RULE OF CONSTRUCTION.*—Nothing in
9 paragraph (2) shall be construed to authorize an
10 Internet service provider to break a user agreement
11 with a customer without the consent of the customer.

12 “(f) *PRIVACY OFFICER REVIEW.*—Not later than 1
13 year after the date of enactment of this section, the Privacy
14 Officer appointed under section 222, in consultation with
15 the Attorney General, shall review the policies and guide-
16 lines for the program carried out under this section to en-
17 sure that the policies and guidelines are consistent with ap-
18 plicable privacy laws, including those governing the acqui-
19 sition, interception, retention, use, and disclosure of com-
20 munications.”.

21 (b) *AGENCY RESPONSIBILITIES.*—

22 (1) *IN GENERAL.*—Except as provided in para-
23 graph (2)—

24 (A) not later than 1 year after the date of
25 enactment of this Act or 2 months after the date

1 *on which the Secretary makes available the in-*
2 *trusion detection and prevention capabilities*
3 *under section 230(b)(1) of the Homeland Secu-*
4 *rity Act of 2002, as added by subsection (a),*
5 *whichever is later, the head of each agency shall*
6 *apply and continue to utilize the capabilities to*
7 *all information traveling between an agency in-*
8 *formation system and any information system*
9 *other than an agency information system; and*

10 *(B) not later than 6 months after the date*
11 *on which the Secretary makes available improve-*
12 *ments to the intrusion detection and prevention*
13 *capabilities pursuant to section 230(b)(2) of the*
14 *Homeland Security Act of 2002, as added by*
15 *subsection (a), the head of each agency shall*
16 *apply and continue to utilize the improved in-*
17 *trusion detection and prevention capabilities.*

18 *(2) EXCEPTION.—The requirements under para-*
19 *graph (1) shall not apply to the Department of De-*
20 *fense, a national security system, or an element of the*
21 *intelligence community.*

22 *(3) DEFINITION.—Notwithstanding section 222,*
23 *in this subsection, the term “agency information sys-*
24 *tem” means an information system owned or operated*
25 *by an agency.*

1 (4) *RULE OF CONSTRUCTION.*—*Nothing in this*
 2 *subsection shall be construed to limit an agency from*
 3 *applying the intrusion detection and prevention ca-*
 4 *pabilities to an information system other than an*
 5 *agency information system under section 230(b)(1) of*
 6 *the Homeland Security Act of 2002, as added by sub-*
 7 *section (a), at the discretion of the head of the agency*
 8 *or as provided in relevant policies, directives, and*
 9 *guidelines.*

10 (c) *TABLE OF CONTENTS AMENDMENT.*—*The table of*
 11 *contents in section 1(b) of the Homeland Security Act of*
 12 *2002 (6 U.S.C. 101 note) is amended by striking the items*
 13 *relating to the first section designated as section 226, the*
 14 *second section designated as section 226 (relating to the na-*
 15 *tional cybersecurity and communications integration cen-*
 16 *ter), section 227, and section 228 and inserting the fol-*
 17 *lowing:*

“Sec. 226. *Cybersecurity recruitment and retention.*

“Sec. 227. *National cybersecurity and communications integration center.*

“Sec. 228. *Cybersecurity plans.*

“Sec. 229. *Clearances.*

“Sec. 230. *Federal intrusion detection and prevention system.*”.

18 **SEC. 224. ADVANCED INTERNAL DEFENSES.**

19 (a) *ADVANCED NETWORK SECURITY TOOLS.*—

20 (1) *IN GENERAL.*—*The Secretary shall include,*
 21 *in the efforts of the Department to continuously diag-*
 22 *nose and mitigate cybersecurity risks, advanced net-*
 23 *work security tools to improve visibility of network*

1 *activity, including through the use of commercial and*
2 *free or open source tools, and to detect and mitigate*
3 *intrusions and anomalous activity.*

4 (2) *DEVELOPMENT OF PLAN.—The Director shall*
5 *develop and the Secretary shall implement a plan to*
6 *ensure that each agency utilizes advanced network se-*
7 *curity tools, including those described in paragraph*
8 *(1), to detect and mitigate intrusions and anomalous*
9 *activity.*

10 (b) *PRIORITIZING ADVANCED SECURITY TOOLS.—The*
11 *Director and the Secretary, in consultation with appro-*
12 *priate agencies, shall—*

13 (1) *review and update Government-wide policies*
14 *and programs to ensure appropriate prioritization*
15 *and use of network security monitoring tools within*
16 *agency networks; and*

17 (2) *brief appropriate congressional committees*
18 *on such prioritization and use.*

19 (c) *IMPROVED METRICS.—The Secretary, in collabora-*
20 *tion with the Director, shall review and update the metrics*
21 *used to measure security under section 3554 of title 44,*
22 *United States Code, to include measures of intrusion and*
23 *incident detection and response times.*

24 (d) *TRANSPARENCY AND ACCOUNTABILITY.—The Di-*
25 *rector, in consultation with the Secretary, shall increase*

1 *transparency to the public on agency cybersecurity posture,*
2 *including by increasing the number of metrics available on*
3 *Federal Government performance websites and, to the great-*
4 *est extent practicable, displaying metrics for department*
5 *components, small agencies, and micro-agencies.*

6 (e) *MAINTENANCE OF TECHNOLOGIES.*—Section
7 *3553(b)(6)(B) of title 44, United States Code, is amended*
8 *by inserting “, operating, and maintaining” after “deploy-*
9 *ing”.*

10 (f) *EXCEPTION.*—*The requirements under this section*
11 *shall not apply to the Department of Defense, a national*
12 *security system, or an element of the intelligence commu-*
13 *nity.*

14 **SEC. 225. FEDERAL CYBERSECURITY REQUIREMENTS.**

15 (a) *IMPLEMENTATION OF FEDERAL CYBERSECURITY*
16 *STANDARDS.*—*Consistent with section 3553 of title 44,*
17 *United States Code, the Secretary, in consultation with the*
18 *Director, shall exercise the authority to issue binding oper-*
19 *ational directives to assist the Director in ensuring timely*
20 *agency adoption of and compliance with policies and stand-*
21 *ards promulgated under section 11331 of title 40, United*
22 *States Code, for securing agency information systems.*

23 (b) *CYBERSECURITY REQUIREMENTS AT AGENCIES.*—

24 (1) *IN GENERAL.*—*Consistent with policies,*
25 *standards, guidelines, and directives on information*

1 *security under subchapter II of chapter 35 of title 44,*
2 *United States Code, and the standards and guidelines*
3 *promulgated under section 11331 of title 40, United*
4 *States Code, and except as provided in paragraph (2),*
5 *not later than 1 year after the date of the enactment*
6 *of this Act, the head of each agency shall—*

7 *(A) identify sensitive and mission critical*
8 *data stored by the agency consistent with the in-*
9 *ventory required under the first subsection (c)*
10 *(relating to the inventory of major information*
11 *systems) and the second subsection (c) (relating*
12 *to the inventory of information systems) of sec-*
13 *tion 3505 of title 44, United States Code;*

14 *(B) assess access controls to the data de-*
15 *scribed in subparagraph (A), the need for readily*
16 *accessible storage of the data, and individuals'*
17 *need to access the data;*

18 *(C) encrypt or otherwise render indecipher-*
19 *able to unauthorized users the data described in*
20 *subparagraph (A) that is stored on or transiting*
21 *agency information systems;*

22 *(D) implement a single sign-on trusted*
23 *identity platform for individuals accessing each*
24 *public website of the agency that requires user*
25 *authentication, as developed by the Adminis-*

1 *trator of General Services in collaboration with*
2 *the Secretary; and*

3 *(E) implement identity management con-*
4 *sistent with section 504 of the Cybersecurity En-*
5 *hancement Act of 2014 (Public Law 113–274; 15*
6 *U.S.C. 7464), including multi-factor authentica-*
7 *tion, for—*

8 *(i) remote access to an agency informa-*
9 *tion system; and*

10 *(ii) each user account with elevated*
11 *privileges on an agency information system.*

12 *(2) EXCEPTION.—The requirements under para-*
13 *graph (1) shall not apply to an agency information*
14 *system for which—*

15 *(A) the head of the agency has personally*
16 *certified to the Director with particularity*
17 *that—*

18 *(i) operational requirements articu-*
19 *lated in the certification and related to the*
20 *agency information system would make it*
21 *excessively burdensome to implement the cy-*
22 *bersecurity requirement;*

23 *(ii) the cybersecurity requirement is*
24 *not necessary to secure the agency informa-*

1 *tion system or agency information stored on*
2 *or transiting it; and*

3 *(iii) the agency has taken all necessary*
4 *steps to secure the agency information sys-*
5 *tem and agency information stored on or*
6 *transiting it; and*

7 *(B) the head of the agency or the designee*
8 *of the head of the agency has submitted the cer-*
9 *tification described in subparagraph (A) to the*
10 *appropriate congressional committees and the*
11 *agency's authorizing committees.*

12 *(3) CONSTRUCTION.—Nothing in this section*
13 *shall be construed to alter the authority of the Sec-*
14 *retary, the Director, or the Director of the National*
15 *Institute of Standards and Technology in imple-*
16 *menting subchapter II of chapter 35 of title 44,*
17 *United States Code. Nothing in this section shall be*
18 *construed to affect the National Institute of Standards*
19 *and Technology standards process or the requirement*
20 *under section 3553(a)(4) of such title or to discourage*
21 *continued improvements and advancements in the*
22 *technology, standards, policies, and guidelines used to*
23 *promote Federal information security.*

24 *(c) EXCEPTION.—The requirements under this section*
25 *shall not apply to the Department of Defense, a national*

1 security system, or an element of the intelligence commu-
2 nity.

3 **SEC. 226. ASSESSMENT; REPORTS.**

4 (a) *DEFINITIONS.*—*In this section:*

5 (1) *AGENCY INFORMATION.*—*The term “agency*
6 *information” has the meaning given the term in sec-*
7 *tion 230 of the Homeland Security Act of 2002, as*
8 *added by section 223(a)(6) of this division.*

9 (2) *CYBER THREAT INDICATOR; DEFENSIVE*
10 *MEASURE.*—*The terms “cyber threat indicator” and*
11 *“defensive measure” have the meanings given those*
12 *terms in section 102.*

13 (3) *INTRUSION ASSESSMENTS.*—*The term “intru-*
14 *sion assessments” means actions taken under the in-*
15 *trusion assessment plan to identify and remove in-*
16 *truders in agency information systems.*

17 (4) *INTRUSION ASSESSMENT PLAN.*—*The term*
18 *“intrusion assessment plan” means the plan required*
19 *under section 228(b)(1) of the Homeland Security Act*
20 *of 2002, as added by section 223(a)(4) of this divi-*
21 *sion.*

22 (5) *INTRUSION DETECTION AND PREVENTION CA-*
23 *PABILITIES.*—*The term “intrusion detection and pre-*
24 *vention capabilities” means the capabilities required*

1 *under section 230(b) of the Homeland Security Act of*
2 *2002, as added by section 223(a)(6) of this division.*

3 *(b) THIRD-PARTY ASSESSMENT.—Not later than 3*
4 *years after the date of enactment of this Act, the Comp-*
5 *troller General of the United States shall conduct a study*
6 *and publish a report on the effectiveness of the approach*
7 *and strategy of the Federal Government to securing agency*
8 *information systems, including the intrusion detection and*
9 *prevention capabilities and the intrusion assessment plan.*

10 *(c) REPORTS TO CONGRESS.—*

11 *(1) INTRUSION DETECTION AND PREVENTION CA-*
12 *PABILITIES.—*

13 *(A) SECRETARY OF HOMELAND SECURITY*
14 *REPORT.—Not later than 6 months after the date*
15 *of enactment of this Act, and annually there-*
16 *after, the Secretary shall submit to the appro-*
17 *priate congressional committees a report on the*
18 *status of implementation of the intrusion detec-*
19 *tion and prevention capabilities, including—*

20 *(i) a description of privacy controls;*

21 *(ii) a description of the technologies*
22 *and capabilities utilized to detect cybersecu-*
23 *rity risks in network traffic, including the*
24 *extent to which those technologies and capa-*

1 *bilities include existing commercial and*
2 *noncommercial technologies;*

3 *(iii) a description of the technologies*
4 *and capabilities utilized to prevent network*
5 *traffic associated with cybersecurity risks*
6 *from transiting or traveling to or from*
7 *agency information systems, including the*
8 *extent to which those technologies and capa-*
9 *bilities include existing commercial and*
10 *noncommercial technologies;*

11 *(iv) a list of the types of indicators or*
12 *other identifiers or techniques used to detect*
13 *cybersecurity risks in network traffic*
14 *transiting or traveling to or from agency*
15 *information systems on each iteration of the*
16 *intrusion detection and prevention capabili-*
17 *ties and the number of each such type of in-*
18 *dicator, identifier, and technique;*

19 *(v) the number of instances in which*
20 *the intrusion detection and prevention ca-*
21 *pabilities detected a cybersecurity risk in*
22 *network traffic transiting or traveling to or*
23 *from agency information systems and the*
24 *number of times the intrusion detection and*

1 *prevention capabilities blocked network traf-*
2 *fic associated with cybersecurity risk; and*

3 *(vi) a description of the pilot estab-*
4 *lished under section 230(c)(5) of the Home-*
5 *land Security Act of 2002, as added by sec-*
6 *tion 223(a)(6) of this division, including*
7 *the number of new technologies tested and*
8 *the number of participating agencies.*

9 *(B) OMB REPORT.—Not later than 18*
10 *months after the date of enactment of this Act,*
11 *and annually thereafter, the Director shall sub-*
12 *mit to Congress, as part of the report required*
13 *under section 3553(c) of title 44, United States*
14 *Code, an analysis of agency application of the*
15 *intrusion detection and prevention capabilities,*
16 *including—*

17 *(i) a list of each agency and the degree*
18 *to which each agency has applied the intru-*
19 *sion detection and prevention capabilities to*
20 *an agency information system; and*

21 *(ii) a list by agency of—*

22 *(I) the number of instances in*
23 *which the intrusion detection and pre-*
24 *vention capabilities detected a cyberse-*
25 *curity risk in network traffic*

1 *transiting or traveling to or from an*
2 *agency information system and the*
3 *types of indicators, identifiers, and*
4 *techniques used to detect such cyberse-*
5 *curity risks; and*

6 *(II) the number of instances in*
7 *which the intrusion detection and pre-*
8 *vention capabilities prevented network*
9 *traffic associated with a cybersecurity*
10 *risk from transiting or traveling to or*
11 *from an agency information system*
12 *and the types of indicators, identifiers,*
13 *and techniques used to detect such*
14 *agency information systems.*

15 *(C) CHIEF INFORMATION OFFICER.—Not*
16 *earlier than 18 months after the date of enact-*
17 *ment of this Act and not later than 2 years after*
18 *the date of enactment of this Act, the Federal*
19 *Chief Information Officer shall review and sub-*
20 *mit to the appropriate congressional committees*
21 *a report assessing the intrusion detection and in-*
22 *trusion prevention capabilities, including—*

23 *(i) the effectiveness of the system in de-*
24 *tecting, disrupting, and preventing cyber-*
25 *threat actors, including advanced persistent*

1 *threats, from accessing agency information*
2 *and agency information systems;*

3 *(ii) whether the intrusion detection*
4 *and prevention capabilities, continuous*
5 *diagnostics and mitigation, and other sys-*
6 *tems deployed under subtitle D of title II of*
7 *the Homeland Security Act of 2002 (6*
8 *U.S.C. 231 et seq.) are effective in securing*
9 *Federal information systems;*

10 *(iii) the costs and benefits of the intru-*
11 *sion detection and prevention capabilities,*
12 *including as compared to commercial tech-*
13 *nologies and tools and including the value*
14 *of classified cyber threat indicators; and*

15 *(iv) the capability of agencies to pro-*
16 *tect sensitive cyber threat indicators and de-*
17 *fensive measures if they were shared through*
18 *unclassified mechanisms for use in commer-*
19 *cial technologies and tools.*

20 (2) *OMB REPORT ON DEVELOPMENT AND IMPLE-*
21 *MENTATION OF INTRUSION ASSESSMENT PLAN, AD-*
22 *VANCED INTERNAL DEFENSES, AND FEDERAL CYBER-*
23 *SECURITY REQUIREMENTS.—The Director shall—*

24 *(A) not later than 6 months after the date*
25 *of enactment of this Act, and 30 days after any*

1 *update thereto, submit the intrusion assessment*
2 *plan to the appropriate congressional commit-*
3 *tees;*

4 *(B) not later than 1 year after the date of*
5 *enactment of this Act, and annually thereafter,*
6 *submit to Congress, as part of the report re-*
7 *quired under section 3553(c) of title 44, United*
8 *States Code—*

9 *(i) a description of the implementation*
10 *of the intrusion assessment plan;*

11 *(ii) the findings of the intrusion assess-*
12 *ments conducted pursuant to the intrusion*
13 *assessment plan;*

14 *(iii) a description of the advanced net-*
15 *work security tools included in the efforts to*
16 *continuously diagnose and mitigate cyberse-*
17 *curity risks pursuant to section 224(a)(1);*
18 *and*

19 *(iv) a list by agency of compliance*
20 *with the requirements of section 225(b); and*

21 *(C) not later than 1 year after the date of*
22 *enactment of this Act, submit to the appropriate*
23 *congressional committees—*

24 *(i) a copy of the plan developed pursu-*
25 *ant to section 224(a)(2); and*

1 (ii) the improved metrics developed
2 pursuant to section 224(c).

3 (d) *FORM.*—Each report required under this section
4 shall be submitted in unclassified form, but may include
5 a classified annex.

6 **SEC. 227. TERMINATION.**

7 (a) *IN GENERAL.*—The authority provided under sec-
8 tion 230 of the Homeland Security Act of 2002, as added
9 by section 223(a)(6) of this division, and the reporting re-
10 quirements under section 226(c) of this division shall termi-
11 nate on the date that is 7 years after the date of enactment
12 of this Act.

13 (b) *RULE OF CONSTRUCTION.*—Nothing in subsection
14 (a) shall be construed to affect the limitation of liability
15 of a private entity for assistance provided to the Secretary
16 under section 230(d)(2) of the Homeland Security Act of
17 2002, as added by section 223(a)(6) of this division, if such
18 assistance was rendered before the termination date under
19 subsection (a) or otherwise during a period in which the
20 assistance was authorized.

21 **SEC. 228. IDENTIFICATION OF INFORMATION SYSTEMS RE-**
22 **LATING TO NATIONAL SECURITY.**

23 (a) *IN GENERAL.*—Except as provided in subsection
24 (c), not later than 180 days after the date of enactment of
25 this Act—

1 (1) *the Director of National Intelligence and the*
2 *Director of the Office of Management and Budget, in*
3 *coordination with the heads of other agencies, shall—*

4 (A) *identify all unclassified information*
5 *systems that provide access to information that*
6 *may provide an adversary with the ability to de-*
7 *rive information that would otherwise be consid-*
8 *ered classified;*

9 (B) *assess the risks that would result from*
10 *the breach of each unclassified information sys-*
11 *tem identified in subparagraph (A); and*

12 (C) *assess the cost and impact on the mis-*
13 *sion carried out by each agency that owns an*
14 *unclassified information system identified in*
15 *subparagraph (A) if the system were to be subse-*
16 *quently designated as a national security system;*
17 *and*

18 (2) *the Director of National Intelligence and the*
19 *Director of the Office of Management and Budget*
20 *shall submit to the appropriate congressional commit-*
21 *tees, the Select Committee on Intelligence of the Sen-*
22 *ate, and the Permanent Select Committee on Intel-*
23 *ligence of the House of Representatives a report that*
24 *includes the findings under paragraph (1).*

1 (b) *FORM.*—The report submitted under subsection
2 (a)(2) shall be in unclassified form, and shall include a
3 classified annex.

4 (c) *EXCEPTION.*—The requirements under subsection
5 (a)(1) shall not apply to the Department of Defense, a na-
6 tional security system, or an element of the intelligence
7 community.

8 (d) *RULE OF CONSTRUCTION.*—Nothing in this section
9 shall be construed to designate an information system as
10 a national security system.

11 **SEC. 229. DIRECTION TO AGENCIES.**

12 (a) *IN GENERAL.*—Section 3553 of title 44, United
13 States Code, is amended by adding at the end the following:

14 “(h) *DIRECTION TO AGENCIES.*—

15 “(1) *AUTHORITY.*—

16 “(A) *IN GENERAL.*—Subject to subpara-
17 graph (B), in response to a known or reasonably
18 suspected information security threat, vulner-
19 ability, or incident that represents a substantial
20 threat to the information security of an agency,
21 the Secretary may issue an emergency directive
22 to the head of an agency to take any lawful ac-
23 tion with respect to the operation of the informa-
24 tion system, including such systems used or oper-
25 ated by another entity on behalf of an agency,

1 that collects, processes, stores, transmits, dissemi-
2 nates, or otherwise maintains agency informa-
3 tion, for the purpose of protecting the informa-
4 tion system from, or mitigating, an information
5 security threat.

6 “(B) *EXCEPTION.*—The authorities of the
7 Secretary under this subsection shall not apply
8 to a system described subsection (d) or to a sys-
9 tem described in paragraph (2) or (3) of sub-
10 section (e).

11 “(2) *PROCEDURES FOR USE OF AUTHORITY.*—

12 The Secretary shall—

13 “(A) in coordination with the Director, and
14 in consultation with Federal contractors as ap-
15 propriate, establish procedures governing the cir-
16 cumstances under which a directive may be
17 issued under this subsection, which shall in-
18 clude—

19 “(i) thresholds and other criteria;

20 “(ii) privacy and civil liberties protec-
21 tions; and

22 “(iii) providing notice to potentially
23 affected third parties;

24 “(B) specify the reasons for the required ac-
25 tion and the duration of the directive;

1 “(C) minimize the impact of a directive
2 under this subsection by—

3 “(i) adopting the least intrusive means
4 possible under the circumstances to secure
5 the agency information systems; and

6 “(ii) limiting directives to the shortest
7 period practicable;

8 “(D) notify the Director and the head of
9 any affected agency immediately upon the
10 issuance of a directive under this subsection;

11 “(E) consult with the Director of the Na-
12 tional Institute of Standards and Technology re-
13 garding any directive under this subsection that
14 implements standards and guidelines developed
15 by the National Institute of Standards and Tech-
16 nology;

17 “(F) ensure that directives issued under this
18 subsection do not conflict with the standards and
19 guidelines issued under section 11331 of title 40;

20 “(G) consider any applicable standards or
21 guidelines developed by the National Institute of
22 Standards and Technology issued by the Sec-
23 retary of Commerce under section 11331 of title
24 40; and

1 “(H) not later than February 1 of each
2 year, submit to the appropriate congressional
3 committees a report regarding the specific ac-
4 tions the Secretary has taken pursuant to para-
5 graph (1)(A).

6 “(3) IMMEDIATE THREATS.—

7 “(A) IN GENERAL.—Notwithstanding sec-
8 tion 3554, the Secretary may authorize the use
9 under this subsection of the intrusion detection
10 and prevention capabilities established under
11 section 230(b)(1) of the Homeland Security Act
12 of 2002 for the purpose of ensuring the security
13 of agency information systems, if—

14 “(i) the Secretary determines there is
15 an imminent threat to agency information
16 systems;

17 “(ii) the Secretary determines a direc-
18 tive under subsection (b)(2)(C) or para-
19 graph (1)(A) is not reasonably likely to re-
20 sult in a timely response to the threat;

21 “(iii) the Secretary determines the risk
22 posed by the imminent threat outweighs any
23 adverse consequences reasonably expected to
24 result from the use of the intrusion detection

1 *and prevention capabilities under the con-*
2 *trol of the Secretary;*

3 “(iv) *the Secretary provides prior no-*
4 *tice to the Director, and the head and chief*
5 *information officer (or equivalent official) of*
6 *each agency to which specific actions will be*
7 *taken pursuant to this paragraph, and noti-*
8 *fies the appropriate congressional commit-*
9 *tees and authorizing committees of each*
10 *such agency within 7 days of taking an ac-*
11 *tion under this paragraph of—*

12 “(I) *any action taken under this*
13 *paragraph; and*

14 “(II) *the reasons for and duration*
15 *and nature of the action;*

16 “(v) *the action of the Secretary is con-*
17 *sistent with applicable law; and*

18 “(vi) *the Secretary authorizes the use*
19 *of the intrusion detection and prevention*
20 *capabilities in accordance with the advance*
21 *procedures established under subparagraph*
22 *(C).*

23 “(B) *LIMITATION ON DELEGATION.—The*
24 *authority under this paragraph may not be dele-*
25 *gated by the Secretary.*

1 “(C) *ADVANCE PROCEDURES.*—*The Sec-*
2 *retary shall, in coordination with the Director,*
3 *and in consultation with the heads of Federal*
4 *agencies, establish procedures governing the cir-*
5 *cumstances under which the Secretary may au-*
6 *thorize the use of the intrusion detection and*
7 *prevention capabilities under subparagraph (A).*
8 *The Secretary shall submit the procedures to*
9 *Congress.*

10 “(4) *LIMITATION.*—*The Secretary may direct or*
11 *authorize lawful action or the use of the intrusion de-*
12 *tection and prevention capabilities under this sub-*
13 *section only to—*

14 “(A) *protect agency information from unau-*
15 *thorized access, use, disclosure, disruption, modi-*
16 *fication, or destruction; or*

17 “(B) *require the remediation of or protect*
18 *against identified information security risks*
19 *with respect to—*

20 “(i) *information collected or main-*
21 *tained by or on behalf of an agency; or*

22 “(ii) *that portion of an information*
23 *system used or operated by an agency or by*
24 *a contractor of an agency or other organiza-*
25 *tion on behalf of an agency.*

1 “(i) *ANNUAL REPORT TO CONGRESS.*—Not later than
2 *February 1 of each year, the Director and the Secretary*
3 *shall submit to the appropriate congressional committees a*
4 *report regarding the specific actions the Director and the*
5 *Secretary have taken pursuant to subsection (a)(5), includ-*
6 *ing any actions taken pursuant to section 11303(b)(5) of*
7 *title 40.*

8 “(j) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
9 *FINED.*—In this section, the term ‘appropriate congress-
10 *sional committees’ means—*

11 “(1) *the Committee on Appropriations and the*
12 *Committee on Homeland Security and Governmental*
13 *Affairs of the Senate; and*

14 “(2) *the Committee on Appropriations, the Com-*
15 *mittee on Homeland Security, the Committee on*
16 *Oversight and Government Reform, and the Com-*
17 *mittee on Science, Space, and Technology of the*
18 *House of Representatives.”.*

19 (b) *CONFORMING AMENDMENT.*—Section
20 *3554(a)(1)(B) of title 44, United States Code, is amended—*

21 (1) *in clause (iii), by striking “and” at the end;*
22 *and*

23 (2) *by adding at the end the following:*

24 “(v) *emergency directives issued by the*
25 *Secretary under section 3553(h); and”.*

1 **TITLE III—FEDERAL CYBERSE-**
2 **CURITY WORKFORCE ASSESS-**
3 **MENT**

4 **SEC. 301. SHORT TITLE.**

5 *This title may be cited as the “Federal Cybersecurity*
6 *Workforce Assessment Act of 2015”.*

7 **SEC. 302. DEFINITIONS.**

8 *In this title:*

9 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
10 *TEES.—The term “appropriate congressional commit-*
11 *tees” means—*

12 (A) *the Committee on Armed Services of the*
13 *Senate;*

14 (B) *the Committee on Homeland Security*
15 *and Governmental Affairs of the Senate;*

16 (C) *the Select Committee on Intelligence of*
17 *the Senate;*

18 (D) *the Committee on Commerce, Science,*
19 *and Transportation of the Senate;*

20 (E) *the Committee on Armed Services of the*
21 *House of Representatives;*

22 (F) *the Committee on Homeland Security of*
23 *the House of Representatives;*

1 (G) *the Committee on Oversight and Gov-*
2 *ernment Reform of the House of Representatives;*
3 *and*

4 (H) *the Permanent Select Committee on In-*
5 *telligence of the House of Representatives.*

6 (2) *DIRECTOR.—The term “Director” means the*
7 *Director of the Office of Personnel Management.*

8 (3) *NATIONAL INITIATIVE FOR CYBERSECURITY*
9 *EDUCATION.—The term “National Initiative for Cy-*
10 *bersecurity Education” means the initiative under the*
11 *national cybersecurity awareness and education pro-*
12 *gram, as authorized under section 401 of the Cyberse-*
13 *curity Enhancement Act of 2014 (15 U.S.C. 7451).*

14 (4) *WORK ROLES.—The term “ work roles”*
15 *means a specialized set of tasks and functions requir-*
16 *ing specific knowledge, skills, and abilities.*

17 **SEC. 303. NATIONAL CYBERSECURITY WORKFORCE MEAS-**
18 **UREMENT INITIATIVE.**

19 (a) *IN GENERAL.—The head of each Federal agency*
20 *shall—*

21 (1) *identify all positions within the agency that*
22 *require the performance of cybersecurity or other*
23 *cyber-related functions; and*

1 (2) *assign the corresponding employment code*
2 *under the National Initiative for Cybersecurity Edu-*
3 *cation in accordance with subsection (b).*

4 ***(b) EMPLOYMENT CODES.—***

5 ***(1) PROCEDURES.—***

6 ***(A) CODING STRUCTURE.—****Not later than*
7 *180 days after the date of the enactment of this*
8 *Act, the Director, in coordination with the Na-*
9 *tional Institute of Standards and Technology,*
10 *shall develop a coding structure under the Na-*
11 *tional Initiative for Cybersecurity Education.*

12 ***(B) IDENTIFICATION OF CIVILIAN CYBER***
13 ***PERSONNEL.—****Not later than 9 months after the*
14 *date of enactment of this Act, the Director, in co-*
15 *ordination with the Secretary of Homeland Se-*
16 *curity, the Director of the National Institute of*
17 *Standards and Technology, and the Director of*
18 *National Intelligence, shall establish procedures*
19 *to implement the National Initiative for Cyberse-*
20 *curity Education coding structure to identify all*
21 *Federal civilian positions that require the per-*
22 *formance of information technology, cybersecu-*
23 *rity, or other cyber-related functions.*

24 ***(C) IDENTIFICATION OF NONCIVILIAN CYBER***
25 ***PERSONNEL.—****Not later than 18 months after the*

1 *date of enactment of this Act, the Secretary of*
2 *Defense shall establish procedures to implement*
3 *the National Initiative for Cybersecurity Edu-*
4 *cation's coding structure to identify all Federal*
5 *noncivilian positions that require the perform-*
6 *ance of information technology, cybersecurity, or*
7 *other cyber-related functions.*

8 *(D) BASELINE ASSESSMENT OF EXISTING*
9 *CYBERSECURITY WORKFORCE.—Not later than 3*
10 *months after the date on which the procedures*
11 *are developed under subparagraphs (B) and (C),*
12 *respectively, the head of each Federal agency*
13 *shall submit to the appropriate congressional*
14 *committees of jurisdiction a report that identi-*
15 *fies—*

16 *(i) the percentage of personnel with in-*
17 *formation technology, cybersecurity, or other*
18 *cyber-related job functions who currently*
19 *hold the appropriate industry-recognized*
20 *certifications as identified under the Na-*
21 *tional Initiative for Cybersecurity Edu-*
22 *cation;*

23 *(ii) the level of preparedness of other*
24 *civilian and noncivilian cyber personnel*

1 *without existing credentials to take certifi-*
2 *cation exams; and*

3 *(iii) a strategy for mitigating any*
4 *gaps identified in clause (i) or (ii) with the*
5 *appropriate training and certification for*
6 *existing personnel.*

7 *(E) PROCEDURES FOR ASSIGNING CODES.—*

8 *Not later than 3 months after the date on which*
9 *the procedures are developed under subpara-*
10 *graphs (B) and (C), respectively, the head of*
11 *each Federal agency shall establish procedures—*

12 *(i) to identify all encumbered and va-*
13 *cant positions with information technology,*
14 *cybersecurity, or other cyber-related func-*
15 *tions (as defined in the National Initiative*
16 *for Cybersecurity Education’s coding struc-*
17 *ture); and*

18 *(ii) to assign the appropriate employ-*
19 *ment code to each such position, using*
20 *agreed standards and definitions.*

21 *(2) CODE ASSIGNMENTS.—Not later than 1 year*
22 *after the date after the procedures are established*
23 *under paragraph (1)(E), the head of each Federal*
24 *agency shall complete assignment of the appropriate*
25 *employment code to each position within the agency*

1 *with information technology, cybersecurity, or other*
2 *cyber-related functions.*

3 (c) *PROGRESS REPORT.*—*Not later than 180 days*
4 *after the date of enactment of this Act, the Director shall*
5 *submit a progress report on the implementation of this sec-*
6 *tion to the appropriate congressional committees.*

7 **SEC. 304. IDENTIFICATION OF CYBER-RELATED WORK**
8 **ROLES OF CRITICAL NEED.**

9 (a) *IN GENERAL.*—*Beginning not later than 1 year*
10 *after the date on which the employment codes are assigned*
11 *to employees pursuant to section 303(b)(2), and annually*
12 *thereafter through 2022, the head of each Federal agency,*
13 *in consultation with the Director, the Director of the Na-*
14 *tional Institute of Standards and Technology, and the Sec-*
15 *retary of Homeland Security, shall—*

16 (1) *identify information technology, cybersecu-*
17 *rity, or other cyber-related work roles of critical need*
18 *in the agency’s workforce; and*

19 (2) *submit a report to the Director that—*

20 (A) *describes the information technology,*
21 *cybersecurity, or other cyber-related roles identi-*
22 *fied under paragraph (1); and*

23 (B) *substantiates the critical need designa-*
24 *tions.*

1 (b) *GUIDANCE.*—*The Director shall provide Federal*
2 *agencies with timely guidance for identifying information*
3 *technology, cybersecurity, or other cyber-related roles of crit-*
4 *ical need, including—*

5 (1) *current information technology, cybersecu-*
6 *rity, and other cyber-related roles with acute skill*
7 *shortages; and*

8 (2) *information technology, cybersecurity, or*
9 *other cyber-related roles with emerging skill shortages.*

10 (c) *CYBERSECURITY NEEDS REPORT.*—*Not later than*
11 *2 years after the date of the enactment of this Act, the Direc-*
12 *tor, in consultation with the Secretary of Homeland Secu-*
13 *rity, shall—*

14 (1) *identify critical needs for information tech-*
15 *nology, cybersecurity, or other cyber-related workforce*
16 *across all Federal agencies; and*

17 (2) *submit a progress report on the implementa-*
18 *tion of this section to the appropriate congressional*
19 *committees.*

20 **SEC. 305. GOVERNMENT ACCOUNTABILITY OFFICE STATUS**
21 **REPORTS.**

22 *The Comptroller General of the United States shall—*

23 (1) *analyze and monitor the implementation of*
24 *sections 303 and 304; and*

1 (2) *not later than 3 years after the date of the*
2 *enactment of this Act, submit a report to the appro-*
3 *priate congressional committees that describes the sta-*
4 *tus of such implementation.*

5 **TITLE IV—OTHER CYBER**
6 **MATTERS**

7 **SEC. 401. STUDY ON MOBILE DEVICE SECURITY.**

8 (a) *IN GENERAL.*—*Not later than 1 year after the date*
9 *of the enactment of this Act, the Secretary of Homeland Se-*
10 *curity, in consultation with the Director of the National*
11 *Institute of Standards and Technology, shall—*

12 (1) *complete a study on threats relating to the*
13 *security of the mobile devices of the Federal Govern-*
14 *ment; and*

15 (2) *submit an unclassified report to Congress,*
16 *with a classified annex if necessary, that contains the*
17 *findings of such study, the recommendations devel-*
18 *oped under paragraph (3) of subsection (b), the defi-*
19 *ciencies, if any, identified under (4) of such sub-*
20 *section, and the plan developed under paragraph (5)*
21 *of such subsection.*

22 (b) *MATTERS STUDIED.*—*In carrying out the study*
23 *under subsection (a)(1), the Secretary, in consultation with*
24 *the Director of the National Institute of Standards and*
25 *Technology, shall—*

1 (1) *assess the evolution of mobile security tech-*
2 *niques from a desktop-centric approach, and whether*
3 *such techniques are adequate to meet current mobile*
4 *security challenges;*

5 (2) *assess the effect such threats may have on the*
6 *cybersecurity of the information systems and networks*
7 *of the Federal Government (except for national secu-*
8 *rity systems or the information systems and networks*
9 *of the Department of Defense and the intelligence*
10 *community);*

11 (3) *develop recommendations for addressing such*
12 *threats based on industry standards and best prac-*
13 *tices;*

14 (4) *identify any deficiencies in the current au-*
15 *thorities of the Secretary that may inhibit the ability*
16 *of the Secretary to address mobile device security*
17 *throughout the Federal Government (except for na-*
18 *tional security systems and the information systems*
19 *and networks of the Department of Defense and intel-*
20 *ligence community); and*

21 (5) *develop a plan for accelerated adoption of se-*
22 *ecure mobile device technology by the Department of*
23 *Homeland Security.*

24 (c) *INTELLIGENCE COMMUNITY DEFINED.—In this sec-*
25 *tion, the term “intelligence community” has the meaning*

1 *given such term in section 3 of the National Security Act*
2 *of 1947 (50 U.S.C. 3003).*

3 **SEC. 402. DEPARTMENT OF STATE INTERNATIONAL CYBER-**
4 **SPACE POLICY STRATEGY.**

5 *(a) IN GENERAL.—Not later than 90 days after the*
6 *date of the enactment of this Act, the Secretary of State*
7 *shall produce a comprehensive strategy relating to United*
8 *States international policy with regard to cyberspace.*

9 *(b) ELEMENTS.—The strategy required by subsection*
10 *(a) shall include the following:*

11 *(1) A review of actions and activities undertaken*
12 *by the Secretary of State to date to support the goal*
13 *of the President’s International Strategy for Cyber-*
14 *space, released in May 2011, to “work internationally*
15 *to promote an open, interoperable, secure, and reliable*
16 *information and communications infrastructure that*
17 *supports international trade and commerce, strength-*
18 *ens international security, and fosters free expression*
19 *and innovation.”.*

20 *(2) A plan of action to guide the diplomacy of*
21 *the Secretary of State, with regard to foreign coun-*
22 *tries, including conducting bilateral and multilateral*
23 *activities to develop the norms of responsible inter-*
24 *national behavior in cyberspace, and status review of*

1 *existing discussions in multilateral fora to obtain*
2 *agreements on international norms in cyberspace.*

3 *(3) A review of the alternative concepts with re-*
4 *gard to international norms in cyberspace offered by*
5 *foreign countries that are prominent actors, including*
6 *China, Russia, Brazil, and India.*

7 *(4) A detailed description of threats to United*
8 *States national security in cyberspace from foreign*
9 *countries, state-sponsored actors, and private actors to*
10 *Federal and private sector infrastructure of the*
11 *United States, intellectual property in the United*
12 *States, and the privacy of citizens of the United*
13 *States.*

14 *(5) A review of policy tools available to the*
15 *President to deter foreign countries, state-sponsored*
16 *actors, and private actors, including those outlined in*
17 *Executive Order 13694, released on April 1, 2015.*

18 *(6) A review of resources required by the Sec-*
19 *retary, including the Office of the Coordinator for*
20 *Cyber Issues, to conduct activities to build responsible*
21 *norms of international cyber behavior.*

22 *(c) CONSULTATION.—In preparing the strategy re-*
23 *quired by subsection (a), the Secretary of State shall con-*
24 *sult, as appropriate, with other agencies and departments*
25 *of the United States and the private sector and nongovern-*

1 *mental organizations in the United States with recognized*
2 *credentials and expertise in foreign policy, national secu-*
3 *rity, and cybersecurity.*

4 (d) *FORM OF STRATEGY.*—*The strategy required by*
5 *subsection (a) shall be in unclassified form, but may include*
6 *a classified annex.*

7 (e) *AVAILABILITY OF INFORMATION.*—*The Secretary of*
8 *State shall—*

9 (1) *make the strategy required in subsection (a)*
10 *available the public; and*

11 (2) *brief the Committee on Foreign Relations of*
12 *the Senate and the Committee on Foreign Affairs of*
13 *the House of Representatives on the strategy, includ-*
14 *ing any material contained in a classified annex.*

15 **SEC. 403. APPREHENSION AND PROSECUTION OF INTER-**
16 **NATIONAL CYBER CRIMINALS.**

17 (a) *INTERNATIONAL CYBER CRIMINAL DEFINED.*—*In*
18 *this section, the term “international cyber criminal” means*
19 *an individual—*

20 (1) *who is believed to have committed a*
21 *cybercrime or intellectual property crime against the*
22 *interests of the United States or the citizens of the*
23 *United States; and*

24 (2) *for whom—*

1 (A) *an arrest warrant has been issued by a*
2 *judge in the United States; or*

3 (B) *an international wanted notice (com-*
4 *monly referred to as a “Red Notice”) has been*
5 *circulated by Interpol.*

6 (b) *CONSULTATIONS FOR NONCOOPERATION.—The*
7 *Secretary of State, or designee, shall consult with the appro-*
8 *priate government official of each country from which ex-*
9 *tradition is not likely due to the lack of an extradition trea-*
10 *ty with the United States or other reasons, in which one*
11 *or more international cyber criminals are physically*
12 *present, to determine what actions the government of such*
13 *country has taken—*

14 (1) *to apprehend and prosecute such criminals;*
15 *and*

16 (2) *to prevent such criminals from carrying out*
17 *cybercrimes or intellectual property crimes against*
18 *the interests of the United States or its citizens.*

19 (c) *ANNUAL REPORT.—*

20 (1) *IN GENERAL.—The Secretary of State shall*
21 *submit to the appropriate congressional committees*
22 *an annual report that includes—*

23 (A) *the number of international cyber*
24 *criminals located in other countries,*
25 *disaggregated by country, and indicating from*

1 *which countries extradition is not likely due to*
2 *the lack of an extradition treaty with the United*
3 *States or other reasons;*

4 *(B) the nature and number of significant*
5 *discussions by an official of the Department of*
6 *State on ways to thwart or prosecute inter-*
7 *national cyber criminals with an official of an-*
8 *other country, including the name of each such*
9 *country; and*

10 *(C) for each international cyber criminal*
11 *who was extradited to the United States during*
12 *the most recently completed calendar year—*

13 *(i) his or her name;*

14 *(ii) the crimes for which he or she was*
15 *charged;*

16 *(iii) his or her previous country of res-*
17 *idence; and*

18 *(iv) the country from which he or she*
19 *was extradited into the United States.*

20 *(2) FORM.—The report required by this sub-*
21 *section shall be in unclassified form to the maximum*
22 *extent possible, but may include a classified annex.*

23 *(3) APPROPRIATE CONGRESSIONAL COMMIT-*
24 *TEES.—For purposes of this subsection, the term “ap-*
25 *propriate congressional committees” means—*

1 (A) *the Committee on Foreign Relations, the*
2 *Committee on Appropriations, the Committee on*
3 *Homeland Security and Governmental Affairs,*
4 *the Committee on Banking, Housing, and Urban*
5 *Affairs, the Select Committee on Intelligence,*
6 *and the Committee on the Judiciary of the Sen-*
7 *ate; and*

8 (B) *the Committee on Foreign Affairs, the*
9 *Committee on Appropriations, the Committee on*
10 *Homeland Security, the Committee on Financial*
11 *Services, the Permanent Select Committee on In-*
12 *telligence, and the Committee on the Judiciary of*
13 *the House of Representatives.*

14 **SEC. 404. ENHANCEMENT OF EMERGENCY SERVICES.**

15 (a) *COLLECTION OF DATA.*—*Not later than 90 days*
16 *after the date of the enactment of this Act, the Secretary*
17 *of Homeland Security, acting through the center established*
18 *under section 227 of the Homeland Security Act of 2002,*
19 *as redesignated by section 223(a)(3) of this division, in co-*
20 *ordination with appropriate Federal entities and the Direc-*
21 *tor for Emergency Communications, shall establish a proc-*
22 *ess by which a Statewide Interoperability Coordinator may*
23 *report data on any cybersecurity risk or incident involving*
24 *any information system or network used by emergency re-*

1 *sponse providers (as defined in section 2 of the Homeland*
2 *Security Act of 2002 (6 U.S.C. 101)) within the State.*

3 **(b) ANALYSIS OF DATA.**—*Not later than 1 year after*
4 *the date of the enactment of this Act, the Secretary of Home-*
5 *land Security, acting through the Director of the National*
6 *Cybersecurity and Communications Integration Center, in*
7 *coordination with appropriate entities and the Director for*
8 *Emergency Communications, and in consultation with the*
9 *Secretary of Commerce, acting through the Director of the*
10 *National Institute of Standards and Technology, shall con-*
11 *duct integration and analysis of the data reported under*
12 *subsection (a) to develop information and recommendations*
13 *on security and resilience measures for any information*
14 *system or network used by State emergency response pro-*
15 *viders.*

16 **(c) BEST PRACTICES.**—

17 **(1) IN GENERAL.**—*Using the results of the inte-*
18 *gration and analysis conducted under subsection (b),*
19 *and any other relevant information, the Director of*
20 *the National Institute of Standards and Technology*
21 *shall, on an ongoing basis, facilitate and support the*
22 *development of methods for reducing cybersecurity*
23 *risks to emergency response providers using the proc-*
24 *ess described in section 2(e) of the National Institute*
25 *of Standards and Technology Act (15 U.S.C. 272(e)).*

1 (2) *REPORT.*—*The Director of the National In-*
2 *stitute of Standards and Technology shall submit to*
3 *Congress a report on the result of the activities of the*
4 *Director under paragraph (1), including any methods*
5 *developed by the Director under such paragraph, and*
6 *shall make such report publicly available on the*
7 *website of the National Institute of Standards and*
8 *Technology.*

9 (d) *RULE OF CONSTRUCTION.*—*Nothing in this section*
10 *shall be construed to—*

11 (1) *require a State to report data under sub-*
12 *section (a); or*

13 (2) *require a non-Federal entity (as defined in*
14 *section 102) to—*

15 (A) *adopt a recommended measure devel-*
16 *oped under subsection (b); or*

17 (B) *follow the result of the activities carried*
18 *out under subsection (c), including any methods*
19 *developed under such subsection.*

20 **SEC. 405. IMPROVING CYBERSECURITY IN THE HEALTH**
21 **CARE INDUSTRY.**

22 (a) *DEFINITIONS.*—*In this section:*

23 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
24 *TEES.*—*The term “appropriate congressional commit-*
25 *tees” means—*

1 (A) *the Committee on Health, Education,*
2 *Labor, and Pensions, the Committee on Home-*
3 *land Security and Governmental Affairs, and the*
4 *Select Committee on Intelligence of the Senate;*
5 *and*

6 (B) *the Committee on Energy and Com-*
7 *merce, the Committee on Homeland Security,*
8 *and the Permanent Select Committee on Intel-*
9 *ligence of the House of Representatives.*

10 (2) *BUSINESS ASSOCIATE.—The term “business*
11 *associate” has the meaning given such term in section*
12 *160.103 of title 45, Code of Federal Regulations (as*
13 *in effect on the day before the date of the enactment*
14 *of this Act).*

15 (3) *COVERED ENTITY.—The term “covered enti-*
16 *ty” has the meaning given such term in section*
17 *160.103 of title 45, Code of Federal Regulations (as*
18 *in effect on the day before the date of the enactment*
19 *of this Act).*

20 (4) *CYBERSECURITY THREAT; CYBER THREAT IN-*
21 *DICATOR; DEFENSIVE MEASURE; FEDERAL ENTITY;*
22 *NON-FEDERAL ENTITY; PRIVATE ENTITY.—The terms*
23 *“cybersecurity threat”, “cyber threat indicator”, “de-*
24 *fensive measure”, “Federal entity”, “non-Federal en-*

1 *tity*”, and “private entity” have the meanings given
2 *such terms in section 102 of this division.*

3 (5) *HEALTH CARE CLEARINGHOUSE; HEALTH*
4 *CARE PROVIDER; HEALTH PLAN.—The terms “health*
5 *care clearinghouse”, “health care provider”, and*
6 *“health plan” have the meanings given such terms in*
7 *section 160.103 of title 45, Code of Federal Regula-*
8 *tions (as in effect on the day before the date of the*
9 *enactment of this Act).*

10 (6) *HEALTH CARE INDUSTRY STAKEHOLDER.—*
11 *The term “health care industry stakeholder” means*
12 *any—*

13 (A) *health plan, health care clearinghouse,*
14 *or health care provider;*

15 (B) *advocate for patients or consumers;*

16 (C) *pharmacist;*

17 (D) *developer or vendor of health informa-*
18 *tion technology;*

19 (E) *laboratory;*

20 (F) *pharmaceutical or medical device man-*
21 *ufacturer; or*

22 (G) *additional stakeholder the Secretary de-*
23 *termines necessary for purposes of subsection*
24 *(b)(1), (c)(1), (c)(3), or (d)(1).*

1 (7) *SECRETARY.*—*The term “Secretary” means*
2 *the Secretary of Health and Human Services.*

3 (b) *REPORT.*—

4 (1) *IN GENERAL.*—*Not later than 1 year after*
5 *the date of enactment of this Act, the Secretary shall*
6 *submit to the Committee on Health, Education,*
7 *Labor, and Pensions of the Senate and the Committee*
8 *on Energy and Commerce of the House of Representa-*
9 *tives a report on the preparedness of the Department*
10 *of Health and Human Services and health care in-*
11 *dustry stakeholders in responding to cybersecurity*
12 *threats.*

13 (2) *CONTENTS OF REPORT.*—*With respect to the*
14 *internal response of the Department of Health and*
15 *Human Services to emerging cybersecurity threats,*
16 *the report under paragraph (1) shall include—*

17 (A) *a clear statement of the official within*
18 *the Department of Health and Human Services*
19 *to be responsible for leading and coordinating ef-*
20 *forts of the Department regarding cybersecurity*
21 *threats in the health care industry; and*

22 (B) *a plan from each relevant operating di-*
23 *vision and subdivision of the Department of*
24 *Health and Human Services on how such divi-*
25 *sion or subdivision will address cybersecurity*

1 *threats in the health care industry, including a*
2 *clear delineation of how each such division or*
3 *subdivision will divide responsibility among the*
4 *personnel of such division or subdivision and*
5 *communicate with other such divisions and sub-*
6 *divisions regarding efforts to address such*
7 *threats.*

8 *(c) HEALTH CARE INDUSTRY CYBERSECURITY TASK*
9 *FORCE.—*

10 *(1) IN GENERAL.—Not later than 90 days after*
11 *the date of the enactment of this Act, the Secretary,*
12 *in consultation with the Director of the National In-*
13 *stitute of Standards and Technology and the Sec-*
14 *retary of Homeland Security, shall convene health*
15 *care industry stakeholders, cybersecurity experts, and*
16 *any Federal agencies or entities the Secretary deter-*
17 *mines appropriate to establish a task force to—*

18 *(A) analyze how industries, other than the*
19 *health care industry, have implemented strate-*
20 *gies and safeguards for addressing cybersecurity*
21 *threats within their respective industries;*

22 *(B) analyze challenges and barriers private*
23 *entities (excluding any State, tribal, or local gov-*
24 *ernment) in the health care industry face secur-*
25 *ing themselves against cyber attacks;*

1 (C) review challenges that covered entities
2 and business associates face in securing
3 networked medical devices and other software or
4 systems that connect to an electronic health
5 record;

6 (D) provide the Secretary with information
7 to disseminate to health care industry stake-
8 holders of all sizes for purposes of improving
9 their preparedness for, and response to, cyberse-
10 curity threats affecting the health care industry;

11 (E) establish a plan for implementing title
12 I of this division, so that the Federal Govern-
13 ment and health care industry stakeholders may
14 in real time, share actionable cyber threat indi-
15 cators and defensive measures; and

16 (F) report to the appropriate congressional
17 committees on the findings and recommendations
18 of the task force regarding carrying out subpara-
19 graphs (A) through (E).

20 (2) *TERMINATION.*—The task force established
21 under this subsection shall terminate on the date that
22 is 1 year after the date on which such task force is
23 established.

24 (3) *DISSEMINATION.*—Not later than 60 days
25 after the termination of the task force established

1 *under this subsection, the Secretary shall disseminate*
2 *the information described in paragraph (1)(D) to*
3 *health care industry stakeholders in accordance with*
4 *such paragraph.*

5 *(d) ALIGNING HEALTH CARE INDUSTRY SECURITY AP-*
6 *PROACHES.—*

7 *(1) IN GENERAL.—The Secretary shall establish,*
8 *through a collaborative process with the Secretary of*
9 *Homeland Security, health care industry stakeholders,*
10 *the Director of the National Institute of Standards*
11 *and Technology, and any Federal entity or non-Fed-*
12 *eral entity the Secretary determines appropriate, a*
13 *common set of voluntary, consensus-based, and indus-*
14 *try-led guidelines, best practices, methodologies, proce-*
15 *dures, and processes that—*

16 *(A) serve as a resource for cost-effectively re-*
17 *ducing cybersecurity risks for a range of health*
18 *care organizations;*

19 *(B) support voluntary adoption and imple-*
20 *mentation efforts to improve safeguards to ad-*
21 *dress cybersecurity threats;*

22 *(C) are consistent with—*

23 *(i) the standards, guidelines, best prac-*
24 *tices, methodologies, procedures, and proc-*
25 *esses developed under section 2(c)(15) of the*

1 *National Institute of Standards and Tech-*
2 *nology Act (15 U.S.C. 272(c)(15));*

3 (ii) *the security and privacy regula-*
4 *tions promulgated under section 264(c) of*
5 *the Health Insurance Portability and Ac-*
6 *countability Act of 1996 (42 U.S.C. 1320d-*
7 *2 note); and*

8 (iii) *the provisions of the Health Infor-*
9 *mation Technology for Economic and Clin-*
10 *ical Health Act (title XIII of division A,*
11 *and title IV of division B, of Public Law*
12 *111–5), and the amendments made by such*
13 *Act; and*

14 (D) *are updated on a regular basis and ap-*
15 *plicable to a range of health care organizations.*

16 (2) *LIMITATION.—Nothing in this subsection*
17 *shall be interpreted as granting the Secretary author-*
18 *ity to—*

19 (A) *provide for audits to ensure that health*
20 *care organizations are in compliance with this*
21 *subsection; or*

22 (B) *mandate, direct, or condition the award*
23 *of any Federal grant, contract, or purchase, on*
24 *compliance with this subsection.*

1 (3) *NO LIABILITY FOR NONPARTICIPATION.*—
2 *Nothing in this section shall be construed to subject*
3 *a health care industry stakeholder to liability for*
4 *choosing not to engage in the voluntary activities au-*
5 *thorized or guidelines developed under this subsection.*

6 (e) *INCORPORATING ONGOING ACTIVITIES.*—*In car-*
7 *rying out the activities under this section, the Secretary*
8 *may incorporate activities that are ongoing as of the day*
9 *before the date of enactment of this Act and that are con-*
10 *sistent with the objectives of this section.*

11 (f) *RULE OF CONSTRUCTION.*—*Nothing in this section*
12 *shall be construed to limit the antitrust exemption under*
13 *section 104(e) or the protection from liability under section*
14 *106.*

15 **SEC. 406. FEDERAL COMPUTER SECURITY.**

16 (a) *DEFINITIONS.*—*In this section:*

17 (1) *COVERED SYSTEM.*—*The term “covered sys-*
18 *tem” shall mean a national security system as de-*
19 *fined in section 11103 of title 40, United States Code,*
20 *or a Federal computer system that provides access to*
21 *personally identifiable information.*

22 (2) *COVERED AGENCY.*—*The term “covered agen-*
23 *cy” means an agency that operates a covered system.*

24 (3) *LOGICAL ACCESS CONTROL.*—*The term “log-*
25 *ical access control” means a process of granting or de-*

1 *nying specific requests to obtain and use information*
2 *and related information processing services.*

3 (4) *MULTI-FACTOR AUTHENTICATION.*—*The term*
4 *“multi-factor authentication” means the use of not*
5 *fewer than 2 authentication factors, such as the fol-*
6 *lowing:*

7 (A) *Something that is known to the user,*
8 *such as a password or personal identification*
9 *number.*

10 (B) *An access device that is provided to the*
11 *user, such as a cryptographic identification de-*
12 *vice or token.*

13 (C) *A unique biometric characteristic of the*
14 *user.*

15 (5) *PRIVILEGED USER.*—*The term “privileged*
16 *user” means a user who has access to system control,*
17 *monitoring, or administrative functions.*

18 (b) *INSPECTOR GENERAL REPORTS ON COVERED SYS-*
19 *TEMS.*—

20 (1) *IN GENERAL.*—*Not later than 240 days after*
21 *the date of enactment of this Act, the Inspector Gen-*
22 *eral of each covered agency shall submit to the appro-*
23 *priate committees of jurisdiction in the Senate and*
24 *the House of Representatives a report, which shall in-*
25 *clude information collected from the covered agency*

1 *for the contents described in paragraph (2) regarding*
2 *the Federal computer systems of the covered agency.*

3 (2) *CONTENTS.—The report submitted by each*
4 *Inspector General of a covered agency under para-*
5 *graph (1) shall include, with respect to the covered*
6 *agency, the following:*

7 (A) *A description of the logical access poli-*
8 *cies and practices used by the covered agency to*
9 *access a covered system, including whether ap-*
10 *propriate standards were followed.*

11 (B) *A description and list of the logical ac-*
12 *cess controls and multi-factor authentication*
13 *used by the covered agency to govern access to*
14 *covered systems by privileged users.*

15 (C) *If the covered agency does not use log-*
16 *ical access controls or multi-factor authentica-*
17 *tion to access a covered system, a description of*
18 *the reasons for not using such logical access con-*
19 *trols or multi-factor authentication.*

20 (D) *A description of the following informa-*
21 *tion security management practices used by the*
22 *covered agency regarding covered systems:*

23 (i) *The policies and procedures fol-*
24 *lowed to conduct inventories of the software*
25 *present on the covered systems of the covered*

1 *agency and the licenses associated with such*
2 *software.*

3 *(ii) What capabilities the covered agen-*
4 *cy utilizes to monitor and detect exfiltration*
5 *and other threats, including—*

6 *(I) data loss prevention capabili-*
7 *ties;*

8 *(II) forensics and visibility capa-*
9 *bilities; or*

10 *(III) digital rights management*
11 *capabilities.*

12 *(iii) A description of how the covered*
13 *agency is using the capabilities described in*
14 *clause (ii).*

15 *(iv) If the covered agency is not uti-*
16 *lizing capabilities described in clause (ii), a*
17 *description of the reasons for not utilizing*
18 *such capabilities.*

19 *(E) A description of the policies and proce-*
20 *dures of the covered agency with respect to ensur-*
21 *ing that entities, including contractors, that pro-*
22 *vide services to the covered agency are imple-*
23 *menting the information security management*
24 *practices described in subparagraph (D).*

1 (3) *EXISTING REVIEW*.—*The reports required*
 2 *under this subsection may be based in whole or in*
 3 *part on an audit, evaluation, or report relating to*
 4 *programs or practices of the covered agency, and may*
 5 *be submitted as part of another report, including the*
 6 *report required under section 3555 of title 44, United*
 7 *States Code.*

8 (4) *CLASSIFIED INFORMATION*.—*Reports sub-*
 9 *mitted under this subsection shall be in unclassified*
 10 *form, but may include a classified annex.*

11 **SEC. 407. STOPPING THE FRAUDULENT SALE OF FINANCIAL**
 12 **INFORMATION OF PEOPLE OF THE UNITED**
 13 **STATES.**

14 *Section 1029(h) of title 18, United States Code, is*
 15 *amended by striking “title if—” and all that follows*
 16 *through “therefrom.” and inserting “title if the offense in-*
 17 *volves an access device issued, owned, managed, or con-*
 18 *trolled by a financial institution, account issuer, credit*
 19 *card system member, or other entity organized under the*
 20 *laws of the United States, or any State, the District of Co-*
 21 *lumbia, or other territory of the United States.”.*

22 ***DIVISION O—OTHER MATTERS***

23 ***SEC. 1. TABLE OF CONTENTS.***

24 *The table of contents for this division is as follows:*

Sec. 1. Table of contents.

TITLE I—OIL EXPORTS, SAFETY VALVE, AND MARITIME SECURITY

Sec. 101. Oil Exports, Safety Valve, and Maritime Security.

TITLE II—TERRORIST TRAVEL PREVENTION AND VISA WAIVER PROGRAM REFORM

Sec. 201. Short title.

Sec. 202. Electronic passport requirement.

Sec. 203. Restriction on use of visa waiver program for aliens who travel to certain countries.

Sec. 204. Designation requirements for program countries.

Sec. 205. Reporting requirements.

Sec. 206. High risk program countries.

Sec. 207. Enhancements to the electronic system for travel authorization.

Sec. 208. Provision of assistance to non-program countries.

Sec. 209. Clerical amendments.

Sec. 210. Sense of Congress.

TITLE III—JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT

Sec. 301. Short title.

Sec. 302. Reauthorizing the World Trade Center Health Program.

TITLE IV—JAMES ZADROGA 9/11 VICTIM COMPENSATION FUND REAUTHORIZATION

Sec. 401. Short title.

Sec. 402. Reauthorizing the September 11th Victim Compensation Fund of 2001.

Sec. 403. Amendment to exempt programs.

Sec. 404. Compensation for United States Victims of State Sponsored Terrorism Act.

Sec. 405. Budgetary provisions.

TITLE V—MEDICARE AND MEDICAID PROVISIONS

Sec. 501. Medicare Improvement Fund.

Sec. 502. Medicare payment incentive for the transition from traditional x-ray imaging to digital radiography and other Medicare imaging payment provision.

Sec. 503. Limiting Federal Medicaid reimbursement to States for durable medical equipment (DME) to Medicare payment rates.

Sec. 504. Treatment of disposable devices.

TITLE VI—PUERTO RICO

Sec. 601. Modification of Medicare inpatient hospital payment rate for Puerto Rico hospitals.

Sec. 602. Application of Medicare HITECH payments to hospitals in Puerto Rico.

TITLE VII—FINANCIAL SERVICES

Sec. 701. Table of contents.

Sec. 702. Limitations on sale of preferred stock.

Sec. 703. Confidentiality of information shared between State and Federal financial services regulators.

- Sec. 704. Application of FACA.*
Sec. 705. Treatment of affiliate transactions.
Sec. 706. Ensuring the protection of insurance policyholders.
Sec. 707. Limitation on SEC funds.
Sec. 708. Elimination of reporting requirement.
Sec. 709. Extension of Hardest Hit Fund; Termination of Home Affordable Modification Program.

TITLE VIII—LAND AND WATER CONSERVATION FUND

- Sec. 801. Land and Water Conservation Fund.*

TITLE IX—NATIONAL OCEANS AND COASTAL SECURITY

- Sec. 901. Short title.*
Sec. 902. Definitions.
Sec. 903. Purposes and agreements.
Sec. 904. National Oceans and Coastal Security Fund.
Sec. 905. Eligible uses.
Sec. 906. Grants.
Sec. 907. Annual report.
Sec. 908. Funding.

TITLE X—BUDGETARY PROVISIONS

- Sec. 1001. Budgetary effects.*
Sec. 1002. Authority to make adjustment in FY 2016 allocation.
Sec. 1003. Estimates.

TITLE XI—IRAQ LOAN AUTHORITY

- Sec. 1101. Iraq loan authority.*

1 **TITLE I—OIL EXPORTS, SAFETY**
 2 **VALVE, AND MARITIME**
 3 **SECURITY**

4 **SEC. 101. OIL EXPORTS, SAFETY VALVE, AND MARITIME SE-**
 5 **CURITY.**

6 (a) *REPEAL.*—Section 103 of the Energy Policy and
 7 Conservation Act (42 U.S.C. 6212) and the item relating
 8 thereto in the table of contents of that Act are repealed.

9 (b) *NATIONAL POLICY ON OIL EXPORT RESTRIC-*
 10 *TION.*—Notwithstanding any other provision of law, except
 11 as provided in subsections (c) and (d), to promote the effi-

1 *cient exploration, production, storage, supply, marketing,*
2 *pricing, and regulation of energy resources, including fossil*
3 *fuels, no official of the Federal Government shall impose*
4 *or enforce any restriction on the export of crude oil.*

5 (c) *SAVINGS CLAUSE.—Nothing in this section limits*
6 *the authority of the President under the Constitution, the*
7 *International Emergency Economic Powers Act (50 U.S.C.*
8 *1701 et seq.) or regulations issued under that Act (other*
9 *than section 754.2 of title 15, Code of Federal Regulations),*
10 *the National Emergencies Act (50 U.S.C. 1601 et seq.), part*
11 *B of title II of the Energy Policy and Conservation Act*
12 *(42 U.S.C. 6271 et seq.), the Trading With the Enemy Act*
13 *(50 U.S.C. App. 1 et seq.), or any other provision of law*
14 *that imposes sanctions on a foreign person or foreign gov-*
15 *ernment (including any provision of law that prohibits or*
16 *restricts United States persons from engaging in a trans-*
17 *action with a sanctioned person or government), including*
18 *a foreign government that is designated as a state sponsor*
19 *of terrorism, to prohibit exports.*

20 (d) *EXCEPTIONS AND PRESIDENTIAL AUTHORITY.—*

21 (1) *IN GENERAL.—The President may impose ex-*
22 *port licensing requirements or other restrictions on*
23 *the export of crude oil from the United States for a*
24 *period of not more than 1 year, if—*

1 (A) the President declares a national emer-
2 gency and formally notices the declaration of a
3 national emergency in the *Federal Register*;

4 (B) the export licensing requirements or
5 other restrictions on the export of crude oil from
6 the United States under this subsection apply to
7 1 or more countries, persons, or organizations in
8 the context of sanctions or trade restrictions im-
9 posed by the United States for reasons of na-
10 tional security by the Executive authority of the
11 President or by Congress; or

12 (C) the Secretary of Commerce, in consulta-
13 tion with the Secretary of Energy, finds and re-
14 ports to the President that—

15 (i) the export of crude oil pursuant to
16 this Act has caused sustained material oil
17 supply shortages or sustained oil prices sig-
18 nificantly above world market levels that
19 are directly attributable to the export of
20 crude oil produced in the United States;
21 and

22 (ii) those supply shortages or price in-
23 creases have caused or are likely to cause
24 sustained material adverse employment ef-
25 fects in the United States.

1 (2) *RENEWAL*.—Any requirement or restriction
2 imposed pursuant to subparagraph (A) of paragraph
3 (1) may be renewed for 1 or more additional periods
4 of not more than 1 year each.

5 (e) *NATIONAL DEFENSE SEALIFT ENHANCEMENT*.—

6 (1) *PAYMENTS*.—Section 53106(a)(1) of title 46,
7 United States Code, is amended—

8 (A) in subparagraph (B), by striking the
9 comma before “for each”;

10 (B) in subparagraph (C), by striking
11 “2015, 2016, 2017, and 2018;” and inserting
12 “and 2015;”;

13 (C) by redesignating subparagraph (E) as
14 subparagraph (G); and

15 (D) by striking subparagraph (D) and in-
16 serting the following:

17 “(D) \$4,999,950 for fiscal year 2017;

18 “(E) \$5,000,000 for each of fiscal years
19 2018, 2019, and 2020;

20 “(F) \$5,233,463 for fiscal year 2021; and”.

21 (2) *AUTHORIZATION OF APPROPRIATIONS*.—Sec-
22 tion 53111 of title 46, United States Code, is amend-
23 ed—

24 (A) in paragraph (3), by striking “2015,
25 2017, and 2018;” and inserting “and 2015”;

1 (B) by redesignating paragraph (5) as
2 paragraph (7); and

3 (C) by striking paragraph (4) and inserting
4 the following:

5 “(4) \$299,997,000 for fiscal year 2017;

6 “(5) \$300,000,000 for each of fiscal years 2018,
7 2019, and 2020;

8 “(6) \$314,007,780 for fiscal year 2021; and”.

9 **TITLE II—TERRORIST TRAVEL**
10 **PREVENTION AND VISA WAIV-**
11 **ER PROGRAM REFORM**

12 **SECTION 201. SHORT TITLE.**

13 *This title may be cited as the “Visa Waiver Program*
14 *Improvement and Terrorist Travel Prevention Act of 2015”.*

15 **SEC. 202. ELECTRONIC PASSPORT REQUIREMENT.**

16 (a) *REQUIREMENT FOR ALIEN TO POSSESS ELEC-*
17 *TRONIC PASSPORT.—Section 217(a)(3) of the Immigration*
18 *and Nationality Act (8 U.S.C. 1187(a)(3)) is amended to*
19 *read as follows:*

20 “(3) *PASSPORT REQUIREMENTS.—The alien, at*
21 *the time of application for admission, is in possession*
22 *of a valid unexpired passport that satisfies the fol-*
23 *lowing:*

24 “(A) *MACHINE READABLE.—The passport is*
25 *a machine-readable passport that is tamper-re-*

1 *sistant, incorporates document authentication*
2 *identifiers, and otherwise satisfies the inter-*
3 *nationally accepted standard for machine read-*
4 *ability.*

5 “(B) *ELECTRONIC.*—*Beginning on April 1,*
6 *2016, the passport is an electronic passport that*
7 *is fraud-resistant, contains relevant biographic*
8 *and biometric information (as determined by the*
9 *Secretary of Homeland Security), and otherwise*
10 *satisfies internationally accepted standards for*
11 *electronic passports.”.*

12 (b) *REQUIREMENT FOR PROGRAM COUNTRY TO VALI-*
13 *DATE PASSPORTS.*—*Section 217(c)(2)(B) of the Immigra-*
14 *tion and Nationality Act (8 U.S.C. 1187(c)(2)(B)) is*
15 *amended to read as follows:*

16 “(B) *PASSPORT PROGRAM.*—

17 “(i) *ISSUANCE OF PASSPORTS.*—*The*
18 *government of the country certifies that it*
19 *issues to its citizens passports described in*
20 *subparagraph (A) of subsection (a)(3), and*
21 *on or after April 1, 2016, passports de-*
22 *scribed in subparagraph (B) of subsection*
23 *(a)(3).*

24 “(ii) *VALIDATION OF PASSPORTS.*—*Not*
25 *later than October 1, 2016, the government*

1 *of the country certifies that it has in place*
2 *mechanisms to validate passports described*
3 *in subparagraphs (A) and (B) of subsection*
4 *(a)(3) at each key port of entry into that*
5 *country. This requirement shall not apply*
6 *to travel between countries which fall with-*
7 *in the Schengen Zone.”.*

8 (c) *CONFORMING AMENDMENT.—Section 303(c) of the*
9 *Enhanced Border Security and Visa Entry Reform Act of*
10 *2002 is repealed (8 U.S.C. 1732(c)).*

11 **SEC. 203. RESTRICTION ON USE OF VISA WAIVER PROGRAM**
12 **FOR ALIENS WHO TRAVEL TO CERTAIN COUN-**
13 **TRIES.**

14 *Section 217(a) of the Immigration and Nationality*
15 *Act (8 U.S.C. 1187(a)), as amended by this Act, is further*
16 *amended by adding at the end the following:*

17 “(12) *NOT PRESENT IN IRAQ, SYRIA, OR ANY*
18 *OTHER COUNTRY OR AREA OF CONCERN.—*

19 “(A) *IN GENERAL.—Except as provided in*
20 *subparagraphs (B) and (C)—*

21 “(i) *the alien has not been present, at*
22 *any time on or after March 1, 2011—*

23 “(I) *in Iraq or Syria;*

24 “(II) *in a country that is des-*
25 *ignated by the Secretary of State under*

1 *section 6(j) of the Export Administra-*
2 *tion Act of 1979 (50 U.S.C. 2405) (as*
3 *continued in effect under the Inter-*
4 *national Emergency Economic Powers*
5 *Act (50 U.S.C. 1701 et seq.)), section*
6 *40 of the Arms Export Control Act (22*
7 *U.S.C. 2780), section 620A of the For-*
8 *oreign Assistance Act of 1961 (22 U.S.C.*
9 *2371), or any other provision of law,*
10 *as a country, the government of which*
11 *has repeatedly provided support of acts*
12 *of international terrorism; or*

13 *“(III) in any other country or*
14 *area of concern designated by the Sec-*
15 *retary of Homeland Security under*
16 *subparagraph (D); and*

17 *“(ii) regardless of whether the alien is*
18 *a national of a program country, the alien*
19 *is not a national of—*

20 *“(I) Iraq or Syria;*

21 *“(II) a country that is designated,*
22 *at the time the alien applies for admis-*
23 *sion, by the Secretary of State under*
24 *section 6(j) of the Export Administra-*
25 *tion Act of 1979 (50 U.S.C. 2405) (as*

1 *continued in effect under the Inter-*
2 *national Emergency Economic Powers*
3 *Act (50 U.S.C. 1701 et seq.)), section*
4 *40 of the Arms Export Control Act (22*
5 *U.S.C. 2780), section 620A of the For-*
6 *ign Assistance Act of 1961 (22 U.S.C.*
7 *2371), or any other provision of law,*
8 *as a country, the government of which*
9 *has repeatedly provided support of acts*
10 *of international terrorism; or*

11 *“(III) any other country that is*
12 *designated, at the time the alien ap-*
13 *plies for admission, by the Secretary of*
14 *Homeland Security under subpara-*
15 *graph (D).*

16 *“(B) CERTAIN MILITARY PERSONNEL AND*
17 *GOVERNMENT EMPLOYEES.—Subparagraph*
18 *(A)(i) shall not apply in the case of an alien if*
19 *the Secretary of Homeland Security determines*
20 *that the alien was present—*

21 *“(i) in order to perform military serv-*
22 *ice in the armed forces of a program coun-*
23 *try; or*

1 “(ii) *in order to carry out official du-*
2 *ties as a full time employee of the govern-*
3 *ment of a program country.*

4 “(C) *WAIVER.—The Secretary of Homeland*
5 *Security may waive the application of subpara-*
6 *graph (A) to an alien if the Secretary determines*
7 *that such a waiver is in the law enforcement or*
8 *national security interests of the United States.*

9 “(D) *COUNTRIES OR AREAS OF CONCERN.—*

10 “(i) *IN GENERAL.—Not later than 60*
11 *days after the date of the enactment of this*
12 *paragraph, the Secretary of Homeland Se-*
13 *curity, in consultation with the Secretary of*
14 *State and the Director of National Intel-*
15 *ligence, shall determine whether the require-*
16 *ment under subparagraph (A) shall apply*
17 *to any other country or area.*

18 “(ii) *CRITERIA.—In making a deter-*
19 *mination under clause (i), the Secretary*
20 *shall consider—*

21 “(I) *whether the presence of an*
22 *alien in the country or area increases*
23 *the likelihood that the alien is a cred-*
24 *ible threat to the national security of*
25 *the United States;*

1 “(II) *whether a foreign terrorist*
2 *organization has a significant presence*
3 *in the country or area; and*

4 “(III) *whether the country or area*
5 *is a safe haven for terrorists.*

6 “(iii) *ANNUAL REVIEW.—The Sec-*
7 *retary shall conduct a review, on an annual*
8 *basis, of any determination made under*
9 *clause (i).*

10 “(E) *REPORT.—Beginning not later than*
11 *one year after the date of the enactment of this*
12 *paragraph, and annually thereafter, the Sec-*
13 *retary of Homeland Security shall submit to the*
14 *Committee on Homeland Security, the Com-*
15 *mittee on Foreign Affairs, the Permanent Select*
16 *Committee on Intelligence, and the Committee on*
17 *the Judiciary of the House of Representatives,*
18 *and the Committee on Homeland Security and*
19 *Governmental Affairs, the Committee on Foreign*
20 *Relations, the Select Committee on Intelligence,*
21 *and the Committee on the Judiciary of the Sen-*
22 *ate a report on each instance in which the Sec-*
23 *retary exercised the waiver authority under sub-*
24 *paragraph (C) during the previous year.”.*

1 **SEC. 204. DESIGNATION REQUIREMENTS FOR PROGRAM**
2 **COUNTRIES.**

3 (a) *REPORTING LOST AND STOLEN PASSPORTS.*—Sec-
4 *tion 217(c)(2)(D) of the Immigration and Nationality Act*
5 *(8 U.S.C. 1187(c)(2)(D)), as amended by this Act, is further*
6 *amended by striking “within a strict time limit” and in-*
7 *serting “not later than 24 hours after becoming aware of*
8 *the theft or loss”.*

9 (b) *INTERPOL SCREENING.*—Section 217(c)(2) of the
10 *Immigration and Nationality Act (8 U.S.C. 1187(c)(2)), as*
11 *amended by this Act, is further amended by adding at the*
12 *end the following:*

13 “(G) *INTERPOL SCREENING.*—Not later
14 *than 270 days after the date of the enactment of*
15 *this subparagraph, except in the case of a coun-*
16 *try in which there is not an international air-*
17 *port, the government of the country certifies to*
18 *the Secretary of Homeland Security that, to the*
19 *maximum extent allowed under the laws of the*
20 *country, it is screening, for unlawful activity,*
21 *each person who is not a citizen or national of*
22 *that country who is admitted to or departs that*
23 *country, by using relevant databases and notices*
24 *maintained by Interpol, or other means des-*
25 *ignated by the Secretary of Homeland Security.*
26 *This requirement shall not apply to travel be-*

1 *tween countries which fall within the Schengen*
2 *Zone.”.*

3 *(c) IMPLEMENTATION OF PASSENGER INFORMATION*
4 *EXCHANGE AGREEMENT.—Section 217(c)(2)(F) of the Im-*
5 *migration and Nationality Act (8 U.S.C. 1187(c)(2)(F)),*
6 *as amended by this Act, is further amended by inserting*
7 *before the period at the end the following: “, and fully im-*
8 *plements such agreement”.*

9 *(d) TERMINATION OF DESIGNATION.—Section 217(f) of*
10 *the Immigration and Nationality Act (8 U.S.C. 1187(f))*
11 *is amended by adding at the end the following:*

12 *“(6) FAILURE TO SHARE INFORMATION.—*

13 *“(A) IN GENERAL.—If the Secretary of*
14 *Homeland Security and the Secretary of State*
15 *jointly determine that the program country is*
16 *not sharing information, as required by sub-*
17 *section (c)(2)(F), the Secretary of Homeland Se-*
18 *curity shall terminate the designation of the*
19 *country as a program country.*

20 *“(B) REDESIGNATION.—In the case of a ter-*
21 *mination under this paragraph, the Secretary of*
22 *Homeland Security shall redesignate the country*
23 *as a program country, without regard to para-*
24 *graph (2) or (3) of subsection (c) or paragraphs*
25 *(1) through (4), when the Secretary of Homeland*

1 *Security, in consultation with the Secretary of*
2 *State, determines that the country is sharing in-*
3 *formation, as required by subsection (c)(2)(F).*

4 “(7) *FAILURE TO SCREEN.—*

5 “(A) *IN GENERAL.—Beginning on the date*
6 *that is 270 days after the date of the enactment*
7 *of this paragraph, if the Secretary of Homeland*
8 *Security and the Secretary of State jointly deter-*
9 *mine that the program country is not conducting*
10 *the screening required by subsection (c)(2)(G),*
11 *the Secretary of Homeland Security shall termi-*
12 *nate the designation of the country as a program*
13 *country.*

14 “(B) *REDESIGNATION.—In the case of a ter-*
15 *mination under this paragraph, the Secretary of*
16 *Homeland Security shall redesignate the country*
17 *as a program country, without regard to para-*
18 *graph (2) or (3) of subsection (c) or paragraphs*
19 *(1) through (4), when the Secretary of Homeland*
20 *Security, in consultation with the Secretary of*
21 *State, determines that the country is conducting*
22 *the screening required by subsection (c)(2)(G).”.*

1 **SEC. 205. REPORTING REQUIREMENTS.**

2 (a) *IN GENERAL.*—Section 217(c) of the Immigration
3 and Nationality Act (8 U.S.C. 1187(c)), as amended by this
4 Act, is further amended—

5 (1) in paragraph (2)(C)(iii)—

6 (A) by striking “and the Committee on
7 International Relations” and inserting “, the
8 Committee on Foreign Affairs, and the Com-
9 mittee on Homeland Security”; and

10 (B) by striking “and the Committee on For-
11 eign Relations” and inserting “, the Committee
12 on Foreign Relations, and the Committee on
13 Homeland Security and Governmental Affairs”;
14 and

15 (2) in paragraph (5)(A)(i)—

16 (A) in subclause (III)—

17 (i) by inserting after “the Committee
18 on Foreign Affairs,” the following: “the Per-
19 manent Select Committee on Intelligence,”;

20 (ii) by inserting after “the Committee
21 on Foreign Relations,” the following: “the
22 Select Committee on Intelligence”; and

23 (iii) by striking “and” at the end;

24 (B) in subclause (IV), by striking the period
25 at the end and inserting the following: “; and”;
26 and

1 (C) by adding at the end the following:

2 “(V) shall submit to the commit-
3 tees described in subclause (III), a re-
4 port that includes an assessment of the
5 threat to the national security of the
6 United States of the designation of
7 each country designated as a program
8 country, including the compliance of
9 the government of each such country
10 with the requirements under subpara-
11 graphs (D) and (F) of paragraph (2),
12 as well as each such government’s ca-
13 pacity to comply with such require-
14 ments.”.

15 (b) *DATE OF SUBMISSION OF FIRST REPORT.*—The
16 Secretary of Homeland Security shall submit the first re-
17 port described in subclause (V) of section 217(c)(5)(A)(i)
18 of the Immigration and Nationality Act (8 U.S.C.
19 (c)(5)(A)(i)), as added by subsection (a), not later than 90
20 days after the date of the enactment of this Act.

21 **SEC. 206. HIGH RISK PROGRAM COUNTRIES.**

22 Section 217(c) of the Immigration and Nationality Act
23 (8 U.S.C. 1187(c)), as amended by this Act, is further
24 amended by adding at the end the following:

1 “(12) *DESIGNATION OF HIGH RISK PROGRAM*
2 *COUNTRIES.*—

3 “(A) *IN GENERAL.*—*The Secretary of Home-*
4 *land Security, in consultation with the Director*
5 *of National Intelligence and the Secretary of*
6 *State, shall evaluate program countries on an*
7 *annual basis based on the criteria described in*
8 *subparagraph (B) and shall identify any pro-*
9 *gram country, the admission of nationals from*
10 *which under the visa waiver program under this*
11 *section, the Secretary determines presents a high*
12 *risk to the national security of the United States.*

13 “(B) *CRITERIA.*—*In evaluating program*
14 *countries under subparagraph (A), the Secretary*
15 *of Homeland Security, in consultation with the*
16 *Director of National Intelligence and the Sec-*
17 *retary of State, shall consider the following cri-*
18 *teria:*

19 “(i) *The number of nationals of the*
20 *country determined to be ineligible to travel*
21 *to the United States under the program*
22 *during the previous year.*

23 “(ii) *The number of nationals of the*
24 *country who were identified in United*
25 *States Government databases related to the*

1 *identities of known or suspected terrorists*
2 *during the previous year.*

3 *“(iii) The estimated number of nation-*
4 *als of the country who have traveled to Iraq*
5 *or Syria at any time on or after March 1,*
6 *2011 to engage in terrorism.*

7 *“(iv) The capacity of the country to*
8 *combat passport fraud.*

9 *“(v) The level of cooperation of the*
10 *country with the counter-terrorism efforts of*
11 *the United States.*

12 *“(vi) The adequacy of the border and*
13 *immigration control of the country.*

14 *“(vii) Any other criteria the Secretary*
15 *of Homeland Security determines to be ap-*
16 *propriate.*

17 *“(C) SUSPENSION OF DESIGNATION.—The*
18 *Secretary of Homeland Security, in consultation*
19 *with the Secretary of State, may suspend the*
20 *designation of a program country based on a de-*
21 *termination that the country presents a high risk*
22 *to the national security of the United States*
23 *under subparagraph (A) until such time as the*
24 *Secretary determines that the country no longer*
25 *presents such a risk.*

1 “(D) *REPORT.*—Not later than 60 days
2 after the date of the enactment of this paragraph,
3 and annually thereafter, the Secretary of Home-
4 land Security, in consultation with the Director
5 of National Intelligence and the Secretary of
6 State, shall submit to the Committee on Home-
7 land Security, the Committee on Foreign Affairs,
8 the Permanent Select Committee on Intelligence,
9 and the Committee on the Judiciary of the
10 House of Representatives, and the Committee on
11 Homeland Security and Governmental Affairs,
12 the Committee on Foreign Relations, the Select
13 Committee on Intelligence, and the Committee on
14 the Judiciary of the Senate a report, which in-
15 cludes an evaluation and threat assessment of
16 each country determined to present a high risk
17 to the national security of the United States
18 under subparagraph (A).”.

19 **SEC. 207. ENHANCEMENTS TO THE ELECTRONIC SYSTEM**
20 **FOR TRAVEL AUTHORIZATION.**

21 (a) *IN GENERAL.*—Section 217(h)(3) of the Immigra-
22 tion and Nationality Act (8 U.S.C. 1187(h)(3)) is amend-
23 ed—

24 (1) in subparagraph (C)(i), by inserting after
25 “any such determination” the following: “or shorten

1 *the period of eligibility under any such determina-*
2 *tion”;*

3 (2) *by striking subparagraph (D) and inserting*
4 *the following:*

5 “(D) *FRAUD DETECTION.—The Secretary of*
6 *Homeland Security shall research opportunities*
7 *to incorporate into the System technology that*
8 *will detect and prevent fraud and deception in*
9 *the System.*

10 “(E) *ADDITIONAL AND PREVIOUS COUN-*
11 *TRIES OF CITIZENSHIP.—The Secretary of*
12 *Homeland Security shall collect from an appli-*
13 *cant for admission pursuant to this section in-*
14 *formation on any additional or previous coun-*
15 *tries of citizenship of that applicant. The Sec-*
16 *retary shall take any information so collected*
17 *into account when making determinations as to*
18 *the eligibility of the alien for admission pursu-*
19 *ant to this section.*

20 “(F) *REPORT ON CERTAIN LIMITATIONS ON*
21 *TRAVEL.—Not later than 30 days after the date*
22 *of the enactment of this subparagraph and annu-*
23 *ally thereafter, the Secretary of Homeland Secu-*
24 *rity, in consultation with the Secretary of State,*
25 *shall submit to the Committee on Homeland Se-*

1 *curity, the Committee on the Judiciary, and the*
2 *Committee on Foreign Affairs of the House of*
3 *Representatives, and the Committee on Home-*
4 *land Security and Governmental Affairs, the*
5 *Committee on the Judiciary, and the Committee*
6 *on Foreign Relations of the Senate a report on*
7 *the number of individuals who were denied eligi-*
8 *bility to travel under the program, or whose eli-*
9 *gibility for such travel was revoked during the*
10 *previous year, and the number of such individ-*
11 *uals determined, in accordance with subsection*
12 *(a)(6), to represent a threat to the national secu-*
13 *rity of the United States, and shall include the*
14 *country or countries of citizenship of each such*
15 *individual.”.*

16 **(b) REPORT.**—*Not later than 30 days after the date*
17 *of the enactment of this Act, the Secretary of Homeland Se-*
18 *curity, in consultation with the Secretary of State, shall*
19 *submit to the Committee on Homeland Security, the Com-*
20 *mittee on the Judiciary, and the Committee on Foreign Af-*
21 *fairs of the House of Representatives, and the Committee*
22 *on Homeland Security and Governmental Affairs, the Com-*
23 *mittee on the Judiciary, and the Committee on Foreign Re-*
24 *lations of the Senate a report on steps to strengthen the*
25 *electronic system for travel authorization authorized under*

1 *section 217(h)(3) of the Immigration and Nationality Act*
2 *(8 U.S.C. 1187(h)(3)) in order to better secure the inter-*
3 *national borders of the United States and prevent terrorists*
4 *and instruments of terrorism from entering the United*
5 *States.*

6 **SEC. 208. PROVISION OF ASSISTANCE TO NON-PROGRAM**
7 **COUNTRIES.**

8 *The Secretary of Homeland Security, in consultation*
9 *with the Secretary of State, shall provide assistance in a*
10 *risk-based manner to countries that do not participate in*
11 *the visa waiver program under section 217 of the Immigra-*
12 *tion and Nationality Act (8 U.S.C. 1187) to assist those*
13 *countries in—*

14 *(1) submitting to Interpol information about the*
15 *theft or loss of passports of citizens or nationals of*
16 *such a country; and*

17 *(2) issuing, and validating at the ports of entry*
18 *of such a country, electronic passports that are fraud-*
19 *resistant, contain relevant biographic and biometric*
20 *information (as determined by the Secretary of*
21 *Homeland Security), and otherwise satisfy inter-*
22 *nationally accepted standards for electronic passports.*

23 **SEC. 209. CLERICAL AMENDMENTS.**

24 *(a) SECRETARY OF HOMELAND SECURITY.—Section*
25 *217 of the Immigration and Nationality Act (8 U.S.C.*

1 1187), as amended by this Act, is further amended by strik-
2 ing “Attorney General” each place such term appears (ex-
3 cept in subsection (c)(11)(B)) and inserting “Secretary of
4 Homeland Security”.

5 (b) *ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZA-*
6 *TION.*—Section 217 of the Immigration and Nationality
7 Act (8 U.S.C. 1187), as amended this Act, is further amend-
8 ed—

9 (1) by striking “electronic travel authorization
10 system” each place it appears and inserting “elec-
11 tronic system for travel authorization”;

12 (2) in the heading in subsection (a)(11), by
13 striking “ELECTRONIC TRAVEL AUTHORIZATION SYS-
14 TEM” and inserting “ELECTRONIC SYSTEM FOR TRAV-
15 EL AUTHORIZATION”; and

16 (3) in the heading in subsection (h)(3), by strik-
17 ing “ELECTRONIC TRAVEL AUTHORIZATION SYSTEM”
18 and inserting “ELECTRONIC SYSTEM FOR TRAVEL AU-
19 THORIZATION”.

20 **SEC. 210. SENSE OF CONGRESS.**

21 *It is the sense of Congress that the International Civil*
22 *Aviation Organization, the specialized agency of the United*
23 *Nations responsible for establishing international stand-*
24 *ards, specifications, and best practices related to the admin-*
25 *istration and governance of border controls and inspection*

1 *formalities, should establish standards for the introduction*
2 *of electronic passports (referred to in this section as “e-pass-*
3 *ports”), and obligate member countries to utilize such e-*
4 *passports as soon as possible. Such e-passports should be*
5 *a combined paper and electronic passport that contains bio-*
6 *graphic and biometric information that can be used to au-*
7 *thenticate the identity of travelers through an embedded*
8 *chip.*

9 **TITLE III—JAMES ZADROGA 9/11**
10 **HEALTH AND COMPENSATION**
11 **REAUTHORIZATION ACT**

12 **SEC. 301. SHORT TITLE.**

13 *This title may be cited as the “James Zadroga 9/11*
14 *Health and Compensation Reauthorization Act”.*

15 **SEC. 302. REAUTHORIZING THE WORLD TRADE CENTER**
16 **HEALTH PROGRAM.**

17 *(a) WORLD TRADE CENTER HEALTH PROGRAM*

18 *FUND.—Section 3351 of the Public Health Service Act (42*
19 *U.S.C. 300mm–61) is amended—*

20 *(1) in subsection (a)—*

21 *(A) in paragraph (2)—*

22 *(i) in the matter preceding subpara-*
23 *graph (A), by striking “each of fiscal years*
24 *2012” and all that follows through “2011)”*
25 *and inserting “fiscal year 2016 and each*

1 *subsequent fiscal year through fiscal year*
2 *2090*”; and

3 *(ii) by striking subparagraph (A) and*
4 *inserting the following:*

5 *“(A) the Federal share, consisting of an*
6 *amount equal to—*

7 *“(i) for fiscal year 2016, \$330,000,000;*

8 *“(ii) for fiscal year 2017,*
9 *\$345,610,000;*

10 *“(iii) for fiscal year 2018,*
11 *\$380,000,000;*

12 *“(iv) for fiscal year 2019,*
13 *\$440,000,000;*

14 *“(v) for fiscal year 2020, \$485,000,000;*

15 *“(vi) for fiscal year 2021,*
16 *\$501,000,000;*

17 *“(vii) for fiscal year 2022,*
18 *\$518,000,000;*

19 *“(viii) for fiscal year 2023,*
20 *\$535,000,000;*

21 *“(ix) for fiscal year 2024,*
22 *\$552,000,000;*

23 *“(x) for fiscal year 2025, \$570,000,000;*

24 *and*

1 “(xi) for each subsequent fiscal year
2 through fiscal year 2090, the amount speci-
3 fied under this subparagraph for the pre-
4 vious fiscal year increased by the percentage
5 increase in the consumer price index for all
6 urban consumers (all items; United States
7 city average) as estimated by the Secretary
8 for the 12-month period ending with March
9 of the previous year; plus”; and

10 (B) by striking paragraph (4) and inserting
11 the following:

12 “(4) AMOUNTS FROM PRIOR FISCAL YEARS.—
13 Amounts that were deposited, or identified for deposit,
14 into the Fund for any fiscal year under paragraph
15 (2), as such paragraph was in effect on the day before
16 the date of enactment of the James Zadroga 9/11
17 Health and Compensation Reauthorization Act, that
18 were not expended in carrying out this title for any
19 such fiscal year, shall remain deposited, or be depos-
20 ited, as the case may be, into the Fund.

21 “(5) AMOUNTS TO REMAIN AVAILABLE UNTIL EX-
22 PENDED.—Amounts deposited into the Fund under
23 this subsection, including amounts deposited under
24 paragraph (2) as in effect on the day before the date
25 of enactment of the James Zadroga 9/11 Health and

1 *Compensation Reauthorization Act, for a fiscal year*
2 *shall remain available, for the purposes described in*
3 *this title, until expended for such fiscal year and any*
4 *subsequent fiscal year through fiscal year 2090.”;*

5 (2) *in subsection (b)(1), by striking “sections*
6 *3302(a)” and all that follows through “3342” and in-*
7 *serting “sections 3301(e), 3301(f), 3302(a), 3302(b),*
8 *3303, 3304, 3305(a)(1), 3305(a)(2), 3305(c), 3341,*
9 *and 3342”;* and

10 (3) *in subsection (c)—*

11 (A) *in paragraph (1)—*

12 (i) *by striking subparagraph (B);*

13 (ii) *by redesignating subparagraph (C)*
14 *as subparagraph (B); and*

15 (iii) *by amending subparagraph (A) to*
16 *read as follows:*

17 “(A) *for fiscal year 2016, the amount deter-*
18 *mined for such fiscal year under subparagraph*
19 *(C) as in effect on the day before the date of en-*
20 *actment of the James Zadroga 9/11 Health and*
21 *Compensation Reauthorization Act; and”;*

22 (B) *in paragraph (2)—*

23 (i) *by amending subparagraph (A) to*
24 *read as follows:*

25 “(A) *for fiscal year 2016, \$200,000;”;*

1 (ii) by striking subparagraph (B); and
2 (iii) by redesignating subparagraph
3 (C) as subparagraph (B);

4 (C) in paragraph (3), by striking “section
5 3303” and all that follows and inserting “section
6 3303, for fiscal year 2016 and each subsequent
7 fiscal year, \$750,000.”;

8 (D) in paragraph (4), by striking subpara-
9 graphs (A) and (B) and inserting the following:
10 “(A) for fiscal year 2016, the amount deter-
11 mined for such fiscal year under subparagraph
12 (C) as in effect on the day before the date of en-
13 actment of the James Zadroga 9/11 Health and
14 Compensation Reauthorization Act;

15 “(B) for fiscal year 2017, \$15,000,000;
16 and”;

17 (E) in paragraph (5)—

18 (i) by striking subparagraph (B);

19 (ii) by redesignating subparagraph (C)
20 as subparagraph (B); and

21 (iii) by amending subparagraph (A) to
22 read as follows:

23 “(A) for fiscal year 2016, the amount deter-
24 mined for such fiscal year under subparagraph
25 (C) as in effect on the day before the date of en-

1 *actment of the James Zadroga 9/11 Health and*
2 *Compensation Reauthorization Act; and”;* and

3 *(F) in paragraph (6)—*

4 *(i) by striking subparagraph (B);*

5 *(ii) by redesignating subparagraph (C)*
6 *as subparagraph (B); and*

7 *(iii) by amending subparagraph (A) to*
8 *read as follows:*

9 *“(A) for fiscal year 2016, the amount deter-*
10 *mined for such fiscal year under subparagraph*
11 *(C) as in effect on the day before the date of en-*
12 *actment of the James Zadroga 9/11 Health and*
13 *Compensation Reauthorization Act; and”.*

14 ***(b) GAO STUDIES; REGULATIONS; TERMINATION.—***

15 *Section 3301 of the Public Health Service Act (42 U.S.C.*
16 *300mm) is amended by adding at the end the following:*

17 ***“(i) GAO STUDIES.—***

18 ***“(1) REPORT.—Not later than 18 months after***
19 ***the date of the enactment of the James Zadroga 9/11***
20 ***Health and Compensation Reauthorization Act, the***
21 ***Comptroller General of the United States shall submit***
22 ***to the Committee on Energy and Commerce of the***
23 ***House of Representatives and the Committee on***
24 ***Health, Education, Labor, and Pensions of the Senate***

1 *a report that assesses, with respect to the WTC Pro-*
2 *gram, the effectiveness of each of the following:*

3 *“(A) The quality assurance program devel-*
4 *oped and implemented under subsection (e).*

5 *“(B) The procedures for providing certifi-*
6 *cations of coverage of conditions as WTC-related*
7 *health conditions for enrolled WTC responders*
8 *under section 3312(b)(2)(B)(iii) and for screen-*
9 *ing-eligible WTC survivors and certified-eligible*
10 *WTC survivors under such section as applied*
11 *under section 3322(a).*

12 *“(C) Any action under the WTC Program*
13 *to ensure appropriate payment (including the*
14 *avoidance of improper payments), including de-*
15 *termining the extent to which individuals en-*
16 *rolled in the WTC Program are eligible for work-*
17 *ers compensation or sources of health coverage,*
18 *ascertaining the liability of such compensation*
19 *or sources of health coverage, and making rec-*
20 *ommendations for ensuring effective and efficient*
21 *coordination of benefits for individuals enrolled*
22 *in the WTC Program that does not place an*
23 *undue burden on such individuals.*

24 *“(2) SUBSEQUENT ASSESSMENTS.—Not later*
25 *than 6 years and 6 months after the date of enact-*

1 *ment of the James Zadroga 9/11 Health and Com-*
2 *ensation Reauthorization Act, and every 5 years*
3 *thereafter through fiscal year 2042, the Comptroller*
4 *General of the United States shall—*

5 *“(A) consult the Committee on Energy and*
6 *Commerce of the House of Representatives and*
7 *the Committee on Health, Education, Labor, and*
8 *Pensions of the Senate on the objectives in assess-*
9 *ing the WTC Program; and*

10 *“(B) prepare and submit to such Commit-*
11 *tees a report that assesses the WTC Program for*
12 *the applicable reporting period, including the ob-*
13 *jectives described in subparagraph (A).*

14 *“(j) REGULATIONS.—The WTC Program Adminis-*
15 *trator is authorized to promulgate such regulations as the*
16 *Administrator determines necessary to administer this title.*

17 *“(k) TERMINATION.—The WTC Program shall termi-*
18 *nate on October 1, 2090.”.*

19 *(c) CLINICAL CENTERS OF EXCELLENCE AND DATA*
20 *CENTERS.—Section 3305 of the Public Health Service Act*
21 *(42 U.S.C. 300mm–4) is amended—*

22 *(1) in subsection (a)—*

23 *(A) in paragraph (1)(B), by inserting “and*
24 *retention” after “outreach”; and*

1 (B) in paragraph (2)(A)(iii), by inserting
2 “and retention” after “outreach”; and
3 (2) in subsection (b)(1)(B)(vi), by striking “sec-
4 tion 3304(c)” and inserting “section 3304(d)”.

5 (d) *WORLD TRADE CENTER RESPONDERS*.—Section
6 3311(a)(4)(B)(i)(II) of the Public Health Service Act (42
7 U.S.C. 300mm–21(a)(4)(B)(i)(II)) is amended by striking
8 “through the end of fiscal year 2020”.

9 (e) *ADDITIONS TO LIST OF HEALTH CONDITIONS FOR*
10 *WTC RESPONDERS*.—

11 (1) *EXPANDING TIME FOR ACTIONS BY ADMINIS-*
12 *TRATOR AND BY ADVISORY COMMITTEE*.—Section
13 3312(a)(6) of the Public Health Service Act (42
14 U.S.C. 300mm–22(a)(6)) is amended—

15 (A) in subparagraph (B), in the matter pre-
16 ceding clause (i), by striking “60 days” and in-
17 serting “90 days”; and

18 (B) in subparagraph (C), by striking “60
19 days” each place such term appears and insert-
20 ing “90 days”.

21 (2) *PEER REVIEW FOR DECISIONS; ENHANCED*
22 *ROLE OF ADVISORY COMMITTEE*.—Section 3312(a)(6)
23 of the Public Health Service Act (42 U.S.C. 300mm–
24 22(a)(6)), as amended by paragraph (1), is further
25 amended by adding at the end the following:

1 “(F) *INDEPENDENT PEER REVIEWS.*—Prior
2 to issuing a final rule to add a health condition
3 to the list in paragraph (3), the WTC Program
4 Administrator shall provide for an independent
5 peer review of the scientific and technical evi-
6 dence that would be the basis for issuing such
7 final rule.

8 “(G) *ADDITIONAL ADVISORY COMMITTEE*
9 *RECOMMENDATIONS.*—

10 “(i) *PROGRAM POLICIES.*—

11 “(I) *EXISTING POLICIES.*—Not
12 later than 1 year after the date of en-
13 actment of the James Zadroga 9/11
14 Health and Compensation Reauthor-
15 ization Act, the WTC Program Admin-
16 istrator shall request the Advisory
17 Committee to review and evaluate the
18 policies and procedures, in effect at the
19 time of the review and evaluation, that
20 are used to determine whether suffi-
21 cient evidence exists to support adding
22 a health condition to the list in para-
23 graph (3).

24 “(II) *SUBSEQUENT POLICIES.*—
25 Prior to establishing any substantive

1 *new policy or procedure used to make*
2 *the determination described in sub-*
3 *clause (I) or prior to making any sub-*
4 *stantive amendment to any policy or*
5 *procedure described in such subclause,*
6 *the WTC Program Administrator shall*
7 *request the Advisory Committee to re-*
8 *view and evaluate such substantive*
9 *policy, procedure, or amendment.*

10 “(i) *IDENTIFICATION OF INDIVIDUALS*
11 *CONDUCTING INDEPENDENT PEER RE-*
12 *VIEWS.—Not later than 1 year after the*
13 *date of enactment of the James Zadroga 9/*
14 *11 Health and Compensation Reauthoriza-*
15 *tion Act and not less than every 2 years*
16 *thereafter, the WTC Program Administrator*
17 *shall seek recommendations from the Advi-*
18 *sory Committee regarding the identification*
19 *of individuals to conduct the independent*
20 *peer reviews under subparagraph (F).”.*

21 (f) *WORLD TRADE CENTER SURVIVORS.—Section*
22 *3321(a)(3)(B)(i)(II) of the Public Health Service Act (42*
23 *U.S.C. 300mm–31(a)(3)(B)(i)(II)) is amended by striking*
24 *“through the end of fiscal year 2020”.*

1 (g) *PAYMENT OF CLAIMS.*—Section 3331(d)(1)(B) of
2 *the Public Health Service Act (42 U.S.C. 300mm–*
3 *41(d)(1)(B)) is amended—*

4 (1) *by striking “the last calendar quarter” and*
5 *all that follows through “2015” and inserting “each*
6 *calendar quarter of fiscal year 2016 and of each sub-*
7 *sequent fiscal year through fiscal year 2090,”; and*

8 (2) *by striking “and with respect to calendar*
9 *quarters in fiscal year 2016” and all that follows and*
10 *inserting a period.*

11 (h) *WORLD TRADE CENTER HEALTH REGISTRY.*—
12 *Section 3342 of the Public Health Service Act (42 U.S.C.*
13 *300mm–52) is amended by striking “April 20, 2009” and*
14 *inserting “January 1, 2015”.*

15 **TITLE IV—JAMES ZADROGA 9/11**
16 **VICTIM COMPENSATION FUND**
17 **REAUTHORIZATION**

18 **SEC. 401. SHORT TITLE.**

19 *This title may be cited as the “James Zadroga 9/11*
20 *Victim Compensation Fund Reauthorization Act”.*

21 **SEC. 402. REAUTHORIZING THE SEPTEMBER 11TH VICTIM**
22 **COMPENSATION FUND OF 2001.**

23 (a) *DEFINITIONS.*—Section 402 of the Air Transpor-
24 *tation Safety and System Stabilization Act (49 U.S.C.*
25 *40101 note) is amended—*

1 (1) *in paragraph (9)—*

2 (A) *by striking “medical expense loss,”; and*

3 (B) *by striking “and loss of business or em-*
4 *ployment opportunities” and inserting “loss of*
5 *business or employment opportunities, and past*
6 *out-of-pocket medical expense loss but not future*
7 *medical expense loss”;*

8 (2) *by redesignating paragraph (14) as para-*
9 *graph (16);*

10 (3) *by inserting after paragraph (13), the fol-*
11 *lowing:*

12 “(14) *WTC PROGRAM ADMINISTRATOR.—The*
13 *term ‘WTC Program Administrator’ has the meaning*
14 *given such term in section 3306 of the Public Health*
15 *Service Act (42 U.S.C. 300mm–5).*

16 “(15) *WTC-RELATED PHYSICAL HEALTH CONDI-*
17 *TION.—The term ‘WTC-related physical health condi-*
18 *tion’—*

19 (A) *means, subject to subparagraph (B), a*
20 *WTC-related health condition as defined by sec-*
21 *tion 3312(a) of the Public Health Service Act*
22 *(42 U.S.C. 300mm–22(a)), including the condi-*
23 *tions listed in section 3322(b) of such Act (42*
24 *U.S.C. 300mm–32(b)); and*

25 (B) *does not include—*

1 “(i) a mental health condition de-
2 scribed in paragraph (1)(A)(ii) or (3)(B) of
3 section 3312(a) of such Act (42 U.S.C.
4 300mm–22(a));

5 “(ii) any mental health condition cer-
6 tified under section 3312(b)(2)(B)(iii) of
7 such Act (42 U.S.C. 300mm–
8 22(b)(2)(B)(iii)) (including such certifi-
9 cation as applied under section 3322(a) of
10 such Act (42 U.S.C. 300mm–32(a));

11 “(iii) a mental health condition de-
12 scribed in section 3322(b)(2) of such Act (42
13 U.S.C. 300mm–32(b)(2)); or

14 “(iv) any other mental health condi-
15 tion.”; and

16 (4) in paragraph (16), as redesignated by para-
17 graph (2), by striking subparagraph (C) and insert-
18 ing the following:

19 “(C) the area in Manhattan that is south of
20 the line that runs along Canal Street from the
21 Hudson River to the intersection of Canal Street
22 and East Broadway, north on East Broadway to
23 Clinton Street, and east on Clinton Street to the
24 East River;”.

1 (b) *PURPOSE.*—Section 403 of the Air Transportation
2 *Safety and System Stabilization Act* (49 U.S.C. 40101
3 *note*) is amended—

4 (1) by inserting “full” before “compensation”;
5 and

6 (2) by inserting “, or the rescue and recovery ef-
7 *forts during the immediate aftermath of such crashes*”
8 *before the period.*

9 (c) *ELIGIBILITY REQUIREMENTS FOR FILING*
10 *CLAIMS.*—Section 405 of the Air Transportation Safety
11 *and System Stabilization Act* (49 U.S.C. 40101 *note*) is
12 *amended—*

13 (1) *in subsection (a)(3)—*

14 (A) *by striking subparagraph (B) and in-*
15 *serting the following:*

16 “(B) *EXCEPTION.*—A claim may be filed
17 *under paragraph (1), in accordance with sub-*
18 *section (c)(3)(A)(i), by an individual (or by a*
19 *personal representative on behalf of a deceased*
20 *individual) during the period beginning on the*
21 *date on which the regulations are updated under*
22 *section 407(b)(1) and ending on the date that is*
23 *5 years after the date of enactment of the James*
24 *Zadroga 9/11 Victim Compensation Fund Reau-*
25 *thorization Act.*

1 “(C) *SPECIAL MASTER DETERMINATION.*—

2 “(i) *IN GENERAL.*—*For claims filed*
3 *under this title during the period described*
4 *in subparagraph (B), the Special Master*
5 *shall establish a system for determining*
6 *whether, for purposes of this title, the claim*
7 *is—*

8 “(I) *a claim in Group A, as de-*
9 *scribed in clause (i); or*

10 “(II) *a claim in Group B, as de-*
11 *scribed in clause (iii).*

12 “(ii) *GROUP A CLAIMS.*—*A claim*
13 *under this title is a claim in Group A if—*

14 “(I) *the claim is filed under this*
15 *title during the period described in*
16 *subparagraph (B); and*

17 “(II) *on or before the day before*
18 *the date of enactment of the James*
19 *Zadroga 9/11 Victim Compensation*
20 *Fund Reauthorization Act, the Special*
21 *Master postmarks and transmits a*
22 *final award determination to the*
23 *claimant filing such claim.*

1 “(iii) *GROUP B CLAIMS.*—A claim
2 under this title is a claim in Group B if the
3 claim—

4 “(I) is filed under this title dur-
5 ing the period described in subpara-
6 graph (B); and

7 “(II) is not a claim described in
8 clause (ii).

9 “(iv) *DEFINITION OF FINAL AWARD DE-*
10 *TERMINATION.*—For purposes of this sub-
11 paragraph, the term ‘final award deter-
12 mination’ means a letter from the Special
13 Master indicating the total amount of com-
14 pensation to which a claimant is entitled
15 for a claim under this title without regard
16 to the limitation under the second sentence
17 of section 406(d)(1), as such section was in
18 effect on the day before the date of enact-
19 ment of the James Zadroga 9/11 Victim
20 Compensation Fund Reauthorization Act.”;

21 (2) in subsection (b)—

22 (A) in paragraph (1)(B)(ii), by inserting
23 “subject to paragraph (7),” before “the amount”;

24 (B) in paragraph (6)—

1 (i) by striking “*The Special Master*”
2 and inserting the following:

3 “(A) *IN GENERAL.—The Special Master*”;
4 and

5 (ii) by adding at the end the following:

6 “(B) *GROUP B CLAIMS.—Notwithstanding*
7 *any other provision of this title, in the case of*
8 *a claim in Group B as described in subsection*
9 *(a)(3)(C)(iii), a claimant filing such claim shall*
10 *receive an amount of compensation under this*
11 *title for such claim that is not greater than the*
12 *amount determined under paragraph (1)(B)(ii)*
13 *less the amount of any collateral source com-*
14 *penetration that such claimant has received or is*
15 *entitled to receive for such claim as a result of*
16 *the terrorist-related aircraft crashes of September*
17 *11, 2001.”; and*

18 (C) by adding at the end the following:

19 “(7) *LIMITATIONS FOR GROUP B CLAIMS.—*

20 “(A) *NONECONOMIC LOSSES.—With respect*
21 *to a claim in Group B as described in subsection*
22 *(a)(3)(C)(iii), the total amount of compensation*
23 *to which a claimant filing such claim is entitled*
24 *to receive for such claim under this title on ac-*
25 *count of any noneconomic loss—*

1 “(i) that results from any type of can-
2 cer shall not exceed \$250,000; and

3 “(ii) that does not result from any type
4 of cancer shall not exceed \$90,000.

5 “(B) DETERMINATION OF ECONOMIC
6 LOSS.—

7 “(i) IN GENERAL.—Subject to the limi-
8 tation described in clause (ii) and with re-
9 spect to a claim in Group B as described in
10 subsection (a)(3)(C)(iii), the Special Master
11 shall, for purposes of calculating the
12 amount of compensation to which a claim-
13 ant is entitled under this title for such
14 claim on account of any economic loss, de-
15 termine the loss of earnings or other benefits
16 related to employment by using the applica-
17 ble methodology described in section 104.43
18 or 104.45 of title 28, Code of Federal Regu-
19 lations, as such Code was in effect on the
20 day before the date of enactment of the
21 James Zadroga 9/11 Victim Compensation
22 Fund Reauthorization Act.

23 “(ii) ANNUAL GROSS INCOME LIMITA-
24 TION.—In considering annual gross income
25 under clause (i) for the purposes described

1 *in such clause, the Special Master shall, for*
2 *each year of any loss of earnings or other*
3 *benefits related to employment, limit the*
4 *annual gross income of the claimant (or de-*
5 *cedent in the case of a personal representa-*
6 *tive) for each such year to an amount that*
7 *is not greater than \$200,000.*

8 “(C) *GROSS INCOME DEFINED.*—*For pur-*
9 *poses of this paragraph, the term ‘gross income’*
10 *has the meaning given such term in section 61*
11 *of the Internal Revenue Code of 1986.”; and*

12 *(3) in subsection (c)(3)—*

13 *(A) in subparagraph (A)—*

14 *(i) in clause (ii), in the matter pre-*
15 *ceding subclause (I), by striking “An indi-*
16 *vidual” and inserting “Except with respect*
17 *to claims in Group B as described in sub-*
18 *section (a)(3)(C)(iii), an individual”;*

19 *(ii) in clause (iii), by striking “section*
20 *407(a)” and inserting “section 407(b)(1)”;*
21 *and*

22 *(iii) by adding at the end the fol-*
23 *lowing:*

24 “(iv) *GROUP B CLAIMS.*—

1 “(I) *IN GENERAL.*—Subject to
2 *subclause (II), an individual filing a*
3 *claim in Group B as described in sub-*
4 *section (a)(3)(C)(iii) may be eligible*
5 *for compensation under this title only*
6 *if the Special Master, with assistance*
7 *from the WTC Program Administrator*
8 *as necessary, determines based on the*
9 *evidence presented that the individual*
10 *has a WTC-related physical health con-*
11 *dition, as defined by section 402 of this*
12 *Act.*

13 “(II) *PERSONAL REPRESENTA-*
14 *TIVES.*—An individual filing a claim
15 *in Group B, as described in subsection*
16 *(a)(3)(C)(iii), who is a personal rep-*
17 *resentative described in paragraph*
18 *(2)(C) may be eligible for compensa-*
19 *tion under this title only if the Special*
20 *Master, with assistance from the WTC*
21 *Program Administrator as necessary,*
22 *determines based on the evidence pre-*
23 *sented that the applicable decedent suf-*
24 *fered from a condition that was, or*
25 *would have been determined to be, a*

1 *WTC-related physical health condition,*
2 *as defined by section 402 of this Act.”;*
3 *and*

4 *(B) in subparagraph (C)(ii)(II), by striking*
5 *“section 407(b)” and inserting “section*
6 *407(b)(1)”.*

7 *(d) PAYMENTS TO ELIGIBLE INDIVIDUALS.—Section*
8 *406 of the Air Transportation Safety and System Stabiliza-*
9 *tion Act (49 U.S.C. 40101 note) is amended—*

10 *(1) in subsection (b), by striking “This title” and*
11 *inserting “For the purpose of providing compensation*
12 *for claims in Group A as described in section*
13 *405(a)(3)(C)(ii), this title”;* *and*

14 *(2) by amending subsection (d) to read as fol-*
15 *lows:*

16 *“(d) LIMITATIONS.—*

17 *“(1) GROUP A CLAIMS.—*

18 *“(A) IN GENERAL.—The total amount of*
19 *Federal funds paid for compensation under this*
20 *title, with respect to claims in Group A as de-*
21 *scribed in section 405(a)(3)(C)(ii), shall not ex-*
22 *ceed \$2,775,000,000.*

23 *“(B) REMAINDER OF CLAIM AMOUNTS.—In*
24 *the case of a claim in Group A as described in*
25 *section 405(a)(3)(C)(ii) and for which the Spe-*

1 *cial Master has ratably reduced the amount of*
2 *compensation for such claim pursuant to para-*
3 *graph (2) of this subsection, as this subsection*
4 *was in effect on the day before the date of enact-*
5 *ment of the James Zadroga 9/11 Victim Com-*
6 *ensation Fund Reauthorization Act, the Special*
7 *Master shall, as soon as practicable after the date*
8 *of enactment of such Act, authorize payment of*
9 *the amount of compensation that is equal to the*
10 *difference between—*

11 “(i) *the amount of compensation that*
12 *the claimant would have been paid under*
13 *this title for such claim without regard to*
14 *the limitation under the second sentence of*
15 *paragraph (1) of this subsection, as this*
16 *subsection was in effect on the day before*
17 *the date of enactment of the James Zadroga*
18 *9/11 Victim Compensation Fund Reauthor-*
19 *ization Act; and*

20 “(ii) *the amount of compensation the*
21 *claimant was paid under this title for such*
22 *claim prior to the date of enactment of such*
23 *Act.*

24 “(2) *GROUP B CLAIMS.—*

1 “(A) *IN GENERAL.*—*The total amount of*
2 *Federal funds paid for compensation under this*
3 *title, with respect to claims in Group B as de-*
4 *scribed in section 405(a)(3)(C)(iii), shall not ex-*
5 *ceed the amount of funds deposited into the Vic-*
6 *tims Compensation Fund under section 410.*

7 “(B) *PAYMENT SYSTEM.*—*The Special Mas-*
8 *ter shall establish a system for providing com-*
9 *penation for claims in Group B as described in*
10 *section 405(a)(3)(C)(iii) in accordance with this*
11 *subsection and section 405(b)(7).*

12 “(C) *DEVELOPMENT OF AGENCY POLICIES*
13 *AND PROCEDURES.*—

14 “(i) *DEVELOPMENT.*—

15 “(I) *IN GENERAL.*—*Not later than*
16 *30 days after the date of enactment of*
17 *the James Zadroga 9/11 Victim Com-*
18 *penation Fund Reauthorization Act,*
19 *the Special Master shall develop agency*
20 *policies and procedures that meet the*
21 *requirements under subclauses (II) and*
22 *(III) for providing compensation for*
23 *claims in Group B as described in sec-*
24 *tion 405(a)(3)(C)(iii), including poli-*
25 *cies and procedures for presumptive*

1 *award schedules, administrative ex-*
2 *penditures, and related internal memo-*
3 *randa.*

4 “(II) *LIMITATION.*—*The policies*
5 *and procedures developed under sub-*
6 *clause (I) shall ensure that total ex-*
7 *penditures, including administrative*
8 *expenses, in providing compensation*
9 *for claims in Group B, as described in*
10 *section 405(a)(3)(C)(iii), do not exceed*
11 *the amount of funds deposited into the*
12 *Victims Compensation Fund under sec-*
13 *tion 410.*

14 “(III) *PRIORITIZATION.*—*The*
15 *policies and procedures developed*
16 *under subclause (I) shall prioritize*
17 *claims for claimants who are deter-*
18 *mined by the Special Master as suf-*
19 *fering from the most debilitating phys-*
20 *ical conditions to ensure, for purposes*
21 *of equity, that such claimants are not*
22 *unduly burdened by such policies or*
23 *procedures.*

24 “(ii) *REASSESSMENT.*—*Beginning 1*
25 *year after the date of enactment of the*

1 *James Zadroga 9/11 Victim Compensation*
2 *Fund Reauthorization Act, and each year*
3 *thereafter until the Victims Compensation*
4 *Fund is permanently closed under section*
5 *410(e), the Special Master shall conduct a*
6 *reassessment of the agency policies and pro-*
7 *cedures developed under clause (i) to ensure*
8 *that such policies and procedures continue*
9 *to satisfy the requirements under subclauses*
10 *(II) and (III) of such clause. If the Special*
11 *Master determines, upon reassessment, that*
12 *such agency policies or procedures do not*
13 *achieve the requirements of such subclauses,*
14 *the Special Master shall take additional ac-*
15 *tions or make such modifications as nec-*
16 *essary to achieve such requirements.”.*

17 *(e) REGULATIONS.—Section 407(b) of the Air Trans-*
18 *portation Safety and System Stabilization Act (49 U.S.C.*
19 *40101 note) is amended—*

20 *(1) by striking “Not later than” and inserting*
21 *the following:*

22 *“(1) JAMES ZADROGA 9/11 HEALTH AND COM-*
23 *PENSATION ACT OF 2010.—Not later than”;* and

24 *(2) by adding at the end the following:*

1 “(2) *JAMES ZADROGA 9/11 VICTIM COMPENSATION*
2 *FUND REAUTHORIZATION ACT.*—Not later than 180
3 days after the date of enactment of the James
4 Zadroga 9/11 Victim Compensation Fund Reauthor-
5 ization Act, the Special Master shall update the regu-
6 lations promulgated under subsection (a), and up-
7 dated under paragraph (1), to the extent necessary to
8 comply with the amendments made by such Act.”.

9 (f) *VICTIMS COMPENSATION FUND.*—Title IV of the
10 *Air Transportation Safety and System Stabilization Act*
11 (49 U.S.C. 40101 note) is amended by adding at the end
12 the following:

13 **“SEC. 410. VICTIMS COMPENSATION FUND.**

14 “(a) *IN GENERAL.*—There is established in the Treas-
15 ury of the United States a fund to be known as the ‘Victims
16 Compensation Fund’, consisting of amounts deposited into
17 such fund under subsection (b).

18 “(b) *DEPOSITS INTO FUND.*—There shall be deposited
19 into the Victims Compensation Fund each of the following:

20 “(1) *Effective on the day after the date on which*
21 *all claimants who file a claim in Group A, as de-*
22 *scribed in section 405(a)(3)(C)(ii), have received the*
23 *full compensation due such claimants under this title*
24 *for such claim, any amounts remaining from the total*
25 *amount made available under section 406 to com-*

1 *pensate claims in Group A as described in section*
2 *405(a)(3)(C)(ii).*

3 *“(2) The amount appropriated under subsection*
4 *(c).*

5 *“(c) APPROPRIATIONS.—There is appropriated, out of*
6 *any money in the Treasury not otherwise appropriated,*
7 *\$4,600,000,000 for fiscal year 2017, to remain available*
8 *until expended, to provide compensation for claims in*
9 *Group B as described in section 405(a)(3)(C)(iii).*

10 *“(d) AVAILABILITY OF FUNDS.—Amounts deposited*
11 *into the Victims Compensation Fund shall be available,*
12 *without further appropriation, to the Special Master to pro-*
13 *vide compensation for claims in Group B as described in*
14 *section 405(a)(3)(C)(iii).*

15 *“(e) TERMINATION.—Upon completion of all payments*
16 *under this title, the Victims Compensation Fund shall be*
17 *permanently closed.”.*

18 *(g) 9-11 RESPONSE AND BIOMETRIC ENTRY-EXIT*
19 *FEE.—Title IV of the Air Transportation Safety and Sys-*
20 *tem Stabilization Act (49 U.S.C. 40101 note), as amended*
21 *by subsection (f), is further amended by adding at the end*
22 *the following:*

23 **“SEC. 411. 9-11 RESPONSE AND BIOMETRIC ENTRY-EXIT FEE.**

24 *“(a) TEMPORARY L-1 VISA FEE INCREASE.—Notwith-*
25 *standing section 281 of the Immigration and Nationality*

1 *Act (8 U.S.C. 1351) or any other provision of law, during*
2 *the period beginning on the date of the enactment of this*
3 *section and ending on September 30, 2025, the combined*
4 *filing fee and fraud prevention and detection fee required*
5 *to be submitted with an application for admission as a non-*
6 *immigrant under section 101(a)(15)(L) of the Immigration*
7 *and Nationality Act (8 U.S.C. 1101(a)(15)(L)), including*
8 *an application for an extension of such status, shall be in-*
9 *creased by \$4,500 for applicants that employ 50 or more*
10 *employees in the United States if more than 50 percent of*
11 *the applicant's employees are nonimmigrants admitted*
12 *pursuant to subparagraph (H)(i)(b) or (L) of section*
13 *101(a)(15) of such Act.*

14 “(b) *TEMPORARY H-1B VISA FEE INCREASE.—Not-*
15 *withstanding section 281 of the Immigration and Nation-*
16 *ality Act (8 U.S.C. 1351) or any other provision of law,*
17 *during the period beginning on the date of the enactment*
18 *of this section and ending on September 30, 2025, the com-*
19 *bined filing fee and fraud prevention and detection fee re-*
20 *quired to be submitted with an application for admission*
21 *as a nonimmigrant under section 101(a)(15)(H)(i)(b) of the*
22 *Immigration and Nationality Act (8 U.S.C.*
23 *1101(a)(15)(H)(i)(b)), including an application for an ex-*
24 *ension of such status, shall be increased by \$4,000 for ap-*
25 *plicants that employ 50 or more employees in the United*

1 *States if more than 50 percent of the applicant's employees*
2 *are such nonimmigrants or nonimmigrants described in*
3 *section 101(a)(15)(L) of such Act.*

4 “(c) 9-11 RESPONSE AND BIOMETRIC EXIT AC-
5 COUNT.—

6 “(1) ESTABLISHMENT.—*There is established in*
7 *the general fund of the Treasury a separate account,*
8 *which shall be known as the ‘9–11 Response and Bio-*
9 *metric Exit Account’.*

10 “(2) DEPOSITS.—

11 “(A) IN GENERAL.—*Subject to subpara-*
12 *graph (B), of the amounts collected pursuant to*
13 *the fee increases authorized under subsections (a)*
14 *and (b)—*

15 “(i) *50 percent shall be deposited in*
16 *the general fund of the Treasury; and*

17 “(ii) *50 percent shall be deposited as*
18 *offsetting receipts into the 9–11 Response*
19 *and Biometric Exit Account, and shall re-*
20 *main available until expended.*

21 “(B) TERMINATION OF DEPOSITS IN AC-
22 COUNT.—*After a total of \$1,000,000,000 is de-*
23 *posited into the 9–11 Response and Biometric*
24 *Exit Account under subparagraph (A)(ii), all*
25 *amounts collected pursuant to the fee increases*

1 *authorized under subsections (a) and (b) shall be*
2 *deposited in the general fund of the Treasury.*

3 “(3) *USE OF FUNDS.*—*For fiscal year 2017, and*
4 *each fiscal year thereafter, amounts in the 9–11 Re-*
5 *sponse and Biometric Exit Account shall be available*
6 *to the Secretary of Homeland Security without fur-*
7 *ther appropriation for implementing the biometric*
8 *entry and exit data system described in section 7208*
9 *of the Intelligence Reform and Terrorism Prevention*
10 *Act of 2004 (8 U.S.C. 1365b).”.*

11 *(h) ADMINISTRATIVE COSTS.*—*Section 1347 of the*
12 *Full-Year Continuing Appropriations Act, 2011 (49 U.S.C.*
13 *40101 note) is amended—*

14 *(1) by inserting “and (2)” after “(d)(1)”;* and

15 *(2) by adding at the end the following: “Costs for*
16 *payments for compensation for claims in Group A, as*
17 *described in section 405(a)(3)(C)(ii) of such Act, shall*
18 *be paid from amounts made available under section*
19 *406 of such Act. Costs for payments for compensation*
20 *for claims in Group B, as described in section*
21 *405(a)(3)(C)(iii) of such Act, shall be paid from*
22 *amounts in the Victims Compensation Fund estab-*
23 *lished under section 410 of such Act.”.*

1 **SEC. 403. AMENDMENT TO EXEMPT PROGRAMS.**

2 (a) *IN GENERAL.*—Section 255(g)(1)(B) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985
4 (2 U.S.C. 905(g)(1)(B)) is amended by—

5 (1) inserting after the item relating to *Retire-*
6 *ment Pay and Medical Benefits for Commissioned Of-*
7 *ficers, Public Health Service* the following:

8 “September 11th Victim Compensation Fund
9 (15–0340–0–1–754).”;

10 (2) inserting after the item relating to *United*
11 *States Secret Service, DC Annuity* the following:

12 “Victims Compensation Fund established under
13 section 410 of the Air Transportation Safety and Sys-
14 tem Stabilization Act (49 U.S.C. 40101 note).

15 “United States Victims of State Sponsored Ter-
16 rorism Fund.”; and

17 (3) inserting after the item relating to the *Vol-*
18 *untary Separation Incentive Fund* the following:

19 “World Trade Center Health Program Fund
20 (75–0946–0–1–551).”.

21 (b) *APPLICABILITY.*—The amendments made by this
22 section shall apply to any sequestration order issued under
23 the *Balanced Budget and Emergency Deficit Control Act*
24 *of 1985* (2 U.S.C. 900 et seq.) on or after the date of enact-
25 *ment of this Act.*

1 **SEC. 404. COMPENSATION FOR UNITED STATES VICTIMS OF**
2 **STATE SPONSORED TERRORISM ACT.**

3 (a) *SHORT TITLE.*—*This section may be cited as the*
4 *“Justice for United States Victims of State Sponsored Ter-*
5 *rorism Act”.*

6 (b) *ADMINISTRATION OF THE UNITED STATES VICTIMS*
7 *OF STATE SPONSORED TERRORISM FUND.*—

8 (1) *ADMINISTRATION OF THE FUND.*—

9 (A) *APPOINTMENT AND TERMS OF SPECIAL*
10 *MASTER.*—

11 (i) *INITIAL APPOINTMENT.*—*Not later*
12 *than 60 days after the date of the enactment*
13 *of this Act, the Attorney General shall ap-*
14 *point a Special Master. The initial term for*
15 *the Special Master shall be 18 months.*

16 (ii) *ADDITIONAL TERMS.*—*Thereafter,*
17 *each time there exists funds in excess of*
18 *\$100,000,000 in the Fund, the Attorney*
19 *General shall appoint or reappoint a Spe-*
20 *cial Master for such period as is appro-*
21 *priate, not to exceed 1 year. In addition, if*
22 *there exists in the Fund funds that are less*
23 *than \$100,000,000, the Attorney General*
24 *may appoint or reappoint a Special Master*
25 *each time the Attorney General determines*
26 *there are sufficient funds available in the*

1 *Fund to compensate eligible claimants, for*
2 *such period as is appropriate, not to exceed*
3 *1 year.*

4 *(iii) SPECIAL MASTER TO ADMINISTER*
5 *COMPENSATION FROM THE FUND.—The Spe-*
6 *cial Master shall administer the compensa-*
7 *tion program described in this section for*
8 *United States persons who are victims of*
9 *state sponsored terrorism.*

10 *(B) ADMINISTRATIVE COSTS AND USE OF*
11 *DEPARTMENT OF JUSTICE PERSONNEL.—The*
12 *Special Master may utilize, as necessary, no*
13 *more than 5 full-time equivalent Department of*
14 *Justice personnel to assist in carrying out the*
15 *duties of the Special Master under this section.*
16 *Any costs associated with the use of such per-*
17 *sonnel, and any other administrative costs of*
18 *carrying out this section, shall be paid from the*
19 *Fund.*

20 *(C) COMPENSATION OF SPECIAL MASTER.—*
21 *The Special Master shall be compensated from*
22 *the Fund at a rate not to exceed the annual rate*
23 *of basic pay for level IV of the Executive Sched-*
24 *ule, as prescribed by section 5315 of title 5,*
25 *United States Code.*

1 (2) *PUBLICATION OF REGULATIONS AND PROCE-*
2 *DURES.—*

3 (A) *IN GENERAL.—Not later than 60 days*
4 *after the date of the initial appointment of the*
5 *Special Master, the Special Master shall publish*
6 *in the Federal Register and on a website main-*
7 *tained by the Department of Justice a notice*
8 *specifying the procedures necessary for United*
9 *States persons to apply and establish eligibility*
10 *for payment, including procedures by which eli-*
11 *gible United States persons may apply by and*
12 *through their attorney. Such notice is not subject*
13 *to the requirements of section 553 of title 5,*
14 *United States Code.*

15 (B) *INFORMATION REGARDING OTHER*
16 *SOURCES OF COMPENSATION.—As part of the*
17 *procedures for United States persons to apply*
18 *and establish eligibility for payment, the Special*
19 *Master shall require applicants to provide the*
20 *Special Master with information regarding com-*
21 *pen-sation from any source other than this Fund*
22 *that the claimant (or, in the case of a personal*
23 *representative, the victim's beneficiaries) has re-*
24 *ceived or is entitled or scheduled to receive as a*
25 *result of the act of international terrorism that*

1 gave rise to a claimant's final judgment, includ-
2 ing information identifying the amount, nature,
3 and source of such compensation.

4 (3) *DECISIONS OF THE SPECIAL MASTER.*—All
5 decisions made by the Special Master with regard to
6 compensation from the Fund shall be—

7 (A) in writing and provided to the Attorney
8 General, each claimant and, if applicable, the at-
9 torney for each claimant; and

10 (B) final and, except as provided in para-
11 graph (4), not subject to administrative or judi-
12 cial review.

13 (4) *REVIEW HEARING.*—

14 (A) Not later than 30 days after receipt of
15 a written decision by the Special Master, a
16 claimant whose claim is denied in whole or in
17 part by the Special Master may request a hear-
18 ing before the Special Master pursuant to proce-
19 dures established by the Special Master.

20 (B) Not later than 90 days after any such
21 hearing, the Special Master shall issue a final
22 written decision affirming or amending the
23 original decision. The written decision is final
24 and nonreviewable.

25 (c) *ELIGIBLE CLAIMS.*—

1 (1) *IN GENERAL.*—*For the purposes of this sec-*
2 *tion, a claim is an eligible claim if the Special Mas-*
3 *ter determines that—*

4 (A) *the judgment holder, or claimant, is a*
5 *United States person;*

6 (B) *the claim is described in paragraph (2);*
7 *and*

8 (C) *the requirements of paragraph (3) are*
9 *met.*

10 (2) *CERTAIN CLAIMS.*—*The claims referred to in*
11 *paragraph (1) are claims for—*

12 (A) *compensatory damages awarded to a*
13 *United States person in a final judgment—*

14 (i) *issued by a United States district*
15 *court under State or Federal law against a*
16 *state sponsor of terrorism; and*

17 (ii) *arising from acts of international*
18 *terrorism, for which the foreign state was*
19 *determined not to be immune from the ju-*
20 *risdiction of the courts of the United States*
21 *under section 1605A, or section 1605(a)(7)*
22 *(as such section was in effect on January*
23 *27, 2008), of title 28, United States Code;*

24 (B) *the sum total of \$10,000 per day for*
25 *each day that a United States person was taken*

1 *and held hostage from the United States embassy*
2 *in Tehran, Iran, during the period beginning*
3 *November 4, 1979, and ending January 20,*
4 *1981, if such person is identified as a member*
5 *of the proposed class in case number 1:00-CV-*
6 *03110 (EGS) of the United States District Court*
7 *for the District of Columbia; or*

8 *(C) damages for the spouses and children of*
9 *the former hostages described in subparagraph*
10 *(B), if such spouse or child is identified as a*
11 *member of the proposed class in case number*
12 *1:00-CV-03110 (EGS) of the United States Court*
13 *for the District of Columbia, in the following*
14 *amounts:*

15 *(i) For each spouse of a former hostage*
16 *identified as a member of the proposed class*
17 *described in this subparagraph, a \$600,000*
18 *lump sum.*

19 *(ii) For each child of a former hostage*
20 *identified as a member of the proposed class*
21 *described in this subparagraph, a \$600,000*
22 *lump sum.*

23 (3) *DEADLINE FOR APPLICATION SUBMISSION.—*

1 (A) *IN GENERAL.*—*The deadline for submit-*
2 *ting an application for a payment under this*
3 *subsection is as follows:*

4 (i) *Not later than 90 days after the*
5 *date of the publication required under sub-*
6 *section (b)(2)(A), with regard to an appli-*
7 *cation based on—*

8 (I) *a final judgment described in*
9 *paragraph (2)(A) obtained before that*
10 *date of publication; or*

11 (II) *a claim described in para-*
12 *graph (2)(B) or (2)(C).*

13 (ii) *Not later than 90 days after the*
14 *date of obtaining a final judgment, with re-*
15 *gard to a final judgment obtained on or*
16 *after the date of that publication.*

17 (B) *GOOD CAUSE.*—*For good cause shown,*
18 *the Special Master may grant a claimant a rea-*
19 *sonable extension of a deadline under this para-*
20 *graph.*

21 (d) *PAYMENTS.*—

22 (1) *TO WHOM MADE.*—*The Special Master shall*
23 *order payment from the Fund for each eligible claim*
24 *of a United States person to that person or, if that*

1 *person is deceased, to the personal representative of*
2 *the estate of that person.*

3 (2) *TIMING OF INITIAL PAYMENTS.—The Special*
4 *Master shall authorize all initial payments to satisfy*
5 *eligible claims under this section not later than 1*
6 *year after the date of the enactment of this Act.*

7 (3) *PAYMENTS TO BE MADE PRO RATA.—*

8 (A) *IN GENERAL.—*

9 (i) *PRO RATA BASIS.—Except as pro-*
10 *vided in subparagraph (B) and subject to*
11 *the limitations described in clause (ii), the*
12 *Special Master shall carry out paragraph*
13 *(1), by dividing all available funds on a pro*
14 *rata basis, based on the amounts out-*
15 *standing and unpaid on eligible claims,*
16 *until all such amounts have been paid in*
17 *full.*

18 (ii) *LIMITATIONS.—The limitations de-*
19 *scribed in this clause are as follows:*

20 (I) *In the event that a United*
21 *States person has an eligible claim*
22 *that exceeds \$20,000,000, the Special*
23 *Master shall treat that claim as if it*
24 *were for \$20,000,000 for purposes of*
25 *this section.*

1 (II) *In the event that a United*
2 *States person and the immediate fam-*
3 *ily members of such person, have*
4 *claims that if aggregated would exceed*
5 *\$35,000,000, the Special Master shall,*
6 *for purposes of this section, reduce such*
7 *claims on a pro rata basis such that in*
8 *the aggregate such claims do not exceed*
9 *\$35,000,000.*

10 (III) *In the event that a United*
11 *States person, or the immediate family*
12 *member of such person, has an eligible*
13 *claim under this section and has re-*
14 *ceived an award or an award deter-*
15 *mination under section 405 of the Air*
16 *Transportation Safety and System*
17 *Stabilization Act (49 U.S.C. 40101*
18 *note), the amount of compensation to*
19 *which such person, or the immediate*
20 *family member of such person, was de-*
21 *termined to be entitled under section*
22 *405 of the Air Transportation Safety*
23 *and System Stabilization Act (49*
24 *U.S.C. 40101 note) shall be considered*
25 *controlling for the purposes of this sec-*

1 *tion, notwithstanding any compen-*
2 *satory damages amounts such person,*
3 *or immediate family member of such*
4 *person, is deemed eligible for or enti-*
5 *tled to pursuant to a final judgment*
6 *described in subsection (c)(2)(A).*

7 *(B) MINIMUM PAYMENTS.—*

8 *(i) Any applicant with an eligible*
9 *claim described in subsection (c)(2) who has*
10 *received, or is entitled or scheduled to re-*
11 *ceive, any payment that is equal to, or in*
12 *excess of, 30 percent of the total compen-*
13 *satory damages owed to such applicant on*
14 *the applicant's claim from any source other*
15 *than this Fund shall not receive any pay-*
16 *ment from the Fund until such time as all*
17 *other eligible applicants have received from*
18 *the Fund an amount equal to 30 percent of*
19 *the compensatory damages awarded to those*
20 *applicants pursuant to their final judg-*
21 *ments or to claims under subsection*
22 *(c)(2)(B) or (c)(2)(C). For purposes of cal-*
23 *culating the pro rata amounts for these*
24 *payments, the Special Master shall not in-*
25 *clude the total compensatory damages for*

1 *applicants excluded from payment by this*
2 *subparagraph.*

3 *(ii) To the extent that an applicant*
4 *with an eligible claim has received less than*
5 *30 percent of the compensatory damages*
6 *owed that applicant under a final judgment*
7 *or claim described in subsection (c)(2) from*
8 *any source other than this Fund, such ap-*
9 *plicant may apply to the Special Master for*
10 *the difference between the percentage of com-*
11 *pensatory damages the applicant has re-*
12 *ceived from other sources and the percentage*
13 *of compensatory damages to be awarded*
14 *other eligible applicants from the Fund.*

15 (4) *ADDITIONAL PAYMENTS.*—*On January 1 of*
16 *the second calendar year that begins after the date of*
17 *the initial payments described in paragraph (1) if*
18 *funds are available in the Fund, the Special Master*
19 *shall authorize additional payments on a pro rata*
20 *basis to those claimants with eligible claims under*
21 *subsection (c)(2) and shall authorize additional pay-*
22 *ments for eligible claims annually thereafter if funds*
23 *are available in the Fund.*

24 (5) *SUBROGATION AND RETENTION OF RIGHTS.*—

1 (A) *UNITED STATES SUBROGATED TO CRED-*
2 *ITOR RIGHTS TO THE EXTENT OF PAYMENT.—*

3 *The United States shall be subrogated to the*
4 *rights of any person who applies for and receives*
5 *payments under this section, but only to the ex-*
6 *tent and in the amount of such payments made*
7 *under this section. The President shall pursue*
8 *these subrogated rights as claims or offsets of the*
9 *United States in appropriate ways, including*
10 *any negotiation process that precedes the nor-*
11 *malization of relations between the foreign state*
12 *designated as a state sponsor of terrorism and*
13 *the United States or the lifting of sanctions*
14 *against such foreign state.*

15 (B) *RIGHTS RETAINED.—To the extent*
16 *amounts of damages remain unpaid and out-*
17 *standing following any payments made under*
18 *this subsection, each applicant shall retain that*
19 *applicant's creditor rights in any unpaid and*
20 *outstanding amounts of the judgment, including*
21 *any prejudgment or post-judgment interest, or*
22 *punitive damages, awarded by the United States*
23 *district court pursuant to a judgment.*

24 (e) *UNITED STATES VICTIMS OF STATE SPONSORED*
25 *TERRORISM FUND.—*

1 (1) *ESTABLISHMENT OF UNITED STATES VICTIMS*
2 *OF STATE SPONSORED TERRORISM FUND.*—*There is*
3 *established in the Treasury a fund, to be designated*
4 *as the United States Victims of State Sponsored Ter-*
5 *rorism Fund.*

6 (2) *DEPOSIT AND TRANSFER.*—*Beginning on the*
7 *date of the enactment of this Act, the following shall*
8 *be deposited or transferred into the Fund for distribu-*
9 *tion under this section:*

10 (A) *FORFEITED FUNDS AND PROPERTY.*—

11 (i) *CRIMINAL FUNDS AND PROPERTY.*—

12 *All funds, and the net proceeds from the sale*
13 *of property, forfeited or paid to the United*
14 *States after the date of enactment of this*
15 *Act as a criminal penalty or fine arising*
16 *from a violation of any license, order, regu-*
17 *lation, or prohibition issued under the*
18 *International Emergency Economic Powers*
19 *Act (50 U.S.C. 1701 et seq.) or the Trading*
20 *with the Enemy Act (50 U.S.C. App. 1 et*
21 *seq.), or any related criminal conspiracy,*
22 *scheme, or other Federal offense arising*
23 *from the actions of, or doing business with*
24 *or acting on behalf of, a state sponsor of ter-*
25 *rorism.*

1 (ii) *CIVIL FUNDS AND PROPERTY.*—

2 *One-half of all funds, and one-half of the net*
3 *proceeds from the sale of property, forfeited*
4 *or paid to the United States after the date*
5 *of enactment of this Act as a civil penalty*
6 *or fine arising from a violation of any li-*
7 *cence, order, regulation, or prohibition*
8 *issued under the International Emergency*
9 *Economic Powers Act (50 U.S.C. 1701 et*
10 *seq.) or the Trading with the Enemy Act*
11 *(50 U.S.C. App. 1 et seq.), or any related*
12 *conspiracy, scheme, or other Federal offense*
13 *arising from the actions of, or doing busi-*
14 *ness with or acting on behalf of, a state*
15 *sponsor of terrorism.*

16 (B) *TRANSFER INTO FUND OF CERTAIN AS-*
17 *SIGNED ASSETS OF IRAN AND ELECTION TO PAR-*
18 *TICIPATE IN FUND.*—

19 (i) *DEPOSIT INTO FUND OF ASSIGNED*
20 *PROCEEDS FROM SALE OF PROPERTIES AND*
21 *RELATED ASSETS IDENTIFIED IN IN RE 650*
22 *FIFTH AVENUE & RELATED PROPERTIES.*—

23 (I) *IN GENERAL.*—*Except as pro-*
24 *vided in subclause (II), if the United*
25 *States receives a final judgment for-*

1 *feiting the properties and related assets*
2 *identified in the proceedings captioned*
3 *as In Re 650 Fifth Avenue & Related*
4 *Properties, No. 08 Civ. 10934*
5 *(S.D.N.Y. filed Dec. 17, 2008), the net*
6 *proceeds (not including the litigation*
7 *expenses and sales costs incurred by*
8 *the United States) resulting from the*
9 *sale of such properties and related as-*
10 *sets by the United States shall be de-*
11 *posited into the Fund.*

12 *(II) LIMITATION.—The following*
13 *proceeds resulting from any sale of the*
14 *properties and related assets identified*
15 *in subclause (I) shall not be transferred*
16 *into the Fund:*

17 *(aa) The percentage of pro-*
18 *ceeds attributable to any party*
19 *identified as a Settling Judgment*
20 *Creditor in the order dated April*
21 *16, 2014, in such proceedings,*
22 *who does not make an election*
23 *(described in clause (iii)) to par-*
24 *ticipate in the Fund.*

1 (ii) *The percentage of pro-*
2 *ceeds attributable to the parties*
3 *identified as the Hegna Judgment*
4 *Creditors in such proceedings, un-*
5 *less and until a final judgment is*
6 *entered denying the claims of such*
7 *creditors.*

8 (ii) *DEPOSIT INTO FUND OF ASSIGNED*
9 *ASSETS IDENTIFIED IN PETERSON V. IS-*
10 *LAMIC REPUBLIC OF IRAN.—If a final judg-*
11 *ment is entered in Peterson v. Islamic Re-*
12 *public of Iran, No. 10 Civ. 4518 (S.D.N.Y.),*
13 *awarding the assets at issue in that case to*
14 *the judgment creditors identified in the*
15 *order dated July 9, 2013, those assets shall*
16 *be deposited into the Fund, but only to the*
17 *extent, and in such percentage, that the*
18 *rights, title, and interest to such assets were*
19 *assigned through elections made pursuant to*
20 *clause (iii).*

21 (iii) *ELECTION TO PARTICIPATE IN*
22 *THE FUND.—Upon written notice to the At-*
23 *torney General, the Special Master, and the*
24 *chief judge of the United States District*
25 *Court for the Southern District of New York*

1 *within 60 days after the date of the publica-*
2 *tion required under subsection (b)(2)(A) a*
3 *United States person, who is a judgment*
4 *creditor in the proceedings captioned Peter-*
5 *son v. Islamic Republic of Iran, No. 10 Civ.*
6 *4518 (S.D.N.Y.), or a Settling Judgment*
7 *Creditor as identified in the order dated*
8 *May 27, 2014, in the proceedings captioned*
9 *In Re 650 Fifth Avenue & Related Prop-*
10 *erties, No. 08 Civ. 10934 (S.D.N.Y. filed*
11 *Dec. 17, 2008), shall have the right to elect*
12 *to participate in the Fund and, to the ex-*
13 *tent any such person exercises such right,*
14 *shall irrevocably assign to the Fund all*
15 *rights, title, and interest to such person's*
16 *claims to the assets at issue in such pro-*
17 *ceedings. To the extent that a United States*
18 *person is both a judgment creditor in the*
19 *proceedings captioned Peterson v. Islamic*
20 *Republic of Iran, No. 10 Civ. 4518*
21 *(S.D.N.Y.) and a Settling Judgment Cred-*
22 *itor in In Re 650 Fifth Avenue & Related*
23 *Properties, No. 08 Civ. 10934 (S.D.N.Y.*
24 *filed Dec. 17, 2008), any election by such*
25 *person to participate in the Fund pursuant*

1 to this paragraph shall operate as an elec-
2 tion to assign any and all rights, title, and
3 interest in the assets in both actions for the
4 purposes of participating in the Fund. The
5 Attorney General is authorized to pursue
6 any such assigned rights, title, and interest
7 in those claims for the benefit of the Fund.

8 (iv) APPLICATION FOR CONDITIONAL
9 PAYMENT.—A United States person who is
10 a judgment creditor or a Settling Judgment
11 Creditor in the proceedings identified in
12 clause (iii) and who does not elect to par-
13 ticipate in the Fund may, notwithstanding
14 such failure to elect, submit an application
15 for conditional payment from the Fund,
16 subject to the following limitations:

17 (I) IN GENERAL.—Notwith-
18 standing any such claimant's eligi-
19 bility for payment and the initial
20 deadline for initial payments set forth
21 in subsection (d)(2), the Special Master
22 shall allocate but withhold payment to
23 an eligible claimant who applies for a
24 conditional payment under this para-
25 graph until such time as an adverse

1 *final judgment is entered in both of the*
2 *proceedings identified in clause (iii).*

3 (II) *EXCEPTION.—*

4 *(aa) In the event that an ad-*
5 *verse final judgment is entered in*
6 *the proceedings captioned Peter-*
7 *son v. Islamic Republic of Iran,*
8 *No. 10 Civ. 4518 (S.D.N.Y), prior*
9 *to a final judgment being entered*
10 *in the proceedings captioned In*
11 *Re 650 Fifth Avenue & Related*
12 *Properties, No. 08 Civ. 10934*
13 *(S.D.N.Y. filed Dec. 17, 2008), the*
14 *Special Master shall release a por-*
15 *tion of an eligible claimant's con-*
16 *ditional payment to such eligible*
17 *claimant if the Special Master*
18 *anticipates that such claimant*
19 *will receive less than the amount*
20 *of the conditional payment from*
21 *any proceeds from a final judg-*
22 *ment that is entered in favor of*
23 *the plaintiffs in In Re 650 Fifth*
24 *Avenue & Related Properties.*
25 *Such portion shall not exceed the*

1 *difference between the amount of*
2 *the conditional payment and the*
3 *amount the Special Master antici-*
4 *pates such claimant will receive*
5 *from the proceeds of In Re 650*
6 *Fifth Avenue & Related Prop-*
7 *erties.*

8 *(bb) In the event that a final*
9 *judgment is entered in favor of the*
10 *plaintiffs in the proceedings cap-*
11 *tioned Peterson v. Islamic Repub-*
12 *lic of Iran, No. 10 Civ. 4518*
13 *(S.D.N.Y) and funds are distrib-*
14 *uted, the payments allocated to*
15 *claimants who applied for a con-*
16 *ditional payment under this sub-*
17 *paragraph shall be considered*
18 *void, and any funds previously*
19 *allocated to such conditional pay-*
20 *ments shall be made available and*
21 *distributed to all other eligible*
22 *claimants pursuant to subsection*
23 *(d).*

24 (3) *EXPENDITURES FROM FUND.—Amounts in*
25 *the Fund shall be available, without further appro-*

1 *priation, for the payment of eligible claims and com-*
2 *ensation of the Special Master in accordance with*
3 *this section.*

4 (4) *MANAGEMENT OF FUND.—The Fund shall be*
5 *managed and invested in the same manner as a trust*
6 *fund is managed and invested under section 9602 of*
7 *the Internal Revenue Code of 1986.*

8 (5) *FUNDING.—There is appropriated to the*
9 *Fund, out of any money in the Treasury not other-*
10 *wise appropriated, \$1,025,000,000 for fiscal year*
11 *2017, to remain available until expended.*

12 (6) *TERMINATION.—*

13 (A) *IN GENERAL.—Amounts in the Fund*
14 *may not be obligated on or after January 2,*
15 *2026.*

16 (B) *CLOSING OF FUND.—Effective on the*
17 *day after all amounts authorized to be paid from*
18 *the Fund under this section that were obligated*
19 *before January 2, 2026 are expended, any unob-*
20 *ligated balances in the Fund shall be transferred,*
21 *as appropriate, to either the Department of the*
22 *Treasury Forfeiture Fund established under sec-*
23 *tion 9705 of title 31, United States Code, or to*
24 *the Department of Justice Assets Forfeiture*

1 *Fund established under section 524(c)(1) of title*
2 *28, United States Code.*

3 *(f) ATTORNEYS' FEES AND COSTS.—*

4 (1) *IN GENERAL.—No attorney shall charge, re-*
5 *ceive, or collect, and the Special Master shall not ap-*
6 *prove, any payment of fees and costs that in the ag-*
7 *gregate exceeds 25 percent of any payment made*
8 *under this section.*

9 (2) *PENALTY.—Any attorney who violates para-*
10 *graph (1) shall be fined under title 18, United States*
11 *Code, imprisoned for not more than 1 year, or both.*

12 *(g) AWARD OF COMPENSATION TO INFORMERS.—*

13 (1) *IN GENERAL.—Any United States person*
14 *who holds a final judgment described in subsection*
15 *(c)(2)(A) or a claim under subsection (c)(2)(B) or*
16 *(c)(2)(C) and who meets the requirements set forth in*
17 *paragraph (2) is entitled to receive an award of 10*
18 *percent of the funds deposited in the Fund under sub-*
19 *section (e)(2) attributable to information such person*
20 *furnished to the Attorney General that leads to a for-*
21 *feiture described in subsection (e)(2)(A), which is*
22 *made after the date of enactment of this Act pursuant*
23 *to a proceeding resulting in forfeiture that was initi-*
24 *ated after the date of enactment of this Act.*

1 (2) *PERSON DESCRIBED.*—A person meets the re-
2 quirements of this paragraph if—

3 (A) the person identifies and notifies the At-
4 torney General of funds or property—

5 (i) of a state sponsor of terrorism, or
6 held by a third party on behalf of or subject
7 to the control of that state sponsor of ter-
8 rorism;

9 (ii) that were not previously identified
10 or known by the United States Government;
11 and

12 (iii) that are subsequently forfeited di-
13 rectly or in the form of substitute assets to
14 the United States; and

15 (B) the Attorney General finds that the
16 identification and notification under subpara-
17 graph (A) by that person substantially contrib-
18 uted to the forfeiture to the United States.

19 (h) *SPECIAL EXCLUSION FROM COMPENSATION.*—In
20 no event shall an individual who is criminally culpable for
21 an act of international terrorism receive any compensation
22 under this section, either directly or on behalf of a victim.

23 (i) *REPORT TO CONGRESS.*—Within 30 days after au-
24 thorizing the payment of compensation of eligible claims
25 pursuant to subsection (d), the Special Master shall submit

1 *to the chairman and ranking minority member of the Com-*
2 *mittee on the Judiciary of the House of Representatives and*
3 *the chairman and ranking minority member of the Com-*
4 *mittee on the Judiciary of the Senate a report on the pay-*
5 *ment of eligible claims, which shall include—*

6 (1) *an explanation of the procedures for filing*
7 *and processing of applications for compensation; and*

8 (2) *an analysis of the payments made to United*
9 *States persons from the Fund and the amount of out-*
10 *standing eligible claims, including—*

11 (A) *the number of applications for com-*
12 *penetration submitted;*

13 (B) *the number of applications approved*
14 *and the amount of each award;*

15 (C) *the number of applications denied and*
16 *the reasons for the denial;*

17 (D) *the number of applications for com-*
18 *penetration that are pending for which compen-*
19 *satory damages have not been paid in full; and*

20 (E) *the total amount of compensatory dam-*
21 *ages from eligible claims that have been paid*
22 *and that remain unpaid.*

23 (j) *DEFINITIONS.—In this section the following defini-*
24 *tions apply:*

1 (1) *ACT OF INTERNATIONAL TERRORISM.*—The
2 term “act of international terrorism” includes—

3 (A) an act of torture, extrajudicial killing,
4 aircraft sabotage, or hostage taking as those
5 terms are defined in section 1605A(h) of title 28,
6 United States Code; and

7 (B) providing material support or re-
8 sources, as defined in section 2339A of title 18,
9 United States Code, for an act described in sub-
10 paragraph (A).

11 (2) *ADVERSE FINAL JUDGMENT.*—The term “ad-
12 verse final judgment” means a final judgment in
13 favor of the defendant, or defendants, in the pro-
14 ceedings identified in subsection (e)(2)(B)(iii), or
15 which does not order any payment from, or award
16 any interest in, the assets at issue in such proceedings
17 to the plaintiffs, judgment creditors, or Settling Judg-
18 ment Creditors in such proceedings.

19 (3) *COMPENSATORY DAMAGES.*—The term “com-
20 pensatory damages” does not include pre-judgment or
21 post-judgment interest or punitive damages.

22 (4) *FINAL JUDGMENT.*—The term “final judg-
23 ment” means an enforceable final judgment, decree or
24 order on liability and damages entered by a United
25 States district court that is not subject to further ap-

1 *pellate review, but does not include a judgment, de-*
2 *cree, or order that has been waived, relinquished, sat-*
3 *isfied, espoused by the United States, or subject to a*
4 *bilateral claims settlement agreement between the*
5 *United States and a foreign state. In the case of a de-*
6 *fault judgment, such judgment shall not be considered*
7 *a final judgment until such time as service of process*
8 *has been completed pursuant to section 1608(e) of title*
9 *28, United States Code.*

10 (5) *FUND.*—*The term “Fund” means the United*
11 *States Victims of State Sponsored Terrorism Fund es-*
12 *tablished by this section.*

13 (6) *SOURCE OTHER THAN THIS FUND.*—*The*
14 *term “source other than this Fund” means all collat-*
15 *eral sources, including life insurance, pension funds,*
16 *death benefit programs, payments by Federal, State,*
17 *or local governments (including payments from the*
18 *September 11th Victim Compensation Fund (49*
19 *U.S.C. 40101 note)), and court awarded compensa-*
20 *tion related to the act of international terrorism that*
21 *gave rise to a claimant’s final judgment. The term*
22 *“entitled or scheduled to receive” in subsection*
23 *(d)(3)(B)(i) includes any potential recovery where*
24 *that person or their representative is a party to any*
25 *civil or administrative action pending in any court*

1 *or agency of competent jurisdiction in which the*
2 *party seeks to enforce the judgment giving rise to the*
3 *application to the Fund.*

4 (7) *STATE SPONSOR OF TERRORISM.*—*The term*
5 *“state sponsor of terrorism” means a country the gov-*
6 *ernment of which the Secretary of State has deter-*
7 *mined, for purposes of section 6(j) of the Export Ad-*
8 *ministration Act of 1979 (50 U.S.C. 4605(j)), section*
9 *620A of the Foreign Assistance Act of 1961 (22*
10 *U.S.C. 2371), section 40 of the Arms Export Control*
11 *Act (22 U.S.C. 2780), or any other provision of law,*
12 *is a government that has repeatedly provided support*
13 *for acts of international terrorism.*

14 (8) *UNITED STATES PERSON.*—*The term “United*
15 *States person” means a natural person who has suf-*
16 *fered an injury arising from the actions of a foreign*
17 *state for which the foreign state has been determined*
18 *not to be immune from the jurisdiction of the courts*
19 *of the United States under section 1605A or section*
20 *1605(a)(7) (as such section was in effect on January*
21 *27, 2008) of title 28, United States Code, or is eligible*
22 *to make a claim under subsection (c)(2)(B) or sub-*
23 *section (c)(2)(C).*

24 (k) *SEVERABILITY.*—*The provisions of this section are*
25 *severable. If any provision of this section, or any applica-*

1 *tion thereof, is found unconstitutional, that finding shall*
2 *not affect any provision or application of this section not*
3 *so adjudicated.*

4 **SEC. 405. BUDGETARY PROVISIONS.**

5 (a) *LIMITATION.*—*Notwithstanding any other provi-*
6 *sion of law, including section 982 of title 18, United States*
7 *Code, and section 413 of the Controlled Substances Act (21*
8 *U.S.C. 853), none of the funds paid to the United States*
9 *Government by BNP Paribas S.A. as part of, or related*
10 *to, a plea agreement dated June 27, 2014, entered into be-*
11 *tween the Department of Justice and BNP Paribas S.A.,*
12 *and subject to a consent order entered by the United States*
13 *District Court for the Southern District of New York on*
14 *May 1, 2015, in United States v. BNPP, No. 14 Cr. 460*
15 *(S.D.N.Y.) to settle charges against BNP Paribas S.A. for*
16 *conspiracy to commit an offense against the United States*
17 *in violation of section 371 of title 18, United States Code,*
18 *by conspiring to violate the International Emergency Eco-*
19 *nomics Powers Act (50 U.S.C. 1701 et seq.), and the Trading*
20 *with the Enemy Act (50 U.S.C. 4301 et seq.), may be used*
21 *by the United States Government—*

22 (1) *in any manner in furtherance of the pro-*
23 *posed use of such funds by the Department of Justice*
24 *to compensate individuals as announced by the De-*
25 *partment of Justice on May 1, 2015; or*

1 (2) *in any other manner whatsoever, including*
2 *in furtherance of any program to compensate victims*
3 *of international or state sponsored terrorism, except*
4 *as such funds are directed by Congress pursuant to*
5 *this title and the amendments made by this title.*

6 (b) *RESCISSION OF FUNDS FROM BNP SETTLE-*
7 *MENT.—Of the amounts in the Department of the Treasury*
8 *Forfeiture Fund established under section 9705 of title 31,*
9 *United States Code, \$3,800,000,000 from funds paid to the*
10 *United States Government by BNP Paribas S.A. as part*
11 *of, or related to, a plea agreement dated June 27, 2014,*
12 *entered into between the Department of Justice and BNP*
13 *Paribas S.A., and subject to a consent order entered by the*
14 *United States District Court for the Southern District of*
15 *New York on May 1, 2015, in United States v. BNPP, No.*
16 *14 Cr. 460 (S.D.N.Y.), shall be deobligated, if necessary,*
17 *and shall be permanently rescinded.*

18 **TITLE V—MEDICARE AND** 19 **MEDICAID PROVISIONS**

20 **SEC. 501. MEDICARE IMPROVEMENT FUND.**

21 *Section 1898(b)(1) of the Social Security Act (42*
22 *U.S.C. 1395iii(b)(1)) is amended by striking*
23 *“\$205,000,000” and inserting “\$5,000,000”.*

1 **SEC. 502. MEDICARE PAYMENT INCENTIVE FOR THE TRAN-**
2 **SITION FROM TRADITIONAL X-RAY IMAGING**
3 **TO DIGITAL RADIOGRAPHY AND OTHER MEDI-**
4 **CARE IMAGING PAYMENT PROVISION.**

5 *(a) PHYSICIAN FEE SCHEDULE.—*

6 *(1) PAYMENT INCENTIVE FOR TRANSITION.—*

7 *(A) IN GENERAL.—Section 1848(b) of the*
8 *Social Security Act (42 U.S.C. 1395w-4(b)) is*
9 *amended by adding at the end the following new*
10 *paragraph:*

11 *“(9) SPECIAL RULE TO INCENTIVIZE TRANSITION*
12 *FROM TRADITIONAL X-RAY IMAGING TO DIGITAL RADI-*
13 *OGRAPHY.—*

14 *“(A) LIMITATION ON PAYMENT FOR FILM X-*
15 *RAY IMAGING SERVICES.—In the case of an im-*
16 *aging service (including the imaging portion of*
17 *a service) that is an X-ray taken using film and*
18 *that is furnished during 2017 or a subsequent*
19 *year, the payment amount for the technical com-*
20 *ponent (including the technical component por-*
21 *tion of a global service) of such service that*
22 *would otherwise be determined under this section*
23 *(without application of this paragraph and be-*
24 *fore application of any other adjustment under*
25 *this section) for such year shall be reduced by 20*
26 *percent.*

1 “(B) *PHASED-IN LIMITATION ON PAYMENT*
2 *FOR COMPUTED RADIOGRAPHY IMAGING SERV-*
3 *ICES.—In the case of an imaging service (includ-*
4 *ing the imaging portion of a service) that is an*
5 *X-ray taken using computed radiography tech-*
6 *nology—*

7 “(i) *in the case of such a service fur-*
8 *nished during 2018, 2019, 2020, 2021, or*
9 *2022, the payment amount for the technical*
10 *component (including the technical compo-*
11 *nent portion of a global service) of such*
12 *service that would otherwise be determined*
13 *under this section (without application of*
14 *this paragraph and before application of*
15 *any other adjustment under this section) for*
16 *such year shall be reduced by 7 percent; and*

17 “(ii) *in the case of such a service fur-*
18 *nished during 2023 or a subsequent year,*
19 *the payment amount for the technical com-*
20 *ponent (including the technical component*
21 *portion of a global service) of such service*
22 *that would otherwise be determined under*
23 *this section (without application of this*
24 *paragraph and before application of any*

1 *other adjustment under this section) for*
2 *such year shall be reduced by 10 percent.*

3 “(C) *COMPUTED RADIOGRAPHY TECH-*
4 *NOLOGY DEFINED.—For purposes of this para-*
5 *graph, the term ‘computed radiography tech-*
6 *nology’ means cassette-based imaging which uti-*
7 *lizes an imaging plate to create the image in-*
8 *volved.*”

9 “(D) *IMPLEMENTATION.—In order to imple-*
10 *ment this paragraph, the Secretary shall adopt*
11 *appropriate mechanisms which may include use*
12 *of modifiers.”.*

13 (B) *EXEMPTION FROM BUDGET NEU-*
14 *TRALITY.—Section 1848(c)(2)(B)(v) of the Social*
15 *Security Act (42 U.S.C. 1395w–4(c)(2)(B)(v)) is*
16 *amended by adding at the end the following new*
17 *subclause:*

18 “(X) *REDUCED EXPENDITURES*
19 *ATTRIBUTABLE TO INCENTIVES TO*
20 *TRANSITION TO DIGITAL RADIOG-*
21 *RAPHY.—Effective for fee schedules es-*
22 *tablished beginning with 2017, reduced*
23 *expenditures attributable to subpara-*
24 *graph (A) of subsection (b)(9) and ef-*
25 *fective for fee schedules established be-*

1 *ginning with 2018, reduced expendi-*
2 *tures attributable to subparagraph (B)*
3 *of such subsection.”.*

4 (2) *REDUCTION OF DISCOUNT IN PAYMENT FOR*
5 *PROFESSIONAL COMPONENT OF MULTIPLE IMAGING*
6 *SERVICES.—*

7 (A) *IN GENERAL.—Section 1848(b) of the*
8 *Social Security Act (42 U.S.C. 1395w-4(b)), as*
9 *amended by paragraph (1), is amended by add-*
10 *ing at the end the following new paragraph:*

11 “(10) *REDUCTION OF DISCOUNT IN PAYMENT FOR*
12 *PROFESSIONAL COMPONENT OF MULTIPLE IMAGING*
13 *SERVICES.—In the case of the professional component*
14 *of imaging services furnished on or after January 1,*
15 *2017, instead of the 25 percent reduction for multiple*
16 *procedures specified in the final rule published by the*
17 *Secretary in the Federal Register on November 28,*
18 *2011, as amended in the final rule published by the*
19 *Secretary in the Federal Register on November 16,*
20 *2012, the reduction percentage shall be 5 percent.”.*

21 (B) *EXEMPTION FROM BUDGET NEU-*
22 *TRALITY.—Section 1848(c)(2)(B)(v) of the Social*
23 *Security Act (42 U.S.C. 1395w 4(c)(2)(B)(v)), as*
24 *amended by paragraph (1), is amended by add-*
25 *ing at the end by the following new subclause:*

1 “(XI) *DISCOUNT IN PAYMENT FOR*
2 *PROFESSIONAL COMPONENT OF IMAG-*
3 *ING SERVICES.—Effective for fee sched-*
4 *ules established beginning with 2017,*
5 *reduced expenditures attributable to*
6 *subsection (b)(10).”.*

7 (C) *CONFORMING AMENDMENT.—Section*
8 *220(i) of the Protecting Access to Medicare Act*
9 *of 2014 (42 U.S.C. 1395w-4 note) is repealed.*

10 (b) *PAYMENT INCENTIVE FOR TRANSITION UNDER*
11 *HOSPITAL OUTPATIENT PROSPECTIVE PAYMENT SYS-*
12 *TEM.—Section 1833(t)(16) of the Social Security Act (42*
13 *U.S.C. 1395(t)(16)) is amended by adding at the end the*
14 *following new subparagraph:*

15 “(F) *PAYMENT INCENTIVE FOR THE TRANSI-*
16 *TION FROM TRADITIONAL X-RAY IMAGING TO DIG-*
17 *ITAL RADIOGRAPHY.—Notwithstanding the pre-*
18 *vious provisions of this subsection:*

19 “(i) *LIMITATION ON PAYMENT FOR*
20 *FILM X-RAY IMAGING SERVICES.—In the*
21 *case of an imaging service that is an X-ray*
22 *taken using film and that is furnished dur-*
23 *ing 2017 or a subsequent year, the payment*
24 *amount for such service (including the X-*
25 *ray component of a packaged service) that*

1 *would otherwise be determined under this*
2 *section (without application of this para-*
3 *graph and before application of any other*
4 *adjustment under this subsection) for such*
5 *year shall be reduced by 20 percent.*

6 “(ii) *PHASED-IN LIMITATION ON PAY-*
7 *MENT FOR COMPUTED RADIOGRAPHY IMAG-*
8 *ING SERVICES.—In the case of an imaging*
9 *service that is an X-ray taken using com-*
10 *puted radiography technology (as defined in*
11 *section 1848(b)(9)(C))—*

12 “(I) *in the case of such a service*
13 *furnished during 2018, 2019, 2020,*
14 *2021, or 2022, the payment amount for*
15 *such service (including the X-ray com-*
16 *ponent of a packaged service) that*
17 *would otherwise be determined under*
18 *this section (without application of*
19 *this paragraph and before application*
20 *of any other adjustment under this*
21 *subsection) for such year shall be re-*
22 *duced by 7 percent; and*

23 “(II) *in the case of such a service*
24 *furnished during 2023 or a subsequent*
25 *year, the payment amount for such*

1 *service (including the X-ray component*
 2 *of a packaged service) that would oth-*
 3 *erwise be determined under this section*
 4 *(without application of this paragraph*
 5 *and before application of any other ad-*
 6 *justment under this subsection) for*
 7 *such year shall be reduced by 10 per-*
 8 *cent.*

9 “(iii) *APPLICATION WITHOUT REGARD*
 10 *TO BUDGET NEUTRALITY.—The reductions*
 11 *made under this subparagraph—*

12 “(I) *shall not be considered an ad-*
 13 *justment under paragraph (2)(E); and*

14 “(II) *shall not be implemented in*
 15 *a budget neutral manner.*

16 “(iv) *IMPLEMENTATION.—In order to*
 17 *implement this subparagraph, the Secretary*
 18 *shall adopt appropriate mechanisms which*
 19 *may include use of modifiers.”.*

20 **SEC. 503. LIMITING FEDERAL MEDICAID REIMBURSEMENT**
 21 **TO STATES FOR DURABLE MEDICAL EQUIP-**
 22 **MENT (DME) TO MEDICARE PAYMENT RATES.**

23 (a) *MEDICAID REIMBURSEMENT.—*

24 (1) *IN GENERAL.—Section 1903(i) of the Social*
 25 *Security Act (42 U.S.C. 1396b(i)) is amended—*

1 (A) in paragraph (25), by striking “or” at
2 the end;

3 (B) in paragraph (26), by striking the pe-
4 riod at the end and inserting “; or”; and

5 (C) by inserting after paragraph (26) the
6 following new paragraph:

7 “(27) with respect to any amounts expended by
8 the State on the basis of a fee schedule for items de-
9 scribed in section 1861(n) and furnished on or after
10 January 1, 2019, as determined in the aggregate with
11 respect to each class of such items as defined by the
12 Secretary, in excess of the aggregate amount, if any,
13 that would be paid for such items within such class
14 on a fee-for-service basis under the program under
15 part B of title XVIII, including, as applicable, under
16 a competitive acquisition program under section 1847
17 in an area of the State.”.

18 (2) *RULE OF CONSTRUCTION.*—Nothing in the
19 amendments made by paragraph (1) shall be con-
20 strued to prohibit a State Medicaid program from
21 providing medical assistance for durable medical
22 equipment for which payment is denied or not avail-
23 able under the Medicare program under title XVIII of
24 such Act.

1 (b) *EVALUATING APPLICATION OF DME PAYMENT*
2 *LIMITS UNDER MEDICAID.*—*The Secretary of Health and*
3 *Human Services shall evaluate the impact of applying*
4 *Medicare payment rates with respect to payment for dura-*
5 *ble medical equipment under the Medicaid program under*
6 *section 1903(i)(27) of the Social Security Act, as inserted*
7 *by subsection (a)(1)(C). The Secretary shall make available*
8 *to the public the results of such evaluation.*

9 **SEC. 504. TREATMENT OF DISPOSABLE DEVICES.**

10 (a) *IN GENERAL.*—*Section 1834 of the Social Security*
11 *Act (42 U.S.C. 1395m) is amended by adding at the end*
12 *the following new subsection:*

13 “(s) *PAYMENT FOR APPLICABLE DISPOSABLE DE-*
14 *VICES.*—

15 “(1) *SEPARATE PAYMENT.*—*The Secretary shall*
16 *make a payment (separate from the payments other-*
17 *wise made under section 1895) in the amount estab-*
18 *lished under paragraph (3) to a home health agency*
19 *for an applicable disposable device (as defined in*
20 *paragraph (2)) when furnished on or after January*
21 *1, 2017, to an individual who receives home health*
22 *services for which payment is made under section*
23 *1895(b).*

24 “(2) *APPLICABLE DISPOSABLE DEVICE.*—*In this*
25 *subsection, the term applicable disposable device*

1 *means a disposable device that, as determined by the*
2 *Secretary, is—*

3 *“(A) a disposable negative pressure wound*
4 *therapy device that is an integrated system com-*
5 *prised of a non-manual vacuum pump, a recep-*
6 *tacle for collecting exudate, and dressings for the*
7 *purposes of wound therapy; and*

8 *“(B) a substitute for, and used in lieu of,*
9 *a negative pressure wound therapy durable med-*
10 *ical equipment item that is an integrated system*
11 *of a negative pressure vacuum pump, a separate*
12 *exudate collection canister, and dressings that*
13 *would otherwise be covered for individuals for*
14 *such wound therapy.*

15 *“(3) PAYMENT AMOUNT.—The separate payment*
16 *amount established under this paragraph for an ap-*
17 *plicable disposable device for a year shall be equal to*
18 *the amount of the payment that would be made under*
19 *section 1833(t) (relating to payment for covered OPD*
20 *services) for the year for the Level I Healthcare Com-*
21 *mon Procedure Coding System (HCPCS) code for*
22 *which the description for a professional service in-*
23 *cludes the furnishing of such device.”.*

24 *(b) CONFORMING AMENDMENTS.—*

1 (1) *COINSURANCE.*—Section 1833(a)(1) of the
2 *Social Security Act* (42 U.S.C. 1395l(a)(1)) is
3 amended—

4 (A) by striking “and (Z)” and inserting
5 “(Z)”; and

6 (B) by inserting before the semicolon at the
7 end the following: “, and (AA) with respect to an
8 applicable disposable device (as defined in para-
9 graph (2) of section 1834(s)) furnished to an in-
10 dividual pursuant to paragraph (1) of such sec-
11 tion, the amount paid shall be equal to 80 per-
12 cent of the lesser of the actual charge or the
13 amount determined under paragraph (3) of such
14 section”.

15 (2) *HOME HEALTH.*—Section 1861(m)(5) of the
16 *Social Security Act* (42 U.S.C. 1395x(m)(5)) is
17 amended by inserting “and applicable disposable de-
18 vices (as defined in section 1834(s)(2))” after “dura-
19 ble medical equipment”.

20 (c) *REPORTS.*—

21 (1) *GAO STUDY AND REPORT ON DISPOSABLE*
22 *DEVICES.*—

23 (A) *STUDY.*—The Comptroller General of
24 the United States shall conduct a study on the
25 value of disposable devices to the Medicare pro-

1 *gram and Medicare beneficiaries and the role of*
2 *disposable devices as substitutes for durable med-*
3 *ical equipment. Such study shall address the fol-*
4 *lowing:*

5 *(i) The types of disposable devices that*
6 *could potentially qualify as being sub-*
7 *stitutes for durable medical equipment*
8 *under the Medicare program, the similar-*
9 *ities and differences between such disposable*
10 *devices and the durable medical equipment*
11 *for which they would be a substitute, and*
12 *the extent to which other payers, including*
13 *the Medicaid program and private payers,*
14 *cover such disposable devices.*

15 *(ii) Views of, and information from,*
16 *medical device manufacturers, providers of*
17 *services, and suppliers on the incentives and*
18 *disincentives under current Medicare cov-*
19 *erage and payment policies for disposable*
20 *devices that are substitutes for durable med-*
21 *ical equipment and how such policies affect*
22 *manufacturers' decisions to develop innova-*
23 *tive products and providers' and suppliers'*
24 *decisions to use such products.*

1 (iii) *Implications of expanding cov-*
2 *erage under the Medicare program to in-*
3 *clude additional disposable devices that are*
4 *substitutes for durable medical equipment.*

5 (iv) *Payment methodologies that could*
6 *be used to pay for disposable devices that*
7 *are substitutes for durable medical equip-*
8 *ment other than applicable disposable de-*
9 *vices pursuant to the amendments made by*
10 *subsections (a) and (b).*

11 (v) *Other applicable areas determined*
12 *appropriate by the Comptroller General.*

13 (B) *REPORT.—Not later than 18 months*
14 *after the date of the enactment of this Act, the*
15 *Comptroller General of the United States shall*
16 *submit to Congress and the Secretary of Health*
17 *and Human Services a report on the study con-*
18 *ducted under subparagraph (A), together with*
19 *recommendations for such legislation and ad-*
20 *ministrative action as the Comptroller General*
21 *determines to be appropriate.*

22 (2) *GAO STUDY AND REPORT ON THE IMPACT OF*
23 *THE PAYMENT OF APPLICABLE DISPOSABLE DE-*
24 *VICES.—*

1 (A) *STUDY.*—*The Comptroller General of*
2 *the United States shall conduct a study on the*
3 *impact of the payment for applicable disposable*
4 *devices (as defined in section 1834(s)(2) of the*
5 *Social Security Act) under the provisions of, and*
6 *the amendments made by, subsections (a) and*
7 *(b). Such study shall address the following:*

8 (i) *The impact on utilization and*
9 *Medicare program and beneficiary spending*
10 *as a result of such provisions and amend-*
11 *ments.*

12 (ii) *The type of Medicare beneficiaries*
13 *who, under the home health benefit, use the*
14 *applicable disposable device and the period*
15 *of use of the applicable disposable devices*
16 *compared to the beneficiaries who use the*
17 *substitute durable medical equipment and*
18 *their period of use.*

19 (iii) *How payment rates of other pay-*
20 *ers, including the Medicaid program and*
21 *private payers, for applicable disposable de-*
22 *vices compare to the payment rates for such*
23 *devices under such provisions and amend-*
24 *ments.*

1 (iv) Other applicable areas determined
2 appropriate by the Comptroller General.

3 (B) *REPORT.*—Not later than 4 years after
4 the date of the enactment of this Act, the Comp-
5 troller General of the United States shall submit
6 to Congress and the Secretary of Health and
7 Human Services a report on the study conducted
8 under subparagraph (A), together with rec-
9 ommendations for such legislation and adminis-
10 trative action as the Comptroller General deter-
11 mines to be appropriate.

12 (d) *EFFECTIVE DATE.*—The amendments made by this
13 section shall apply to items furnished on or after January
14 1, 2017.

15 **TITLE VI—PUERTO RICO**

16 **SEC. 601. MODIFICATION OF MEDICARE INPATIENT HOS-** 17 **PITAL PAYMENT RATE FOR PUERTO RICO** 18 **HOSPITALS.**

19 Section 1886(d)(9)(E) of the Social Security Act (42
20 U.S.C. 1395ww(d)(9)(E)) is amended—

21 (1) by striking “and” at the end of clause (iii);

22 (2) in clause (iv)—

23 (A) by inserting “and before January 1,
24 2016,” after “2004,”; and

1 (B) by striking the period at the end and
2 inserting “; and”; and

3 (3) by adding at the end the following new
4 clause:

5 “(v) on or after January 1, 2016, the applicable
6 Puerto Rico percentage is 0 percent and the applica-
7 ble Federal percentage is 100 percent.”.

8 **SEC. 602. APPLICATION OF MEDICARE HITECH PAYMENTS**
9 **TO HOSPITALS IN PUERTO RICO.**

10 (a) *IN GENERAL.*—Subsection (n)(6)(B) of section
11 1886 of the Social Security Act (42 U.S.C. 1395ww) is
12 amended by striking “subsection (d) hospital” and inserting
13 “hospital that is a subsection (d) hospital or a subsection
14 (d) Puerto Rico hospital”.

15 (b) *CONFORMING AMENDMENTS.*—

16 (1) Subsection (b)(3)(B)(ix) of section 1886 of
17 the Social Security Act (42 U.S.C. 1395ww) is
18 amended—

19 (A) in subclause (I), by striking “(n)(6)(A)”
20 and inserting “(n)(6)(B)”; and

21 (B) in subclause (II), by striking “a sub-
22 section (d) hospital” and inserting “an eligible
23 hospital”.

24 (2) Paragraphs (2) and (4)(A) of section
25 1853(m) of the Social Security Act (42 U.S.C.

Sec. 707. Limitation on SEC funds.

Sec. 708. Elimination of reporting requirement.

Sec. 709. Extension of Hardest Hit Fund; Termination of Making Home Affordable initiative.

1 **SEC. 702. LIMITATIONS ON SALE OF PREFERRED STOCK.**

2 (a) *DEFINITIONS.—In this section:*

3 (1) *SECRETARY.—The term “Secretary” means*
4 *the Secretary of the Treasury.*

5 (2) *SENIOR PREFERRED STOCK PURCHASE*
6 *AGREEMENT.—The term “Senior Preferred Stock Pur-*
7 *chase Agreement” means—*

8 (A) *the Amended and Restated Senior Pre-*
9 *ferred Stock Purchase Agreement, dated Sep-*
10 *tember 26, 2008, as such Agreement has been*
11 *amended on May 6, 2009, December 24, 2009,*
12 *and August 17, 2012, respectively, and as such*
13 *Agreement may be further amended and restated,*
14 *entered into between the Department of the*
15 *Treasury and each enterprise, as applicable; and*

16 (B) *any provision of any certificate in con-*
17 *nection with such Agreement creating or desig-*
18 *inating the terms, powers, preferences, privileges,*
19 *limitations, or any other conditions of the Vari-*
20 *able Liquidation Preference Senior Preferred*
21 *Stock of an enterprise issued or sold pursuant to*
22 *such Agreement.*

1 **(b) LIMITATIONS ON SALE OF PREFERRED STOCK.**—
2 *Notwithstanding any other provision of law or any provi-*
3 *sion of the Senior Preferred Stock Purchase Agreement,*
4 *until at least January 1, 2018, the Secretary may not sell,*
5 *transfer, relinquish, liquidate, divest, or otherwise dispose*
6 *of any outstanding shares of senior preferred stock acquired*
7 *pursuant to the Senior Preferred Stock Purchase Agree-*
8 *ment, unless Congress has passed and the President has*
9 *signed into law legislation that includes a specific instruc-*
10 *tion to the Secretary regarding the sale, transfer, relin-*
11 *quishment, liquidation, divestiture, or other disposition of*
12 *the senior preferred stock so acquired.*

13 **(c) SENSE OF CONGRESS.**—*It is the Sense of Congress*
14 *that Congress should pass and the President should sign*
15 *into law legislation determining the future of Fannie Mae*
16 *and Freddie Mac, and that notwithstanding the expiration*
17 *of subsection (b), the Secretary should not sell, transfer, re-*
18 *linquish, liquidate, divest, or otherwise dispose of any out-*
19 *standing shares of senior preferred stock acquired pursuant*
20 *to the Senior Preferred Stock Purchase Agreement until*
21 *such legislation is enacted.*

1 **SEC. 703. CONFIDENTIALITY OF INFORMATION SHARED BE-**
2 **TWEEN STATE AND FEDERAL FINANCIAL**
3 **SERVICES REGULATORS.**

4 *Section 1512(a) of the S.A.F.E. Mortgage Licensing*
5 *Act of 2008 (12 U.S.C. 5111(a)) is amended by inserting*
6 *“or financial services” before “industry”.*

7 **SEC. 704. APPLICATION OF FACA.**

8 *Section 1013 of the Consumer Financial Protection*
9 *Act of 2010 (12 U.S.C. 5493) is amended by adding at the*
10 *end the following:*

11 *“(h) APPLICATION OF FACA.—Notwithstanding any*
12 *provision of the Federal Advisory Committee Act (5 U.S.C.*
13 *App.), such Act shall apply to each advisory committee of*
14 *the Bureau and each subcommittee of such an advisory*
15 *committee.”.*

16 **SEC. 705. TREATMENT OF AFFILIATE TRANSACTIONS.**

17 *(a) COMMODITY EXCHANGE ACT AMENDMENTS.—Sec-*
18 *tion 2(h)(7)(D) of the Commodity Exchange Act (7 U.S.C.*
19 *2(h)(7)(D)) is amended—*

20 *(1) by redesignating clause (iii) as clause (v);*

21 *(2) by striking clauses (i) and (ii) and inserting*
22 *the following:*

23 *“(i) IN GENERAL.—An affiliate of a*
24 *person that qualifies for an exception under*
25 *subparagraph (A) (including affiliate enti-*
26 *ties predominantly engaged in providing fi-*

1 nancing for the purchase of the merchandise
2 or manufactured goods of the person) may
3 qualify for the exception only if the affil-
4 iate—

5 “(I) enters into the swap to hedge
6 or mitigate the commercial risk of the
7 person or other affiliate of the person
8 that is not a financial entity, and the
9 commercial risk that the affiliate is
10 hedging or mitigating has been trans-
11 ferred to the affiliate;

12 “(II) is directly and wholly-owned
13 by another affiliate qualified for the
14 exception under this subparagraph or
15 an entity that is not a financial enti-
16 ty;

17 “(III) is not indirectly majority-
18 owned by a financial entity;

19 “(IV) is not ultimately owned by
20 a parent company that is a financial
21 entity; and

22 “(V) does not provide any serv-
23 ices, financial or otherwise, to any af-
24 filiate that is a nonbank financial
25 company supervised by the Board of

1 *Governors (as defined under section*
2 *102 of the Financial Stability Act of*
3 *2010).*

4 “(i) *LIMITATION ON QUALIFYING AF-*
5 *FILIATES.—The exception in clause (i) shall*
6 *not apply if the affiliate is—*

7 *“(I) a swap dealer;*

8 *“(II) a security-based swap deal-*
9 *er;*

10 *“(III) a major swap participant;*

11 *“(IV) a major security-based swap*
12 *participant;*

13 *“(V) a commodity pool;*

14 *“(VI) a bank holding company;*

15 *“(VII) a private fund, as defined*
16 *in section 202(a) of the Investment Ad-*
17 *visers Act of 1940 (15 U.S.C. 80–b–*
18 *2(a));*

19 *“(VIII) an employee benefit plan*
20 *or government plan, as defined in*
21 *paragraphs (3) and (32) of section 3 of*
22 *the Employee Retirement Income Secu-*
23 *rity Act of 1974 (29 U.S.C. 1002);*

24 *“(IX) an insured depository insti-*
25 *tution;*

1900

1 “(X) a farm credit system institu-
2 tion;

3 “(XI) a credit union;

4 “(XII) a nonbank financial com-
5 pany supervised by the Board of Gov-
6 ernors (as defined under section 102 of
7 the *Financial Stability Act of 2010*);
8 or

9 “(XIII) an entity engaged in the
10 business of insurance and subject to
11 capital requirements established by an
12 insurance governmental authority of a
13 State, a territory of the United States,
14 the District of Columbia, a country
15 other than the United States, or a po-
16 litical subdivision of a country other
17 than the United States that is engaged
18 in the supervision of insurance compa-
19 nies under insurance law.

20 “(iii) *LIMITATION ON AFFILIATES’ AF-*
21 *FILIATES.*—Unless the Commission deter-
22 mines, by order, rule, or regulation, that it
23 is in the public interest, the exception in
24 clause (i) shall not apply with respect to an

1 *affiliate if the affiliate is itself affiliated*
2 *with—*

3 “(I) *a major security-based swap*
4 *participant;*

5 “(II) *a security-based swap deal-*
6 *er;*

7 “(III) *a major swap participant;*
8 *or*

9 “(IV) *a swap dealer.*

10 “(iv) *CONDITIONS ON TRANS-*
11 *ACTIONS.—With respect to an affiliate that*
12 *qualifies for the exception in clause (i)—*

13 “(I) *the affiliate may not enter*
14 *into any swap other than for the pur-*
15 *pose of hedging or mitigating commer-*
16 *cial risk; and*

17 “(II) *neither the affiliate nor any*
18 *person affiliated with the affiliate that*
19 *is not a financial entity may enter*
20 *into a swap with or on behalf of any*
21 *affiliate that is a financial entity or*
22 *otherwise assume, net, combine, or con-*
23 *solidate the risk of swaps entered into*
24 *by any such financial entity, except*
25 *one that is an affiliate that qualifies*

1 for the exception under clause (i).”;

2 and

3 (3) by adding at the end the following:

4 “(vi) *RISK MANAGEMENT PROGRAM.*—

5 Any swap entered into by an affiliate that

6 qualifies for the exception in clause (i) shall

7 be subject to a centralized risk management

8 program of the affiliate, which is reasonably

9 designed both to monitor and manage the

10 risks associated with the swap and to iden-

11 tify each of the affiliates on whose behalf a

12 swap was entered into.”.

13 (b) *SECURITIES EXCHANGE ACT OF 1934 AMEND-*

14 *MENT.*—Section 3C(g)(4) of the Securities Exchange Act of

15 1934 (15 U.S.C. 78c-3(g)(4)) is amended—

16 (1) by redesignating subparagraph (C) as sub-

17 paragraph (E);

18 (2) by striking subparagraphs (A) and (B) and

19 inserting the following:

20 “(A) *IN GENERAL.*—An affiliate of a person

21 that qualifies for an exception under this sub-

22 section (including affiliate entities predomi-

23 nantly engaged in providing financing for the

24 purchase of the merchandise or manufactured

1 goods of the person) may qualify for the excep-
2 tion only if the affiliate—

3 “(i) enters into the security-based swap
4 to hedge or mitigate the commercial risk of
5 the person or other affiliate of the person
6 that is not a financial entity, and the com-
7 mercial risk that the affiliate is hedging or
8 mitigating has been transferred to the affil-
9 iate;

10 “(ii) is directly and wholly-owned by
11 another affiliate qualified for the exception
12 under this paragraph or an entity that is
13 not a financial entity;

14 “(iii) is not indirectly majority-owned
15 by a financial entity;

16 “(iv) is not ultimately owned by a
17 parent company that is a financial entity;
18 and

19 “(v) does not provide any services, fi-
20 nancial or otherwise, to any affiliate that is
21 a nonbank financial company supervised by
22 the Board of Governors (as defined under
23 section 102 of the Financial Stability Act of
24 2010).

1 “(B) *LIMITATION ON QUALIFYING AFFILI-*
2 *ATES.—The exception in subparagraph (A) shall*
3 *not apply if the affiliate is—*

4 “(i) *a swap dealer;*

5 “(ii) *a security-based swap dealer;*

6 “(iii) *a major swap participant;*

7 “(iv) *a major security-based swap par-*
8 *ticipant;*

9 “(v) *a commodity pool;*

10 “(vi) *a bank holding company;*

11 “(vii) *a private fund, as defined in sec-*
12 *tion 202(a) of the Investment Advisers Act*
13 *of 1940 (15 U.S.C. 80–b–2(a));*

14 “(viii) *an employee benefit plan or*
15 *government plan, as defined in paragraphs*
16 *(3) and (32) of section 3 of the Employee*
17 *Retirement Income Security Act of 1974 (29*
18 *U.S.C. 1002);*

19 “(ix) *an insured depository institution;*

20 “(x) *a farm credit system institution;*

21 “(xi) *a credit union;*

22 “(xii) *a nonbank financial company*
23 *supervised by the Board of Governors (as*
24 *defined under section 102 of the Financial*
25 *Stability Act of 2010); or*

1 “(xiii) an entity engaged in the busi-
2 ness of insurance and subject to capital re-
3 quirements established by an insurance gov-
4 ernmental authority of a State, a territory
5 of the United States, the District of Colum-
6 bia, a country other than the United States,
7 or a political subdivision of a country other
8 than the United States that is engaged in
9 the supervision of insurance companies
10 under insurance law.

11 “(C) *LIMITATION ON AFFILIATES’ AFFILI-*
12 *ATES.*—Unless the Commission determines, by
13 order, rule, or regulation, that it is in the public
14 interest, the exception in subparagraph (A) shall
15 not apply with respect to an affiliate if such af-
16 filiate is itself affiliated with—

17 “(i) a major security-based swap par-
18 ticipant;

19 “(ii) a security-based swap dealer;

20 “(iii) a major swap participant; or

21 “(iv) a swap dealer.

22 “(D) *CONDITIONS ON TRANSACTIONS.*—With
23 respect to an affiliate that qualifies for the excep-
24 tion in subparagraph (A)—

1 “(i) such affiliate may not enter into
2 any security-based swap other than for the
3 purpose of hedging or mitigating commer-
4 cial risk; and

5 “(ii) neither such affiliate nor any per-
6 son affiliated with such affiliate that is not
7 a financial entity may enter into a secu-
8 rity-based swap with or on behalf of any af-
9 filiate that is a financial entity or otherwise
10 assume, net, combine, or consolidate the risk
11 of security-based swaps entered into by any
12 such financial entity, except one that is an
13 affiliate that qualifies for the exception
14 under subparagraph (A).”; and

15 (3) by adding at the end the following:

16 “(F) *RISK MANAGEMENT PROGRAM.*—Any
17 security-based swap entered into by an affiliate
18 that qualifies for the exception in subparagraph
19 (A) shall be subject to a centralized risk manage-
20 ment program of the affiliate, which is reason-
21 ably designed both to monitor and manage the
22 risks associated with the security-based swap and
23 to identify each of the affiliates on whose behalf
24 a security-based swap was entered into.”.

1 **SEC. 706. ENSURING THE PROTECTION OF INSURANCE POL-**
2 **ICYHOLDERS.**

3 (a) *SOURCE OF STRENGTH.*—Section 38A of the Fed-
4 eral Deposit Insurance Act (12 U.S.C. 1831o–1) is amend-
5 ed—

6 (1) by redesignating subsections (c), (d), and (e)
7 as subsections (d), (e), and (f), respectively; and

8 (2) by inserting after subsection (b) the fol-
9 lowing:

10 “(c) *AUTHORITY OF STATE INSURANCE REGU-*
11 *LATOR.*—

12 “(1) *IN GENERAL.*—The provisions of section
13 5(g) of the Bank Holding Company Act of 1956 (12
14 U.S.C. 1844(g)) shall apply to a savings and loan
15 holding company that is an insurance company, an
16 affiliate of an insured depository institution that is
17 an insurance company, and to any other company
18 that is an insurance company and that directly or
19 indirectly controls an insured depository institution,
20 to the same extent as the provisions of that section
21 apply to a bank holding company that is an insur-
22 ance company.

23 “(2) *RULE OF CONSTRUCTION.*—Requiring a
24 bank holding company that is an insurance company,
25 a savings and loan holding company that is an in-
26 surance company, an affiliate of an insured depository

1 *tory institution that is an insurance company, or*
2 *any other company that is an insurance company*
3 *and that directly or indirectly controls an insured de-*
4 *pository institution to serve as a source of financial*
5 *strength under this section shall be deemed an action*
6 *of the Board that requires a bank holding company*
7 *to provide funds or other assets to a subsidiary depos-*
8 *itory institution for purposes of section 5(g) of the*
9 *Bank Holding Company Act of 1956 (12 U.S.C.*
10 *1844(g)).”.*

11 *(b) LIQUIDATION AUTHORITY.—The Dodd-Frank Wall*
12 *Street Reform and Consumer Protection Act (12 U.S.C.*
13 *5301 et seq.) is amended—*

14 *(1) in section 203(e)(3) (12 U.S.C. 5383(e)(3)),*
15 *by inserting “or rehabilitation” after “orderly liq-*
16 *uidation” each place that term appears; and*

17 *(2) in section 204(d)(4) (12 U.S.C. 5384(d)(4)),*
18 *by inserting before the semicolon at the end the fol-*
19 *lowing: “, except that, if the covered financial com-*
20 *pany or covered subsidiary is an insurance company*
21 *or a subsidiary of an insurance company, the Cor-*
22 *poration—*

23 *“(A) shall promptly notify the State insur-*
24 *ance authority for the insurance company of the*
25 *intention to take such lien; and*

1 “(B) may only take such lien—

2 “(i) to secure repayment of funds made
3 available to such covered financial company
4 or covered subsidiary; and

5 “(ii) if the Corporation determines,
6 after consultation with the State insurance
7 authority, that such lien will not unduly
8 impede or delay the liquidation or rehabili-
9 tation of the insurance company, or the re-
10 covery by its policyholders”.

11 **SEC. 707. LIMITATION ON SEC FUNDS.**

12 None of the funds made available by any division of
13 this Act shall be used by the Securities and Exchange Com-
14 mission to finalize, issue, or implement any rule, regula-
15 tion, or order regarding the disclosure of political contribu-
16 tions, contributions to tax exempt organizations, or dues
17 paid to trade associations.

18 **SEC. 708. ELIMINATION OF REPORTING REQUIREMENT.**

19 Paragraph (6) of section 21(h) of the Securities Ex-
20 change Act of 1934 (15 U.S.C. 78u(h)) is repealed.

21 **SEC. 709. EXTENSION OF HARDEST HIT FUND; TERMI-**
22 **NATION OF MAKING HOME AFFORDABLE INI-**
23 **TIATIVE.**

24 (a) **EXTENSION OF HARDEST HIT FUND.**—Section
25 120(b) of the Emergency Economic Stabilization Act of

1 2008 (12 U.S.C. 5230(b)) is amended by inserting after the
2 period at the end the following: “Notwithstanding the fore-
3 going, the Secretary may further extend the authority pro-
4 vided under this Act to expire on December 31, 2017, pro-
5 vided that (1) any such extension shall apply only with
6 respect to current program participants in the Housing Fi-
7 nance Agency Innovation Fund for the Hardest Hit Hous-
8 ing Markets, and (2) funds obligated following such exten-
9 sion shall not exceed \$2,000,000,000.”.

10 (b) *TERMINATION.*—

11 (1) *IN GENERAL.*—*The Making Home Affordable*
12 *initiative of the Secretary of the Treasury, as author-*
13 *ized under the Emergency Economic Stabilization Act*
14 *of 2008 (12 U.S.C. 5201 et seq.), shall terminate on*
15 *December 31, 2016.*

16 (2) *APPLICABILITY.*—*Paragraph (1) shall not*
17 *apply to any loan modification application made*
18 *under the Home Affordable Modification Program*
19 *under the Making Home Affordable initiative of the*
20 *Secretary of the Treasury, as authorized under the*
21 *Emergency Economic Stabilization Act of 2008 (12*
22 *U.S.C. 5201 et seq.), before December 31, 2016.*

1 **TITLE VIII—LAND AND WATER**
2 **CONSERVATION FUND**

3 **SEC. 801. LAND AND WATER CONSERVATION FUND.**

4 (a) *REAUTHORIZATION.*—Section 200302 of title 54,
5 *United States Code, is amended—*

6 (1) *in subsection (b), in the language preceding*
7 *paragraph (1), by striking “September 30, 2015” and*
8 *inserting “September 30, 2018”; and*

9 (2) *in subsection (c)(1), by striking “September*
10 *30, 2015” and inserting “September 30, 2018”.*

11 (b) *PROHIBITION ON USE OF CONDEMNATION OR EMI-*
12 *NENT DOMAIN.*—*Except as provided by subsection (c), for*
13 *fiscal years 2016, 2017, and 2018, unless otherwise provided*
14 *by division G of this Act or an Act enacted after this Act*
15 *making appropriations for the Department of the Interior,*
16 *Environment, and Related Agencies, no funds appropriated*
17 *by such division or Act for the acquisition of lands or inter-*
18 *ests in lands may be expended for the filing of declarations*
19 *of taking or complaints in condemnation without the ap-*
20 *proval of the House and Senate Committees on Appropria-*
21 *tions.*

22 (c) *EXCEPTION FOR EVERGLADES.*—*Hereafter, sub-*
23 *section (b) shall not apply to funds appropriated to imple-*
24 *ment the Everglades National Park Protection and Expan-*
25 *sion Act of 1989, or to funds appropriated for Federal as-*

1 *sistance to the State of Florida to acquire lands for Ever-*
2 *glades restoration purposes.*

3 **TITLE IX—NATIONAL OCEANS**
4 **AND COASTAL SECURITY**

5 **SEC. 901. SHORT TITLE.**

6 *This title may be cited as the “National Oceans and*
7 *Coastal Security Act”.*

8 **SEC. 902. DEFINITIONS.**

9 *In this title:*

10 (1) *COASTAL COUNTY.*—*The term “coastal coun-*
11 *ty” has the meaning given the term by the National*
12 *Oceanic and Atmospheric Administration in the doc-*
13 *ument entitled “NOAA’s List of Coastal Counties for*
14 *the Bureau of the Census” (or similar successor docu-*
15 *ment).*

16 (2) *COASTAL STATE.*—*The term “coastal State”*
17 *has the meaning given the term “coastal state” in sec-*
18 *tion 304 of the Coastal Zone Management Act of 1972*
19 *(16 U.S.C. 1453).*

20 (3) *FOUNDATION.*—*The term “Foundation”*
21 *means the National Fish and Wildlife Foundation es-*
22 *tablished by section 2(a) of the National Fish and*
23 *Wildlife Foundation Establishment Act (16 U.S.C.*
24 *3701(a)).*

1 (4) *FUND.*—*The term “Fund” means the Na-*
2 *tional Oceans and Coastal Security Fund established*
3 *under section 904(a).*

4 (5) *INDIAN TRIBE.*—*The term “Indian tribe”*
5 *means any federally recognized Indian tribe.*

6 (6) *ADMINISTRATOR.*—*Except as otherwise spe-*
7 *cifically provided, the term “Administrator” means*
8 *the Under Secretary of Commerce for Oceans and At-*
9 *mosphere and Administrator of the National Oceanic*
10 *and Atmospheric Administration.*

11 (7) *TIDAL SHORELINE.*—*The term “tidal shore-*
12 *line” has the meaning given that term pursuant to*
13 *section 923.110(c)(2)(i) of title 15, Code of Federal*
14 *Regulations, or a similar successor regulation.*

15 **SEC. 903. PURPOSES AND AGREEMENTS.**

16 (a) *PURPOSES.*—*The purposes of this title are to better*
17 *understand and utilize the oceans, coasts, and Great Lakes*
18 *of the United States, and ensure present and future genera-*
19 *tions will benefit from the full range of ecological, economic,*
20 *social, and recreational opportunities, security, and services*
21 *these resources are capable of providing.*

22 (b) *AGREEMENTS.*—*The Administrator and the Foun-*
23 *dation may enter into such agreements as may be necessary*
24 *to carry out the purposes of this title.*

1 **SEC. 904. NATIONAL OCEANS AND COASTAL SECURITY**
2 **FUND.**

3 (a) *ESTABLISHMENT.*—*The Administrator and the*
4 *Foundation are authorized to establish the National Oceans*
5 *and Coastal Security Fund as a tax exempt fund to further*
6 *the purposes of this title.*

7 (b) *DEPOSITS.*—

8 (1) *IN GENERAL.*—*There shall be deposited into*
9 *the Fund amounts appropriated or otherwise made*
10 *available to carry out this title.*

11 (2) *PROHIBITIONS ON DONATIONS FROM FOREIGN*
12 *GOVERNMENTS.*—*No amounts donated by a foreign*
13 *government, as defined in section 7342 of title 5,*
14 *United States Code, may be deposited into the Fund.*

15 (c) *REQUIREMENTS.*—*Any amounts received by the*
16 *Foundation pursuant to this title shall be subject to the pro-*
17 *visions of the National Fish and Wildlife Foundation Es-*
18 *tablishment Act (16 U.S.C. 3701 et seq.), except the provi-*
19 *sions of—*

20 (1) *section 4(e)(1)(B) of that Act (16 U.S.C.*
21 *3703(e)(1)(B)); and*

22 (2) *section 10(a) of that Act (16 U.S.C. 3709(a)).*

23 (d) *EXPENDITURE.*—*Of the amounts deposited into the*
24 *Fund for each fiscal year—*

25 (1) *funds may be used by the Foundation to*
26 *award grants to coastal States under section 906(b);*

1 (2) *funds may be used by the Foundation to*
2 *award grants under section 906(c);*

3 (3) *no more than 2 percent may be used by the*
4 *Administrator and the Foundation for administrative*
5 *expenses to carry out this title, which amount shall*
6 *be divided between the Administrator and the Foun-*
7 *dation pursuant to an agreement reached and docu-*
8 *mented by both the Administrator and the Founda-*
9 *tion.*

10 (e) *RECOVERY OF PAYMENTS.*—*After notice and an op-*
11 *portunity for a hearing, the Administrator is authorized*
12 *to recover any Federal payments under this section if the*
13 *Foundation—*

14 (1) *makes a withdrawal or expenditure from the*
15 *Fund that is not consistent with the requirements of*
16 *section 905; or*

17 (2) *fails to comply with a procedure, measure,*
18 *method, or standard established under section*
19 *906(a)(1).*

20 **SEC. 905. ELIGIBLE USES.**

21 (a) *IN GENERAL.*—*Amounts in the Fund may be allo-*
22 *cated by the Foundation to support programs and activities*
23 *intended to better understand and utilize ocean and coastal*
24 *resources and coastal infrastructure, including baseline sci-*
25 *entific research, ocean observing, and other programs and*

1 *activities carried out in coordination with Federal and*
2 *State departments or agencies.*

3 *(b) PROHIBITION ON USE OF FUNDS FOR LITIGATION*
4 *OR OTHER PURPOSES.—No funds made available under*
5 *this title may be used to—*

6 *(1) fund litigation against the Federal Govern-*
7 *ment; or*

8 *(2) fund the creation of national marine monu-*
9 *ments and marine protected areas, marine spatial*
10 *planning, or the National Ocean Policy.*

11 **SEC. 906. GRANTS.**

12 *(a) ADMINISTRATION OF GRANTS.—*

13 *(1) IN GENERAL.—Not later than 90 days after*
14 *funds are deposited into the Fund and made available*
15 *to the Foundation for administrative purposes, the*
16 *Foundation shall establish the following:*

17 *(A) Application and review procedures for*
18 *the awarding of grants under this section, in-*
19 *cluding requirements ensuring that any amounts*
20 *awarded under such subsections may only be*
21 *used for an eligible use described under section*
22 *905.*

23 *(B) Selection procedures and criteria for the*
24 *awarding of grants under this section that—*

1 (i) require consultation with the Ad-
2 ministrators and the Secretary of the Inte-
3 rior; and

4 (ii) prioritize the projects or activities
5 where non-Federal partners have committed
6 to share the cost of the project.

7 (C) Eligibility criteria for awarding
8 grants—

9 (i) under subsection (b) to coastal
10 States; and

11 (ii) under subsection (c) to—

12 (I) entities including States, local
13 governments, and Indian tribes; and

14 (II) the research and restoration
15 work of associations, nongovernmental
16 organizations, public-private partner-
17 ships, and academic institutions.

18 (D) Performance accountability and moni-
19 toring measures for programs and activities
20 funded by a grant awarded under subsection (b)
21 or (c).

22 (E) Procedures and methods to ensure accu-
23 rate accounting and appropriate administration
24 of grants awarded under this section, including
25 standards of recordkeeping.

1 (F) *Procedures to carry out audits of the*
2 *Fund as necessary, but not less frequently than*
3 *once every year if grants have been awarded in*
4 *that year.*

5 (G) *Procedures to carry out audits of the re-*
6 *cipients of grants under this section.*

7 (H) *Procedures to make publicly available*
8 *on the Internet a list of all projects funded by the*
9 *Fund, that includes at a minimum the grant re-*
10 *cipient, grant amount, project description, and*
11 *project status.*

12 (2) *APPROVAL.—The Foundation shall submit to*
13 *the Administrator for approval each procedure, meas-*
14 *ure, method, and standard established under para-*
15 *graph (1).*

16 (b) *GRANTS TO COASTAL STATES.—*

17 (1) *IN GENERAL.—The Administrator and the*
18 *Foundation may award grants according to the pro-*
19 *cedures established in subsection (a) to coastal States*
20 *and United States territories to support activities*
21 *consistent with section 904. In determining distribu-*
22 *tion of grants, the Foundation may—*

23 (A) *consider for each State—*

24 (i) *percent of total United States shore-*
25 *line miles;*

1 (ii) coastal population density; and

2 (iii) other factors;

3 (B) establish criteria for States, including
4 the requirement for a State to establish a plan
5 to distribute the funds; and

6 (C) establish a maximum and minimum
7 percentage of funding to be awarded to each
8 State or United States territory.

9 (2) INDIAN TRIBES.—As a condition on receipt
10 of a grant under this subsection, a State that receives
11 a grant under this subsection shall ensure that Indian
12 tribes in the State are eligible to participate in any
13 competitive grants established in this title.

14 (c) NATIONAL GRANTS FOR OCEANS, COASTS, AND
15 GREAT LAKES.—

16 (1) IN GENERAL.—The Administrator and the
17 Foundation may award grants according to the pro-
18 cedures established in subsection (a) to support activi-
19 ties consistent with section 905.

20 (2) ADVISORY PANEL.—

21 (A) IN GENERAL.—The Foundation may es-
22 tablish an advisory panel to conduct reviews of
23 applications for grants under paragraph (1) and
24 the Foundation may consider the recommenda-

1 *tions of the advisory panel with respect to such*
2 *applications.*

3 *(B) MEMBERSHIP.—The advisory panel de-*
4 *scribed under subparagraph (A) shall include*
5 *persons representing—*

6 *(i) ocean and coastal dependent indus-*
7 *tries;*

8 *(ii) geographic regions as defined by*
9 *the Foundation; and*

10 *(iii) academic institutions.*

11 **SEC. 907. ANNUAL REPORT.**

12 *(a) REQUIREMENT FOR ANNUAL REPORT.—Subject to*
13 *subsection (c), beginning with fiscal year 2017, not later*
14 *than 60 days after the end of each fiscal year, the Founda-*
15 *tion shall submit to the Committee on Commerce, Science,*
16 *and Transportation of the Senate and the Committee on*
17 *Natural Resources of the House of Representatives a report*
18 *on the operation of the Fund during that fiscal year.*

19 *(b) CONTENT.—Each annual report submitted under*
20 *subsection (a) for a fiscal year shall include—*

21 *(1) a full and complete statement of the receipts,*
22 *including the source of all receipts, expenditures, and*
23 *investments of the Fund;*

1 (2) a statement of the amounts deposited in the
2 Fund and the balance remaining in the Fund at the
3 end of the fiscal year; and

4 (3) a description of the expenditures made from
5 the Fund for the fiscal year, including the purpose of
6 the expenditures.

7 **SEC. 908. FUNDING.**

8 There is authorized to be appropriated such sums as
9 are necessary for fiscal years 2017, 2018, and 2019 for this
10 title.

11 **TITLE X—BUDGETARY**
12 **PROVISIONS**

13 **SEC. 1001. BUDGETARY EFFECTS.**

14 (a) *STATUTORY PAYGO SCORECARDS.*—The budg-
15 etary effects of division M and each succeeding division
16 shall not be entered on either PAYGO scorecard maintained
17 pursuant to section 4(d) of the Statutory Pay-As-You-Go
18 Act of 2010.

19 (b) *SENATE PAYGO SCORECARDS.*—The budgetary ef-
20 fects of division M and each succeeding division shall not
21 be entered on any PAYGO scorecard maintained for pur-
22 poses of section 201 of S. Con. Res. 21 (110th Congress).

23 (c) *CLASSIFICATION OF BUDGETARY EFFECTS.*—Not-
24 withstanding Rule 3 of the Budget Scorekeeping Guidelines
25 set forth in the joint explanatory statement of the committee

1 of conference accompanying Conference Report 105-217 and
2 section 250(c)(8) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985, the budgetary effects of division
4 M and each succeeding division shall not be estimated—

5 (1) for purposes of section 251 of the such Act;
6 and

7 (2) for purposes of paragraph (4)(C) of section
8 3 of the Statutory Pay-As-You-Go Act of 2010 as
9 being included in an appropriation Act.

10 **SEC. 1002. AUTHORITY TO MAKE ADJUSTMENT IN FY 2016**

11 **ALLOCATION.**

12 (a) *IN GENERAL.*—After the date of enactment of this
13 Act, the chair of the Committee on the Budget of the House
14 of Representatives may revise appropriate allocations, ag-
15 gregates, and levels established by Senate Concurrent Reso-
16 lution 11 (114th Congress) to achieve consistency with the
17 Bipartisan Budget Act of 2015.

18 (b) *EXERCISE OF RULEMAKING POWERS.*—The House
19 adopts the provisions of this section—

20 (1) as an exercise of the rulemaking power of the
21 House of Representatives and as such they shall be
22 considered as part of the rules of the House of Rep-
23 resentatives, and these rules shall supersede other
24 rules only to the extent that they are inconsistent with
25 other such rules; and

1 (2) *with full recognition of the constitutional*
2 *right of the House of Representatives to change those*
3 *rules at any time, in the same manner, and to the*
4 *same extent as in the case of any other rule of the*
5 *House of Representatives.*

6 **SEC. 1003. ESTIMATES.**

7 *Section 251(a)(7)(B) of the Balanced Budget and*
8 *Emergency Deficit Control Act of 1985 (2 U.S.C.*
9 *901(a)(7)(B)) is amended in the first sentence by striking*
10 *“the CBO estimate of that legislation, an OMB estimate*
11 *of the amount of discretionary new budget authority and*
12 *outlays” and inserting “both the CBO and OMB estimates*
13 *of the amount of discretionary new budget authority”.*

14 **TITLE XI—IRAQ LOAN**
15 **AUTHORITY**

16 **SEC. 1101. IRAQ LOAN AUTHORITY.**

17 (a) *AUTHORITY.*—*During fiscal year 2016, direct*
18 *loans under section 23 of the Arms Export Control Act may*
19 *be made available for Iraq, gross obligations for the prin-*
20 *cipal amounts of which shall not exceed \$2,700,000,000:*
21 *Provided, That funds appropriated under the heading “For-*
22 *ign Military Financing Program” in title VIII of the De-*
23 *partment of State, Foreign Operations and Related Pro-*
24 *grams Appropriations Act, 2016 that are designated by the*
25 *Congress for Overseas Contingency Operations/Global War*

1 *on Terrorism pursuant to section 251(b)(2)(A) of the Bal-*
2 *anced Budget and Emergency Deficit Control Act of 1985,*
3 *may be made available for the costs, as defined in section*
4 *502 of the Congressional Budget Act of 1974, of direct loans,*
5 *except that such funds may not be derived from amounts*
6 *specifically designated by such Acts for countries other than*
7 *Iraq: Provided further, That such costs, including the cost*
8 *of modifying such loans, shall be as defined in section 502*
9 *of the Congressional Budget Act of 1974, and may include*
10 *the costs of selling, reducing, or cancelling any amounts*
11 *owed to the United States or any agency of the United*
12 *States by Iraq: Provided further, That the Government of*
13 *the United States may charge fees for such loans, which*
14 *shall be collected from borrowers in accordance with section*
15 *502(7) of the Congressional Budget Act of 1974: Provided*
16 *further, That no funds made available to Iraq by the De-*
17 *partment of State, Foreign Operations, and Related Pro-*
18 *grams Appropriations Act, 2016 or previous appropri-*
19 *ations Acts may be used for payment of any fees associated*
20 *with such loans: Provided further, That applicable provi-*
21 *sions of section 3 of the Arms Export Control Act relating*
22 *to restrictions on transfers, re-transfers and end-use shall*
23 *apply to defense articles and services purchased with such*
24 *loans: Provided further, That, in consultation with the Gov-*
25 *ernment of Iraq, special emphasis shall be placed on assist-*

1 *ance to covered groups (as defined in section 1223(e)(2)(D)*
 2 *of Public Law 114–92) with the loans made available pur-*
 3 *suant to this paragraph: Provided further, That such loans*
 4 *shall be repaid in not more than 12 years, including a grace*
 5 *period of up to 1 year on repayment of principal.*

6 (b) *CONSULTATION AND NOTIFICATION.—Funds made*
 7 *available pursuant to this section shall be subject to prior*
 8 *consultation with the appropriate congressional committees,*
 9 *and subject to the regular notification procedures of the*
 10 *Committees on Appropriations.*

11 (c) *COMMITTEES.—For the purposes of this section, the*
 12 *terms “appropriate congressional committees” and “Com-*
 13 *mittees on Appropriations” have the same meaning as used*
 14 *in the Department of State, Foreign Operations and Re-*
 15 *lated Programs Appropriations Act, 2016.*

16 (d) *BUDGETARY EFFECTS.—Section 1001 of title X of*
 17 *this division shall not apply to this section.*

18 ***DIVISION P—TAX-RELATED***
 19 ***PROVISIONS***

20 ***SEC. 1. TABLE OF CONTENTS.***

21 *The table of contents for this division is as follows:*

Sec. 1. Table of contents.

***TITLE I—HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE
 EXCISE TAX PROVISIONS***

Sec. 101. Delay of excise tax on high cost employer-sponsored health coverage.

*Sec. 102. Deductibility of excise tax on high cost employer-sponsored health cov-
 erage.*

*Sec. 103. Study on suitable benchmarks for age and gender adjustment of excise
 tax on high cost employer-sponsored health coverage.*

TITLE II—ANNUAL FEE ON HEALTH INSURANCE PROVIDERS

Sec. 201. *Moratorium on annual fee on health insurance providers.*

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. *Extension and phaseout of credits for wind facilities.*

Sec. 302. *Extension of election to treat qualified facilities as energy property.*

Sec. 303. *Extension and phaseout of solar energy credit.*

Sec. 304. *Extension and phaseout of credits with respect to qualified solar electric property and qualified solar water heating property.*

Sec. 305. *Treatment of transportation costs of independent refiners.*

1 **TITLE I—HIGH COST EMPLOYER-**
 2 **SPONSORED HEALTH COV-**
 3 **ERAGE EXCISE TAX PROVI-**
 4 **SIONS**

5 **SEC. 101. DELAY OF EXCISE TAX ON HIGH COST EMPLOYER-**
 6 **SPONSORED HEALTH COVERAGE.**

7 (a) *IN GENERAL.*—Sections 9001(c) and 10901(c) of
 8 *the Patient Protection and Affordable Care Act, as amended*
 9 *by section 1401(b) of the Health Care and Education Rec-*
 10 *onciliation Act of 2010, are each amended by striking*
 11 *“2017” and inserting “2019”.*

12 (b) *CONFORMING AMENDMENT.*—Clause (v) of section
 13 *4980I(b)(3)(C) of the Internal Revenue Code of 1986 is*
 14 *amended—*

15 (1) *by striking “as in effect” and inserting “as*
 16 *determined for”, and*

17 (2) *by striking “as so in effect” and inserting*
 18 *“as so determined”.*

1 **SEC. 102. DEDUCTIBILITY OF EXCISE TAX ON HIGH COST**
2 **EMPLOYER-SPONSORED HEALTH COVERAGE.**

3 *Paragraph (10) of section 4980I(f) of the Internal Rev-*
4 *enue Code of 1986 is amended to read as follows:*

5 “(10) **DEDUCTIBILITY OF TAX.**—Section
6 275(a)(6) shall not apply to the tax imposed by sub-
7 section (a).”.

8 **SEC. 103. STUDY ON SUITABLE BENCHMARKS FOR AGE AND**
9 **GENDER ADJUSTMENT OF EXCISE TAX ON**
10 **HIGH COST EMPLOYER-SPONSORED HEALTH**
11 **COVERAGE.**

12 *Not later than 18 months after the date of the enact-*
13 *ment of this Act, the Comptroller General of the United*
14 *States, in consultation with the National Association of In-*
15 *surance Commissioners, shall report to the Committee on*
16 *Finance of the Senate and the Committee on Ways and*
17 *Means of the House of Representatives on—*

18 (1) *the suitability of the use (in effect under sec-*
19 *tion 4980I(b)(3)(C)(iii)(II) of the Internal Revenue*
20 *Code of 1986 as of the date of the enactment of this*
21 *Act) of the premium cost of the Blue Cross/Blue*
22 *Shield standard benefit option under the Federal Em-*
23 *ployees Health Benefits Plan as a benchmark for the*
24 *age and gender adjustment of the applicable dollar*
25 *limit with respect to the excise tax on high cost em-*

1 *ployer-sponsored health coverage under section 4980I*
2 *of the Internal Revenue Code of 1986; and*

3 *(2) recommendations regarding any more suit-*
4 *able benchmarks for such age and gender adjustment.*

5 **TITLE II—ANNUAL FEE ON**
6 **HEALTH INSURANCE PROVIDERS**

7 **SEC. 201. MORATORIUM ON ANNUAL FEE ON HEALTH IN-**
8 **SURANCE PROVIDERS.**

9 *Subsection (j) of section 9010 of the Patient Protection*
10 *and Affordable Care Act is amended to read as follows:*

11 *“(j) EFFECTIVE DATE.—This section shall apply to*
12 *calendar years—*

13 *“(1) beginning after December 31, 2013, and*
14 *ending before January 1, 2017, and*

15 *“(2) beginning after December 31, 2017.”.*

16 **TITLE III—MISCELLANEOUS**
17 **PROVISIONS**

18 **SEC. 301. EXTENSION AND PHASEOUT OF CREDITS FOR**
19 **WIND FACILITIES.**

20 *(a) IN GENERAL.—*

21 *(1) EXTENSION.—Paragraph (1) of section 45(d)*
22 *of the Internal Revenue Code of 1986 is amended by*
23 *striking “January 1, 2015” and inserting “January*
24 *1, 2020”.*

1 (2) *PHASEOUT.*—Subsection (b) of section 45 of
2 such Code is amended by adding at the end the fol-
3 lowing new paragraph:

4 “(5) *PHASEOUT OF CREDIT FOR WIND FACILI-*
5 *TIES.*—In the case of any facility using wind to
6 produce electricity, the amount of the credit deter-
7 mined under subsection (a) (determined after the ap-
8 plication of paragraphs (1), (2), and (3) and without
9 regard to this paragraph) shall be reduced by—

10 “(A) in the case of any facility the construc-
11 tion of which begins after December 31, 2016,
12 and before January 1, 2018, 20 percent,

13 “(B) in the case of any facility the con-
14 struction of which begins after December 31,
15 2017, and before January 1, 2019, 40 percent,
16 and

17 “(C) in the case of any facility the construc-
18 tion of which begins after December 31, 2018,
19 and before January 1, 2020, 60 percent.”.

20 (b) *EFFECTIVE DATE.*—The amendments made by this
21 section shall take effect on January 1, 2015.

22 **SEC. 302. EXTENSION OF ELECTION TO TREAT QUALIFIED**
23 **FACILITIES AS ENERGY PROPERTY.**

24 (a) *IN GENERAL.*—Clause (ii) of section 48(a)(5)(C)
25 is amended by inserting “(January 1, 2020, in the case of

1 *any facility which is described in paragraph (1) of section*
2 *45(d))” before “, and”.*

3 *(b) PHASEOUT FOR WIND FACILITIES.—Paragraph*
4 *(5) of section 48(a) is amended by adding at the end the*
5 *following new subparagraph:*

6 *“(E) PHASEOUT OF CREDIT FOR WIND FA-*
7 *CILITIES.—In the case of any facility using wind*
8 *to produce electricity, the amount of the credit*
9 *determined under this section (determined after*
10 *the application of paragraphs (1) and (2) and*
11 *without regard to this subparagraph) shall be re-*
12 *duced by—*

13 *“(i) in the case of any facility the con-*
14 *struction of which begins after December 31,*
15 *2016, and before January 1, 2018, 20 per-*
16 *cent,*

17 *“(ii) in the case of any facility the*
18 *construction of which begins after December*
19 *31, 2017, and before January 1, 2019, 40*
20 *percent, and*

21 *“(iii) in the case of any facility the*
22 *construction of which begins after December*
23 *31, 2018, and before January 1, 2020, 60*
24 *percent.”.*

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall take effect on January 1, 2015.*

3 **SEC. 303. EXTENSION AND PHASEOUT OF SOLAR ENERGY**
4 **CREDIT.**

5 (a) *EXTENSION.*—*Subclause (II) of section*
6 *48(a)(2)(A)(i) of the Internal Revenue Code of 1986 is*
7 *amended by striking “periods ending before January 1,*
8 *2017” and inserting “property the construction of which*
9 *begins before January 1, 2022”.*

10 (b) *PHASEOUT FOR SOLAR ENERGY PROPERTY.*—*Sub-*
11 *section (a) of section 48 of such Code is amended by adding*
12 *at the end the following new paragraph:*

13 “(6) *PHASEOUT FOR SOLAR ENERGY PROP-*
14 *ERTY.*—

15 “(A) *IN GENERAL.*—*Subject to subpara-*
16 *graph (B), in the case of any energy property de-*
17 *scribed in paragraph (3)(A)(i) the construction*
18 *of which begins before January 1, 2022, the en-*
19 *ergy percentage determined under paragraph (2)*
20 *shall be equal to—*

21 “(i) *in the case of any property the*
22 *construction of which begins after December*
23 *31, 2019, and before January 1, 2021, 26*
24 *percent, and*

1 (1) in paragraphs (1) and (2) of subsection (a),
2 by striking “30 percent” each place it appears and
3 inserting “the applicable percentage”,

4 (2) in subsection (g), by inserting “(December
5 31, 2021, in the case of any qualified solar electric
6 property expenditures and qualified solar water heat-
7 ing property expenditures)” before the period at the
8 end,

9 (3) by redesignating subsection (g), as amended
10 by paragraph (2), as subsection (h), and

11 (4) by inserting after subsection (f) the following
12 new subsection:

13 “(g) *APPLICABLE PERCENTAGE.*—For purposes of
14 paragraphs (1) and (2) of subsection (a), the applicable per-
15 centage shall be—

16 “(1) in the case of property placed in service
17 after December 31, 2016, and before January 1, 2020,
18 30 percent,

19 “(2) in the case of property placed in service
20 after December 31, 2019, and before January 1, 2021,
21 26 percent, and

22 “(3) in the case of property placed in service
23 after December 31, 2020, and before January 1, 2022,
24 22 percent.”.

1 (b) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall take effect on January 1, 2017.*

3 **SEC. 305. TREATMENT OF TRANSPORTATION COSTS OF**
4 **INDEPENDENT REFINERS.**

5 (a) *IN GENERAL.*—*Paragraph (3) of section 199(c) of*
6 *the Internal Revenue Code of 1986 is amended by adding*
7 *at the end the following new subparagraph:*

8 “(C) *TRANSPORTATION COSTS OF INDE-*
9 *PENDENT REFINERS.*—

10 “(i) *IN GENERAL.*—*In the case of any*
11 *taxpayer who is in the trade or business of*
12 *refining crude oil and who is not a major*
13 *integrated oil company (as defined in sec-*
14 *tion 167(h)(5)(B), determined without re-*
15 *gard to clause (iii) thereof) for the taxable*
16 *year, in computing oil related qualified pro-*
17 *duction activities income under subsection*
18 *(d)(9)(B), the amount allocated to domestic*
19 *production gross receipts under paragraph*
20 *(1)(B) for costs related to the transportation*
21 *of oil shall be 25 percent of the amount*
22 *properly allocable under such paragraph*
23 *(determined without regard to this subpara-*
24 *graph).*

1 “(i) *TERMINATION.*—Clause (i) shall
2 not apply to any taxable year beginning
3 after December 31, 2021.”.

4 (b) *EFFECTIVE DATE.*—The amendment made by this
5 section shall apply to taxable years beginning after Decem-
6 ber 31, 2015.

(2) At the end of House amendment numbered 1, insert
the following:

7 ***DIVISION*** ***Q—PROTECTING***
8 ***AMERICANS FROM TAX HIKES***
9 ***ACT OF 2015***

10 ***SECTION 1. SHORT TITLE, ETC.***

11 (a) *SHORT TITLE.*—This division may be cited as the
12 “Protecting Americans from Tax Hikes Act of 2015”.

13 (b) *AMENDMENT OF 1986 CODE.*—Except as otherwise
14 expressly provided, whenever in this division an amend-
15 ment or repeal is expressed in terms of an amendment to,
16 or repeal of, a section or other provision, the reference shall
17 be considered to be made to a section or other provision
18 of the Internal Revenue Code of 1986.

19 (c) *TABLE OF CONTENTS.*—The table of contents for
20 this division is as follows:

DIVISION Q—PROTECTING AMERICANS FROM TAX HIKES ACT OF
2015

Sec. 1. Short title, etc.

TITLE I—EXTENDERS

Subtitle A—Permanent Extensions

PART 1—TAX RELIEF FOR FAMILIES AND INDIVIDUALS

- Sec. 101. Enhanced child tax credit made permanent.*
- Sec. 102. Enhanced American opportunity tax credit made permanent.*
- Sec. 103. Enhanced earned income tax credit made permanent.*
- Sec. 104. Extension and modification of deduction for certain expenses of elementary and secondary school teachers.*
- Sec. 105. Extension of parity for exclusion from income for employer-provided mass transit and parking benefits.*
- Sec. 106. Extension of deduction of State and local general sales taxes.*

PART 2—INCENTIVES FOR CHARITABLE GIVING

- Sec. 111. Extension and modification of special rule for contributions of capital gain real property made for conservation purposes.*
- Sec. 112. Extension of tax-free distributions from individual retirement plans for charitable purposes.*
- Sec. 113. Extension and modification of charitable deduction for contributions of food inventory.*
- Sec. 114. Extension of modification of tax treatment of certain payments to controlling exempt organizations.*
- Sec. 115. Extension of basis adjustment to stock of S corporations making charitable contributions of property.*

PART 3—INCENTIVES FOR GROWTH, JOBS, INVESTMENT, AND INNOVATION

- Sec. 121. Extension and modification of research credit.*
- Sec. 122. Extension and modification of employer wage credit for employees who are active duty members of the uniformed services.*
- Sec. 123. Extension of 15-year straight-line cost recovery for qualified leasehold improvements, qualified restaurant buildings and improvements, and qualified retail improvements.*
- Sec. 124. Extension and modification of increased expensing limitations and treatment of certain real property as section 179 property.*
- Sec. 125. Extension of treatment of certain dividends of regulated investment companies.*
- Sec. 126. Extension of exclusion of 100 percent of gain on certain small business stock.*
- Sec. 127. Extension of reduction in S-corporation recognition period for built-in gains tax.*
- Sec. 128. Extension of subpart F exception for active financing income.*

PART 4—INCENTIVES FOR REAL ESTATE INVESTMENT

- Sec. 131. Extension of minimum low-income housing tax credit rate for non-Federally subsidized buildings.*
- Sec. 132. Extension of military housing allowance exclusion for determining whether a tenant in certain counties is low-income.*
- Sec. 133. Extension of RIC qualified investment entity treatment under FIRPTA.*

Subtitle B—Extensions Through 2019

- Sec. 141. Extension of new markets tax credit.*
- Sec. 142. Extension and modification of work opportunity tax credit.*

- Sec. 143. Extension and modification of bonus depreciation.*
Sec. 144. Extension of look-thru treatment of payments between related controlled foreign corporations under foreign personal holding company rules.

Subtitle C—Extensions Through 2016

PART 1—TAX RELIEF FOR FAMILIES AND INDIVIDUALS

- Sec. 151. Extension and modification of exclusion from gross income of discharge of qualified principal residence indebtedness.*
Sec. 152. Extension of mortgage insurance premiums treated as qualified residence interest.
Sec. 153. Extension of above-the-line deduction for qualified tuition and related expenses.

PART 2—INCENTIVES FOR GROWTH, JOBS, INVESTMENT, AND INNOVATION

- Sec. 161. Extension of Indian employment tax credit.*
Sec. 162. Extension and modification of railroad track maintenance credit.
Sec. 163. Extension of mine rescue team training credit.
Sec. 164. Extension of qualified zone academy bonds.
Sec. 165. Extension of classification of certain race horses as 3-year property.
Sec. 166. Extension of 7-year recovery period for motorsports entertainment complexes.
Sec. 167. Extension and modification of accelerated depreciation for business property on an Indian reservation.
Sec. 168. Extension of election to expense mine safety equipment.
Sec. 169. Extension of special expensing rules for certain film and television productions; special expensing for live theatrical productions.
Sec. 170. Extension of deduction allowable with respect to income attributable to domestic production activities in Puerto Rico.
Sec. 171. Extension and modification of empowerment zone tax incentives.
Sec. 172. Extension of temporary increase in limit on cover over of rum excise taxes to Puerto Rico and the Virgin Islands.
Sec. 173. Extension of American Samoa economic development credit.
Sec. 174. Moratorium on medical device excise tax.

PART 3—INCENTIVES FOR ENERGY PRODUCTION AND CONSERVATION

- Sec. 181. Extension and modification of credit for nonbusiness energy property.*
Sec. 182. Extension of credit for alternative fuel vehicle refueling property.
Sec. 183. Extension of credit for 2-wheeled plug-in electric vehicles.
Sec. 184. Extension of second generation biofuel producer credit.
Sec. 185. Extension of biodiesel and renewable diesel incentives.
Sec. 186. Extension and modification of production credit for Indian coal facilities.
Sec. 187. Extension of credits with respect to facilities producing energy from certain renewable resources.
Sec. 188. Extension of credit for energy-efficient new homes.
Sec. 189. Extension of special allowance for second generation biofuel plant property.
Sec. 190. Extension of energy efficient commercial buildings deduction.
Sec. 191. Extension of special rule for sales or dispositions to implement FERC or State electric restructuring policy for qualified electric utilities.
Sec. 192. Extension of excise tax credits relating to alternative fuels.

Sec. 193. Extension of credit for new qualified fuel cell motor vehicles.

TITLE II—PROGRAM INTEGRITY

Sec. 201. Modification of filing dates of returns and statements relating to employee wage information and nonemployee compensation to improve compliance.

Sec. 202. Safe harbor for de minimis errors on information returns and payee statements.

Sec. 203. Requirements for the issuance of ITINs.

Sec. 204. Prevention of retroactive claims of earned income credit after issuance of social security number.

Sec. 205. Prevention of retroactive claims of child tax credit.

Sec. 206. Prevention of retroactive claims of American opportunity tax credit.

Sec. 207. Procedures to reduce improper claims.

Sec. 208. Restrictions on taxpayers who improperly claimed credits in prior year.

Sec. 209. Treatment of credits for purposes of certain penalties.

Sec. 210. Increase the penalty applicable to paid tax preparers who engage in willful or reckless conduct.

Sec. 211. Employer identification number required for American opportunity tax credit.

Sec. 212. Higher education information reporting only to include qualified tuition and related expenses actually paid.

TITLE III—MISCELLANEOUS PROVISIONS

Subtitle A—Family Tax Relief

Sec. 301. Exclusion for amounts received under the Work Colleges Program.

Sec. 302. Improvements to section 529 accounts.

Sec. 303. Elimination of residency requirement for qualified ABLE programs.

Sec. 304. Exclusion for wrongfully incarcerated individuals.

Sec. 305. Clarification of special rule for certain governmental plans.

Sec. 306. Rollovers permitted from other retirement plans into simple retirement accounts.

Sec. 307. Technical amendment relating to rollover of certain airline payment amounts.

Sec. 308. Treatment of early retirement distributions for nuclear materials couriers, United States Capitol Police, Supreme Court Police, and diplomatic security special agents.

Sec. 309. Prevention of extension of tax collection period for members of the Armed Forces who are hospitalized as a result of combat zone injuries.

Subtitle B—Real Estate Investment Trusts

Sec. 311. Restriction on tax-free spinoffs involving REITs.

Sec. 312. Reduction in percentage limitation on assets of REIT which may be taxable REIT subsidiaries.

Sec. 313. Prohibited transaction safe harbors.

Sec. 314. Repeal of preferential dividend rule for publicly offered REITs.

Sec. 315. Authority for alternative remedies to address certain REIT distribution failures.

Sec. 316. Limitations on designation of dividends by REITs.

Sec. 317. Debt instruments of publicly offered REITs and mortgages treated as real estate assets.

- Sec. 318. Asset and income test clarification regarding ancillary personal property.*
- Sec. 319. Hedging provisions.*
- Sec. 320. Modification of REIT earnings and profits calculation to avoid duplicate taxation.*
- Sec. 321. Treatment of certain services provided by taxable REIT subsidiaries.*
- Sec. 322. Exception from FIRPTA for certain stock of REITs.*
- Sec. 323. Exception for interests held by foreign retirement or pension funds.*
- Sec. 324. Increase in rate of withholding of tax on dispositions of United States real property interests.*
- Sec. 325. Interests in RICs and REITs not excluded from definition of United States real property interests.*
- Sec. 326. Dividends derived from RICs and REITs ineligible for deduction for United States source portion of dividends from certain foreign corporations.*

Subtitle C—Additional Provisions

- Sec. 331. Deductibility of charitable contributions to agricultural research organizations.*
- Sec. 332. Removal of bond requirements and extending filing periods for certain taxpayers with limited excise tax liability.*
- Sec. 333. Modifications to alternative tax for certain small insurance companies.*
- Sec. 334. Treatment of timber gains.*
- Sec. 335. Modification of definition of hard cider.*
- Sec. 336. Church plan clarification.*

Subtitle D—Revenue Provisions

- Sec. 341. Updated ASHRAE standards for energy efficient commercial buildings deduction.*
- Sec. 342. Excise tax credit equivalency for liquified petroleum gas and liquified natural gas.*
- Sec. 343. Exclusion from gross income of certain clean coal power grants to non-corporate taxpayers.*
- Sec. 344. Clarification of valuation rule for early termination of certain charitable remainder unitrusts.*
- Sec. 345. Prevention of transfer of certain losses from tax indifferent parties.*
- Sec. 346. Treatment of certain persons as employers with respect to motion picture projects.*

TITLE IV—TAX ADMINISTRATION

Subtitle A—Internal Revenue Service Reforms

- Sec. 401. Duty to ensure that Internal Revenue Service employees are familiar with and act in accord with certain taxpayer rights.*
- Sec. 402. IRS employees prohibited from using personal email accounts for official business.*
- Sec. 403. Release of information regarding the status of certain investigations.*
- Sec. 404. Administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.*
- Sec. 405. Organizations required to notify Secretary of intent to operate under 501(c)(4).*
- Sec. 406. Declaratory judgments for 501(c)(4) and other exempt organizations.*
- Sec. 407. Termination of employment of Internal Revenue Service employees for taking official actions for political purposes.*

- Sec. 408. Gift tax not to apply to contributions to certain exempt organizations.*
Sec. 409. Extend Internal Revenue Service authority to require truncated Social Security numbers on Form W-2.
Sec. 410. Clarification of enrolled agent credentials.
Sec. 411. Partnership audit rules.

Subtitle B—United States Tax Court

PART 1—TAXPAYER ACCESS TO UNITED STATES TAX COURT

- Sec. 421. Filing period for interest abatement cases.*
Sec. 422. Small tax case election for interest abatement cases.
Sec. 423. Venue for appeal of spousal relief and collection cases.
Sec. 424. Suspension of running of period for filing petition of spousal relief and collection cases.
Sec. 425. Application of Federal rules of evidence.

PART 2—UNITED STATES TAX COURT ADMINISTRATION

- Sec. 431. Judicial conduct and disability procedures.*
Sec. 432. Administration, judicial conference, and fees.

PART 3—CLARIFICATION RELATING TO UNITED STATES TAX COURT

- Sec. 441. Clarification relating to United States Tax Court.*

TITLE V—TRADE-RELATED PROVISIONS

- Sec. 501. Modification of effective date of provisions relating to tariff classification of recreational performance outerwear.*
Sec. 502. Agreement by Asia-Pacific Economic Cooperation members to reduce rates of duty on certain environmental goods.

TITLE VI—BUDGETARY EFFECTS

- Sec. 601. Budgetary effects.*

1 **TITLE I—EXTENDERS**
 2 **Subtitle A—Permanent Extensions**

3 **PART 1—TAX RELIEF FOR FAMILIES AND**
 4 **INDIVIDUALS**

5 **SEC. 101. ENHANCED CHILD TAX CREDIT MADE PERMA-**
 6 **NENT.**

7 (a) *IN GENERAL.*—Section 24(d)(1)(B)(i) is amended
 8 by striking “\$10,000” and inserting “\$3,000”.

9 (b) *CONFORMING AMENDMENT.*—Section 24(d) is
 10 amended by striking paragraphs (3) and (4).

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
 2 *section shall apply to taxable years beginning after the date*
 3 *of the enactment of this Act.*

4 **SEC. 102. ENHANCED AMERICAN OPPORTUNITY TAX CREDIT**
 5 **MADE PERMANENT.**

6 (a) *IN GENERAL.*—*Section 25A(i) is amended by strik-*
 7 *ing “and before 2018”.*

8 (b) *TREATMENT OF POSSESSIONS.*—*Section 1004(c)(1)*
 9 *of division B of the American Recovery and Reinvestment*
 10 *Tax Act of 2009 by striking “and before 2018” each place*
 11 *it appears.*

12 (c) *EFFECTIVE DATE.*—*The amendments made by this*
 13 *section shall apply to taxable years beginning after the date*
 14 *of the enactment of this Act.*

15 **SEC. 103. ENHANCED EARNED INCOME TAX CREDIT MADE**
 16 **PERMANENT.**

17 (a) *INCREASE IN CREDIT PERCENTAGE FOR 3 OR*
 18 *MORE QUALIFYING CHILDREN MADE PERMANENT.*—*Sec-*
 19 *tion 32(b)(1) is amended to read as follows:*

20 “(1) *PERCENTAGES.*—*The credit percentage and*
 21 *the phaseout percentage shall be determined as fol-*
 22 *lows:*

| <i>“In the case of an eligible individual with:</i> | <i>The credit percentage is:</i> | <i>The phaseout percentage is:</i> |
|---|--------------------------------------|--|
| <i>1 qualifying child</i> | <i>34</i> | <i>15.98</i> |
| <i>2 qualifying children</i> | <i>40</i> | <i>21.06</i> |
| <i>3 or more qualifying children</i> | <i>45</i> | <i>21.06</i> |
| <i>No qualifying children</i> | <i>7.65</i> | <i>7.65”.</i> |

1 **(b) REDUCTION OF MARRIAGE PENALTY MADE PER-**
2 *MANENT.—*

3 **(1) IN GENERAL.—***Section 32(b)(2)(B) is amend-*
4 *ed to read as follows:*

5 **“(B) JOINT RETURNS.—**

6 **“(i) IN GENERAL.—***In the case of a*
7 *joint return filed by an eligible individual*
8 *and such individual’s spouse, the phaseout*
9 *amount determined under subparagraph*
10 *(A) shall be increased by \$5,000.*

11 **“(ii) INFLATION ADJUSTMENT.—***In the*
12 *case of any taxable year beginning after*
13 *2015, the \$5,000 amount in clause (i) shall*
14 *be increased by an amount equal to—*

15 **“(I) such dollar amount, multi-**
16 *plied by*

17 **“(II) the cost of living adjustment**
18 *determined under section 1(f)(3) for*
19 *the calendar year in which the taxable*
20 *year begins determined by substituting*
21 *‘calendar year 2008’ for ‘calendar year*
22 *1992’ in subparagraph (B) thereof.*

23 **“(iii) ROUNDING.—***Subparagraph (A)*
24 *of subsection (j)(2) shall apply after taking*

1 into account any increase under clause
2 (ii).”.

3 (c) *CONFORMING AMENDMENT.*—Section 32(b) is
4 amended by striking paragraph (3).

5 (d) *EFFECTIVE DATE.*—The amendments made by this
6 section shall apply to taxable years beginning after Decem-
7 ber 31, 2015.

8 **SEC. 104. EXTENSION AND MODIFICATION OF DEDUCTION**
9 **FOR CERTAIN EXPENSES OF ELEMENTARY**
10 **AND SECONDARY SCHOOL TEACHERS.**

11 (a) *DEDUCTION MADE PERMANENT.*—Section
12 62(a)(2)(D) is amended by striking “In the case of taxable
13 years beginning during 2002, 2003, 2004, 2005, 2006, 2007,
14 2008, 2009, 2010, 2011, 2012, 2013, or 2014, the deduc-
15 tions” and inserting “The deductions”.

16 (b) *INFLATION ADJUSTMENT.*—Section 62(d) is
17 amended by adding at the end the following new paragraph:

18 “(3) *INFLATION ADJUSTMENT.*—In the case of
19 any taxable year beginning after 2015, the \$250
20 amount in subsection (a)(2)(D) shall be increased by
21 an amount equal to—

22 “(A) such dollar amount, multiplied by

23 “(B) the cost-of-living adjustment deter-
24 mined under section 1(f)(3) for the calendar year
25 in which the taxable year begins, determined by

1 *substituting ‘calendar year 2014’ for ‘calendar*
2 *year 1992’ in subparagraph (B) thereof.*

3 *Any increase determined under the preceding sentence*
4 *shall be rounded to the nearest multiple of \$50.”.*

5 *(c) PROFESSIONAL DEVELOPMENT EXPENSES.—Sec-*
6 *tion 62(a)(2)(D) is amended—*

7 (1) *by striking “educator in connection” and all*
8 *that follows and inserting “educator—”, and*

9 (2) *by inserting at the end the following:*

10 *“(i) by reason of the participation of*
11 *the educator in professional development*
12 *courses related to the curriculum in which*
13 *the educator provides instruction or to the*
14 *students for which the educator provides in-*
15 *struction, and*

16 *“(ii) in connection with books, supplies*
17 *(other than nonathletic supplies for courses*
18 *of instruction in health or physical edu-*
19 *cation), computer equipment (including re-*
20 *lated software and services) and other*
21 *equipment, and supplementary materials*
22 *used by the eligible educator in the class-*
23 *room.”.*

24 *(d) EFFECTIVE DATES.—*

1 (1) *EXTENSION.*—*The amendment made by sub-*
2 *section (a) shall apply to taxable years beginning*
3 *after December 31, 2014.*

4 (2) *MODIFICATIONS.*—*The amendments made by*
5 *subsections (b) and (c) shall apply to taxable years*
6 *beginning after December 31, 2015.*

7 **SEC. 105. EXTENSION OF PARITY FOR EXCLUSION FROM IN-**
8 **COME FOR EMPLOYER-PROVIDED MASS TRAN-**
9 **SIT AND PARKING BENEFITS.**

10 (a) *MASS TRANSIT AND PARKING PARITY.*—*Section*
11 *132(f)(2) is amended—*

12 (1) *by striking “\$100” in subparagraph (A) and*
13 *inserting “\$175”, and*

14 (2) *by striking the last sentence.*

15 (b) *EFFECTIVE DATE.*—*The amendments made by this*
16 *section shall apply to months after December 31, 2014.*

17 **SEC. 106. EXTENSION OF DEDUCTION OF STATE AND LOCAL**
18 **GENERAL SALES TAXES.**

19 (a) *IN GENERAL.*—*Section 164(b)(5) is amended by*
20 *striking subparagraph (I).*

21 (b) *EFFECTIVE DATE.*—*The amendment made by this*
22 *section shall apply to taxable years beginning after Decem-*
23 *ber 31, 2014.*

1 **PART 2—INCENTIVES FOR CHARITABLE GIVING**
 2 **SEC. 111. EXTENSION AND MODIFICATION OF SPECIAL**
 3 **RULE FOR CONTRIBUTIONS OF CAPITAL GAIN**
 4 **REAL PROPERTY MADE FOR CONSERVATION**
 5 **PURPOSES.**

6 (a) *MADE PERMANENT.*—

7 (1) *INDIVIDUALS.*—Section 170(b)(1)(E) is
 8 amended by striking clause (vi).

9 (2) *CORPORATIONS.*—Section 170(b)(2)(B) is
 10 amended by striking clause (iii).

11 (b) *CONTRIBUTIONS OF CAPITAL GAIN REAL PROP-*
 12 *ERTY MADE FOR CONSERVATION PURPOSES BY NATIVE*
 13 *CORPORATIONS.*—

14 (1) *IN GENERAL.*—Section 170(b)(2) is amended
 15 by redesignating subparagraph (C) as subparagraph
 16 (D), and by inserting after subparagraph (B) the fol-
 17 lowing new subparagraph:

18 “(C) *QUALIFIED CONSERVATION CONTRIBU-*
 19 *TIONS BY CERTAIN NATIVE CORPORATIONS.*—

20 “(i) *IN GENERAL.*—Any qualified con-
 21 servation contribution (as defined in sub-
 22 section (h)(1)) which—

23 “(I) is made by a Native Corpora-
 24 tion, and

1 “(II) is a contribution of property
2 which was land conveyed under the
3 Alaska Native Claims Settlement Act,
4 shall be allowed to the extent that the aggre-
5 gate amount of such contributions does not
6 exceed the excess of the taxpayer’s taxable
7 income over the amount of charitable con-
8 tributions allowable under subparagraph
9 (A).

10 “(ii) CARRYOVER.—If the aggregate
11 amount of contributions described in clause
12 (i) exceeds the limitation of clause (i), such
13 excess shall be treated (in a manner con-
14 sistent with the rules of subsection (d)(2))
15 as a charitable contribution to which clause
16 (i) applies in each of the 15 succeeding tax-
17 able years in order of time.

18 “(iii) NATIVE CORPORATION.—For
19 purposes of this subparagraph, the term
20 ‘Native Corporation’ has the meaning given
21 such term by section 3(m) of the Alaska Na-
22 tive Claims Settlement Act.”.

23 (2) CONFORMING AMENDMENTS.—

1 (A) Section 170(b)(2)(A) is amended by
2 striking “subparagraph (B) applies” and insert-
3 ing “subparagraph (B) or (C) applies”.

4 (B) Section 170(b)(2)(B)(ii) is amended by
5 striking “15 succeeding years” and inserting “15
6 succeeding taxable years”.

7 (3) *VALID EXISTING RIGHTS PRESERVED.*—*Noth-*
8 *ing in this subsection (or any amendment made by*
9 *this subsection) shall be construed to modify the exist-*
10 *ing property rights validly conveyed to Native Cor-*
11 *porations (within the meaning of section 3(m) of the*
12 *Alaska Native Claims Settlement Act) under such Act.*

13 (c) *EFFECTIVE DATES.*—

14 (1) *EXTENSION.*—*The amendments made by sub-*
15 *section (a) shall apply to contributions made in tax-*
16 *able years beginning after December 31, 2014.*

17 (2) *MODIFICATION.*—*The amendments made by*
18 *subsection (b) shall apply to contributions made in*
19 *taxable years beginning after December 31, 2015.*

20 **SEC. 112. EXTENSION OF TAX-FREE DISTRIBUTIONS FROM**
21 **INDIVIDUAL RETIREMENT PLANS FOR CHARI-**
22 **TABLE PURPOSES.**

23 (a) *IN GENERAL.*—*Section 408(d)(8) is amended by*
24 *striking subparagraph (F).*

1 (b) *EFFECTIVE DATE.*—*The amendment made by this*
2 *section shall apply to distributions made in taxable years*
3 *beginning after December 31, 2014.*

4 **SEC. 113. EXTENSION AND MODIFICATION OF CHARITABLE**
5 **DEDUCTION FOR CONTRIBUTIONS OF FOOD**
6 **INVENTORY.**

7 (a) *PERMANENT EXTENSION.*—*Section 170(e)(3)(C) is*
8 *amended by striking clause (iv).*

9 (b) *MODIFICATIONS.*—*Section 170(e)(3)(C), as amend-*
10 *ed by subsection (a), is amended by striking clause (ii), by*
11 *redesignating clause (iii) as clause (vi), and by inserting*
12 *after clause (i) the following new clauses:*

13 “(i) *LIMITATION.*—*The aggregate*
14 *amount of such contributions for any tax-*
15 *able year which may be taken into account*
16 *under this section shall not exceed—*

17 “(I) *in the case of any taxpayer*
18 *other than a C corporation, 15 percent*
19 *of the taxpayer’s aggregate net income*
20 *for such taxable year from all trades or*
21 *businesses from which such contribu-*
22 *tions were made for such year, com-*
23 *puted without regard to this section,*
24 *and*

1 “(II) *in the case of a C corpora-*
2 *tion, 15 percent of taxable income (as*
3 *defined in subsection (b)(2)(D)).*

4 “(iii) *RULES RELATED TO LIMITA-*
5 *TION.—*

6 “(I) *CARRYOVER.—If such aggre-*
7 *gate amount exceeds the limitation im-*
8 *posed under clause (ii), such excess*
9 *shall be treated (in a manner con-*
10 *sistent with the rules of subsection (d))*
11 *as a charitable contribution described*
12 *in clause (i) in each of the 5 suc-*
13 *ceeding taxable years in order of time.*

14 “(II) *COORDINATION WITH OVER-*
15 *ALL CORPORATE LIMITATION.—In the*
16 *case of any charitable contribution*
17 *which is allowable after the application*
18 *of clause (ii)(II), subsection (b)(2)(A)*
19 *shall not apply to such contribution,*
20 *but the limitation imposed by such*
21 *subsection shall be reduced (but not*
22 *below zero) by the aggregate amount of*
23 *such contributions. For purposes of*
24 *subsection (b)(2)(B), such contributions*

1 *shall be treated as allowable under sub-*
2 *section (b)(2)(A).*

3 “(iv) *DETERMINATION OF BASIS FOR*
4 *CERTAIN TAXPAYERS.—If a taxpayer—*

5 *“(I) does not account for inven-*
6 *tories under section 471, and*

7 *“(II) is not required to capitalize*
8 *indirect costs under section 263A,*

9 *the taxpayer may elect, solely for purposes*
10 *of subparagraph (B), to treat the basis of*
11 *any apparently wholesome food as being*
12 *equal to 25 percent of the fair market value*
13 *of such food.*

14 “(v) *DETERMINATION OF FAIR MARKET*
15 *VALUE.—In the case of any such contribu-*
16 *tion of apparently wholesome food which*
17 *cannot or will not be sold solely by reason*
18 *of internal standards of the taxpayer, lack*
19 *of market, or similar circumstances, or by*
20 *reason of being produced by the taxpayer*
21 *exclusively for the purposes of transferring*
22 *the food to an organization described in*
23 *subparagraph (A), the fair market value of*
24 *such contribution shall be determined—*

1 “(I) without regard to such inter-
2 nal standards, such lack of market,
3 such circumstances, or such exclusive
4 purpose, and

5 “(II) by taking into account the
6 price at which the same or substan-
7 tially the same food items (as to both
8 type and quality) are sold by the tax-
9 payer at the time of the contribution
10 (or, if not so sold at such time, in the
11 recent past).”

12 (c) *EFFECTIVE DATES.*—

13 (1) *EXTENSION.*—The amendment made by sub-
14 section (a) shall apply to contributions made after
15 December 31, 2014.

16 (2) *MODIFICATIONS.*—The amendments made by
17 subsection (b) shall apply to taxable years beginning
18 after December 31, 2015.

19 **SEC. 114. EXTENSION OF MODIFICATION OF TAX TREAT-**
20 **MENT OF CERTAIN PAYMENTS TO CONTROL-**
21 **LING EXEMPT ORGANIZATIONS.**

22 (a) *IN GENERAL.*—Section 512(b)(13)(E) is amended
23 by striking clause (iv).

1 (b) *EFFECTIVE DATE.*—*The amendment made by this*
2 *section shall apply to payments received or accrued after*
3 *December 31, 2014.*

4 **SEC. 115. EXTENSION OF BASIS ADJUSTMENT TO STOCK OF**
5 **S CORPORATIONS MAKING CHARITABLE CON-**
6 **TRIBUTIONS OF PROPERTY.**

7 (a) *IN GENERAL.*—*Section 1367(a)(2) is amended by*
8 *striking the last sentence.*

9 (b) *EFFECTIVE DATE.*—*The amendment made by this*
10 *section shall apply to contributions made in taxable years*
11 *beginning after December 31, 2014.*

12 **PART 3—INCENTIVES FOR GROWTH, JOBS,**
13 **INVESTMENT, AND INNOVATION**

14 **SEC. 121. EXTENSION AND MODIFICATION OF RESEARCH**
15 **CREDIT.**

16 (a) *MADE PERMANENT.*—

17 (1) *IN GENERAL.*—*Section 41 is amended by*
18 *striking subsection (h).*

19 (2) *CONFORMING AMENDMENT.*—*Section*
20 *45C(b)(1) is amended by striking subparagraph (D).*

21 (b) *CREDIT ALLOWED AGAINST ALTERNATIVE MIN-*
22 *IMUM TAX IN CASE OF ELIGIBLE SMALL BUSINESS.*—*Sec-*
23 *tion 38(c)(4)(B) is amended by redesignating clauses (ii)*
24 *through (ix) as clauses (iii) through (x), respectively, and*
25 *by inserting after clause (i) the following new clause:*

1 “(ii) the credit determined under sec-
2 tion 41 for the taxable year with respect to
3 an eligible small business (as defined in
4 paragraph (5)(C), after application of rules
5 similar to the rules of paragraph (5)(D)),”.

6 (c) *TREATMENT OF RESEARCH CREDIT FOR CERTAIN*
7 *STARTUP COMPANIES.*—

8 (1) *IN GENERAL.*—Section 41, as amended by
9 subsection (a), is amended by adding at the end the
10 following new subsection:

11 “(h) *TREATMENT OF CREDIT FOR QUALIFIED SMALL*
12 *BUSINESSES.*—

13 “(1) *IN GENERAL.*—At the election of a qualified
14 small business for any taxable year, section 3111(f)
15 shall apply to the payroll tax credit portion of the
16 credit otherwise determined under subsection (a) for
17 the taxable year and such portion shall not be treated
18 (other than for purposes of section 280C) as a credit
19 determined under subsection (a).

20 “(2) *PAYROLL TAX CREDIT PORTION.*—For pur-
21 poses of this subsection, the payroll tax credit portion
22 of the credit determined under subsection (a) with re-
23 spect to any qualified small business for any taxable
24 year is the least of—

1 “(A) the amount specified in the election
2 made under this subsection,

3 “(B) the credit determined under subsection
4 (a) for the taxable year (determined before the
5 application of this subsection), or

6 “(C) in the case of a qualified small busi-
7 ness other than a partnership or S corporation,
8 the amount of the business credit carryforward
9 under section 39 carried from the taxable year
10 (determined before the application of this sub-
11 section to the taxable year).

12 “(3) *QUALIFIED SMALL BUSINESS.*—For pur-
13 poses of this subsection—

14 “(A) *IN GENERAL.*—The term ‘qualified
15 small business’ means, with respect to any tax-
16 able year—

17 “(i) a corporation or partnership, if—

18 “(I) the gross receipts (as deter-
19 mined under the rules of section
20 448(c)(3), without regard to subpara-
21 graph (A) thereof) of such entity for
22 the taxable year is less than
23 \$5,000,000, and

24 “(II) such entity did not have
25 gross receipts (as so determined) for

1 *any taxable year preceding the 5-tax-*
2 *able-year period ending with such tax-*
3 *able year, and*

4 “(i) *any person (other than a corpora-*
5 *tion or partnership) who meets the require-*
6 *ments of subclauses (I) and (II) of clause*
7 *(i), determined—*

8 “(I) *by substituting ‘person’ for*
9 *‘entity’ each place it appears, and*

10 “(II) *by only taking into account*
11 *the aggregate gross receipts received by*
12 *such person in carrying on all trades*
13 *or businesses of such person.*

14 “(B) *LIMITATION.—Such term shall not in-*
15 *clude an organization which is exempt from tax-*
16 *ation under section 501.*

17 “(4) *ELECTION.—*

18 “(A) *IN GENERAL.—Any election under this*
19 *subsection for any taxable year—*

20 “(i) *shall specify the amount of the*
21 *credit to which such election applies,*

22 “(ii) *shall be made on or before the due*
23 *date (including extensions) of—*

24 “(I) *in the case of a qualified*
25 *small business which is a partnership,*

1 *the return required to be filed under*
2 *section 6031,*

3 “(II) *in the case of a qualified*
4 *small business which is an S corpora-*
5 *tion, the return required to be filed*
6 *under section 6037, and*

7 “(III) *in the case of any other*
8 *qualified small business, the return of*
9 *tax for the taxable year, and*

10 “(iii) *may be revoked only with the*
11 *consent of the Secretary.*

12 “(B) *LIMITATIONS.—*

13 “(i) *AMOUNT.—The amount specified*
14 *in any election made under this subsection*
15 *shall not exceed \$250,000.*

16 “(ii) *NUMBER OF TAXABLE YEARS.—A*
17 *person may not make an election under this*
18 *subsection if such person (or any other per-*
19 *son treated as a single taxpayer with such*
20 *person under paragraph (5)(A)) has made*
21 *an election under this subsection for 5 or*
22 *more preceding taxable years.*

23 “(C) *SPECIAL RULE FOR PARTNERSHIPS*
24 *AND S CORPORATIONS.—In the case of a quali-*
25 *fied small business which is a partnership or S*

1 *corporation, the election made under this sub-*
2 *section shall be made at the entity level.*

3 “(5) *AGGREGATION RULES.*—

4 “(A) *IN GENERAL.*—*Except as provided in*
5 *subparagraph (B), all persons or entities treated*
6 *as a single taxpayer under subsection (f)(1) shall*
7 *be treated as a single taxpayer for purposes of*
8 *this subsection.*

9 “(B) *SPECIAL RULES.*—*For purposes of this*
10 *subsection and section 3111(f)—*

11 “(i) *each of the persons treated as a*
12 *single taxpayer under subparagraph (A)*
13 *may separately make the election under*
14 *paragraph (1) for any taxable year, and*

15 “(ii) *the \$250,000 amount under para-*
16 *graph (4)(B)(i) shall be allocated among all*
17 *persons treated as a single taxpayer under*
18 *subparagraph (A) in the same manner as*
19 *under subparagraph (A)(ii) or (B)(ii) of*
20 *subsection (f)(1), whichever is applicable.*

21 “(6) *REGULATIONS.*—*The Secretary shall pre-*
22 *scribe such regulations as may be necessary to carry*
23 *out the purposes of this subsection, including—*

24 “(A) *regulations to prevent the avoidance of*
25 *the purposes of the limitations and aggregation*

1 *rules under this subsection through the use of*
2 *successor companies or other means,*

3 “(B) *regulations to minimize compliance*
4 *and record-keeping burdens under this sub-*
5 *section, and*

6 “(C) *regulations for recapturing the benefit*
7 *of credits determined under section 3111(f) in*
8 *cases where there is a subsequent adjustment to*
9 *the payroll tax credit portion of the credit deter-*
10 *mined under subsection (a), including requiring*
11 *amended income tax returns in the cases where*
12 *there is such an adjustment.”.*

13 (2) *CREDIT ALLOWED AGAINST FICA TAXES.—*
14 *Section 3111 is amended by adding at the end the fol-*
15 *lowing new subsection:*

16 “(f) *CREDIT FOR RESEARCH EXPENDITURES OF*
17 *QUALIFIED SMALL BUSINESSES.—*

18 “(1) *IN GENERAL.—In the case of a taxpayer*
19 *who has made an election under section 41(h) for a*
20 *taxable year, there shall be allowed as a credit against*
21 *the tax imposed by subsection (a) for the first cal-*
22 *endar quarter which begins after the date on which*
23 *the taxpayer files the return specified in section*
24 *41(h)(4)(A)(ii) an amount equal to the payroll tax*
25 *credit portion determined under section 41(h)(2).*

1 “(2) *LIMITATION.*—*The credit allowed by para-*
2 *graph (1) shall not exceed the tax imposed by sub-*
3 *section (a) for any calendar quarter on the wages*
4 *paid with respect to the employment of all individ-*
5 *uals in the employ of the employer.*

6 “(3) *CARRYOVER OF UNUSED CREDIT.*—*If the*
7 *amount of the credit under paragraph (1) exceeds the*
8 *limitation of paragraph (2) for any calendar quarter,*
9 *such excess shall be carried to the succeeding calendar*
10 *quarter and allowed as a credit under paragraph (1)*
11 *for such quarter.*

12 “(4) *DEDUCTION ALLOWED FOR CREDITED*
13 *AMOUNTS.*—*The credit allowed under paragraph (1)*
14 *shall not be taken into account for purposes of deter-*
15 *mining the amount of any deduction allowed under*
16 *chapter 1 for taxes imposed under subsection (a).”.*

17 (d) *EFFECTIVE DATES.*—

18 (1) *EXTENSION.*—*The amendments made by sub-*
19 *section (a) shall apply to shall apply to amounts paid*
20 *or incurred after December 31, 2014.*

21 (2) *CREDIT ALLOWED AGAINST ALTERNATIVE*
22 *MINIMUM TAX IN CASE OF ELIGIBLE SMALL BUSI-*
23 *NESS.*—*The amendments made by subsection (b) shall*
24 *apply to credits determined for taxable years begin-*
25 *ning after December 31, 2015.*

1 (3) *TREATMENT OF RESEARCH CREDIT FOR CER-*
2 *TAIN STARTUP COMPANIES.*—*The amendments made*
3 *by subsection (c) shall apply to taxable years begin-*
4 *ning after December 31, 2015.*

5 **SEC. 122. EXTENSION AND MODIFICATION OF EMPLOYER**
6 **WAGE CREDIT FOR EMPLOYEES WHO ARE AC-**
7 **TIVE DUTY MEMBERS OF THE UNIFORMED**
8 **SERVICES.**

9 (a) *IN GENERAL.*—*Section 45P is amended by striking*
10 *subsection (f).*

11 (b) *APPLICABILITY TO ALL EMPLOYERS.*—

12 (1) *IN GENERAL.*—*Section 45P(a) is amended by*
13 *striking “, in the case of an eligible small business*
14 *employer”.*

15 (2) *CONFORMING AMENDMENT.*—*Section*
16 *45P(b)(3) is amended to read as follows:*

17 “(3) *CONTROLLED GROUPS.*—*All persons treated*
18 *as a single employer under subsection (b), (c), (m), or*
19 *(o) of section 414 shall be treated as a single em-*
20 *ployer.”.*

21 (c) *EFFECTIVE DATE.*—

22 (1) *EXTENSION.*—*The amendment made by sub-*
23 *section (a) shall apply to payments made after De-*
24 *cember 31, 2014.*

1 (2) *MODIFICATION.*—*The amendments made by*
2 *subsection (b) shall apply to taxable years beginning*
3 *after December 31, 2015.*

4 **SEC. 123. EXTENSION OF 15-YEAR STRAIGHT-LINE COST RE-**
5 **COVERY FOR QUALIFIED LEASEHOLD IM-**
6 **PROVEMENTS, QUALIFIED RESTAURANT**
7 **BUILDINGS AND IMPROVEMENTS, AND QUALI-**
8 **FIED RETAIL IMPROVEMENTS.**

9 (a) *QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY*
10 *AND QUALIFIED RESTAURANT PROPERTY.*—*Clauses (iv)*
11 *and (v) of section 168(e)(3)(E) are each amended by strik-*
12 *ing “placed in service before January 1, 2015”.*

13 (b) *QUALIFIED RETAIL IMPROVEMENT PROPERTY.*—
14 *Section 168(e)(3)(E)(ix) is amended by striking “placed in*
15 *service after December 31, 2008, and before January 1,*
16 *2015”.*

17 (c) *EFFECTIVE DATE.*—*The amendments made by this*
18 *section shall apply to property placed in service after De-*
19 *cember 31, 2014.*

20 **SEC. 124. EXTENSION AND MODIFICATION OF INCREASED**
21 **EXPENSING LIMITATIONS AND TREATMENT**
22 **OF CERTAIN REAL PROPERTY AS SECTION 179**
23 **PROPERTY.**

24 (a) *MADE PERMANENT.*—

1 (1) *DOLLAR LIMITATION.*—Section 179(b)(1) is
2 amended by striking “shall not exceed—” and all that
3 follows and inserting “shall not exceed \$500,000.”.

4 (2) *REDUCTION IN LIMITATION.*—Section
5 179(b)(2) is amended by striking “exceeds—” and all
6 that follows and inserting “exceeds \$2,000,000.”.

7 (b) *COMPUTER SOFTWARE.*—Section 179(d)(1)(A)(ii)
8 is amended by striking “, to which section 167 applies, and
9 which is placed in service in a taxable year beginning after
10 2002 and before 2015” and inserting “and to which section
11 167 applies”.

12 (c) *SPECIAL RULES FOR TREATMENT OF QUALIFIED*
13 *REAL PROPERTY.*—

14 (1) *EXTENSION FOR 2015.*—Section 179(f) is
15 amended—

16 (A) by striking “2015” in paragraph (1)
17 and inserting “2016”,

18 (B) by striking “2014” each place it ap-
19 pears in paragraph (4) and inserting “2015”,
20 and

21 (C) by striking “AND 2013” in the heading
22 of paragraph (4)(C) and inserting “2013, AND
23 2014”.

24 (2) *MADE PERMANENT.*—Section 179(f), as
25 amended by paragraph (1), is amended—

1 (A) by striking “beginning after 2009 and
2 before 2016” in paragraph (1), and

3 (B) by striking paragraphs (3) and (4).

4 (d) *ELECTION*.—Section 179(c)(2) is amended—

5 (1) by striking “may not be revoked” and all
6 that follows through “and before 2015”, and

7 (2) by striking “IRREVOCABLE” in the heading
8 thereof.

9 (e) *AIR CONDITIONING AND HEATING UNITS*.—Section
10 179(d)(1) is amended by striking “and shall not include
11 air conditioning or heating units”.

12 (f) *INFLATION ADJUSTMENT*.—Section 179(b) is
13 amended by adding at the end the following new paragraph:

14 “(6) *INFLATION ADJUSTMENT*.—

15 “(A) *IN GENERAL*.—In the case of any tax-
16 able year beginning after 2015, the dollar
17 amounts in paragraphs (1) and (2) shall each be
18 increased by an amount equal to—

19 “(i) such dollar amount, multiplied by

20 “(ii) the cost-of-living adjustment de-
21 termined under section 1(f)(3) for the cal-
22 endar year in which the taxable year be-
23 gins, determined by substituting ‘calendar
24 year 2014’ for ‘calendar year 1992’ in sub-
25 paragraph (B) thereof.

1 “(B) *ROUNDING.*—*The amount of any in-*
2 *crease under subparagraph (A) shall be rounded*
3 *to the nearest multiple of \$10,000.*”.

4 (g) *EFFECTIVE DATES.*—

5 (1) *EXTENSION.*—*Except as provided in para-*
6 *graph (2), the amendments made by this section shall*
7 *apply to taxable years beginning after December 31,*
8 *2014.*

9 (2) *MODIFICATIONS.*—*The amendments made by*
10 *subsections (c)(2) and (e) shall apply to taxable years*
11 *beginning after December 31, 2015.*

12 **SEC. 125. EXTENSION OF TREATMENT OF CERTAIN DIVI-**
13 **DENDS OF REGULATED INVESTMENT COMPA-**
14 **NIES.**

15 (a) *IN GENERAL.*—*Section 871(k) is amended by strik-*
16 *ing clause (v) of paragraph (1)(C) and clause (v) of para-*
17 *graph (2)(C).*

18 (b) *EFFECTIVE DATE.*—*The amendments made by this*
19 *section shall apply to taxable years beginning after Decem-*
20 *ber 31, 2014.*

21 **SEC. 126. EXTENSION OF EXCLUSION OF 100 PERCENT OF**
22 **GAIN ON CERTAIN SMALL BUSINESS STOCK.**

23 (a) *IN GENERAL.*—*Section 1202(a)(4) is amended—*
24 (1) *by striking “and before January 1, 2015”,*
25 *and*

1 (2) *by striking “, 2011, 2012, 2013, AND 2014” in*
2 *the heading thereof and inserting “AND THERE-*
3 *AFTER”.*

4 (b) *EFFECTIVE DATE.—The amendments made by this*
5 *section shall apply to stock acquired after December 31,*
6 *2014.*

7 **SEC. 127. EXTENSION OF REDUCTION IN S-CORPORATION**
8 **RECOGNITION PERIOD FOR BUILT-IN GAINS**
9 **TAX.**

10 (a) *IN GENERAL.—Section 1374(d)(7) is amended to*
11 *read as follows:*

12 “(7) *RECOGNITION PERIOD.—*

13 “(A) *IN GENERAL.—The term ‘recognition*
14 *period’ means the 5-year period beginning with*
15 *the 1st day of the 1st taxable year for which the*
16 *corporation was an S corporation. For purposes*
17 *of applying this section to any amount includ-*
18 *ible in income by reason of distributions to*
19 *shareholders pursuant to section 593(e), the pre-*
20 *ceding sentence shall be applied without regard*
21 *to the phrase ‘5-year’.*

22 “(B) *INSTALLMENT SALES.—If an S cor-*
23 *poration sells an asset and reports the income*
24 *from the sale using the installment method under*
25 *section 453, the treatment of all payments re-*

1 *ceived shall be governed by the provisions of this*
2 *paragraph applicable to the taxable year in*
3 *which such sale was made.”.*

4 ***(b) EFFECTIVE DATE.***—*The amendments made by this*
5 *section shall apply to taxable years beginning after Decem-*
6 *ber 31, 2014.*

7 **SEC. 128. EXTENSION OF SUBPART F EXCEPTION FOR AC-**
8 **TIVE FINANCING INCOME.**

9 ***(a) INSURANCE BUSINESSES.***—*Section 953(e) is*
10 *amended by striking paragraph (10) and by redesignating*
11 *paragraph (11) as paragraph (10).*

12 ***(b) BANKING, FINANCING, OR SIMILAR BUSINESSES.***—
13 *Section 954(h) is amended by striking paragraph (9).*

14 ***(c) EFFECTIVE DATE.***—*The amendments made by this*
15 *section shall apply to taxable years of foreign corporations*
16 *beginning after December 31, 2014, and to taxable years*
17 *of United States shareholders with or within which any*
18 *such taxable year of such foreign corporation ends.*

1 **PART 4—INCENTIVES FOR REAL ESTATE**

2 **INVESTMENT**

3 **SEC. 131. EXTENSION OF MINIMUM LOW-INCOME HOUSING**
4 **TAX CREDIT RATE FOR NON-FEDERALLY SUB-**
5 **SIDIZED BUILDINGS.**

6 (a) *IN GENERAL.*—Section 42(b)(2) is amended by
7 striking “with respect to housing credit dollar amount allo-
8 cations made before January 1, 2015”.

9 (b) *CLERICAL AMENDMENT.*—The heading for section
10 42(b)(2) is amended by striking “TEMPORARY MINIMUM”
11 and inserting “MINIMUM”.

12 (c) *EFFECTIVE DATES.*—The amendments made by
13 this section shall take effect on January 1, 2015.

14 **SEC. 132. EXTENSION OF MILITARY HOUSING ALLOWANCE**
15 **EXCLUSION FOR DETERMINING WHETHER A**
16 **TENANT IN CERTAIN COUNTIES IS LOW-IN-**
17 **COME.**

18 (a) *IN GENERAL.*—Section 3005(b) of the Housing As-
19 sistance Tax Act of 2008 is amended by striking “and before
20 January 1, 2015” each place it appears.

21 (b) *EFFECTIVE DATE.*—The amendments made by this
22 section shall take effect as if included in the enactment of
23 section 3005 of the Housing Assistance Tax Act of 2008.

24 **SEC. 133. EXTENSION OF RIC QUALIFIED INVESTMENT EN-**
25 **TITY TREATMENT UNDER FIRPTA.**

26 (a) *IN GENERAL.*—Section 897(h)(4)(A) is amended—

1 (1) *by striking clause (ii), and*

2 (2) *by striking all that precedes “regulated in-*
3 *vestment company which” and inserting the fol-*
4 *lowing:*

5 “(A) *QUALIFIED INVESTMENT ENTITY.—The*
6 *term ‘qualified investment entity’ means—*

7 “(i) *any real estate investment trust,*
8 *and*

9 “(ii) *any”.*

10 (b) *EFFECTIVE DATE.—*

11 (1) *IN GENERAL.—The amendments made by*
12 *this section shall take effect on January 1, 2015. Not-*
13 *withstanding the preceding sentence, such amend-*
14 *ments shall not apply with respect to the withholding*
15 *requirement under section 1445 of the Internal Rev-*
16 *enue Code of 1986 for any payment made before the*
17 *date of the enactment of this Act.*

18 (2) *AMOUNTS WITHHELD ON OR BEFORE DATE*
19 *OF ENACTMENT.—In the case of a regulated invest-*
20 *ment company—*

21 (A) *which makes a distribution after De-*
22 *cember 31, 2014, and before the date of the enact-*
23 *ment of this Act, and*

24 (B) *which would (but for the second sen-*
25 *tence of paragraph (1)) have been required to*

1 (1) *IN GENERAL.*—Section 51(d)(1) is amended
2 by striking “or” at the end of subparagraph (H), by
3 striking the period at the end of subparagraph (I)
4 and inserting “, or”, and by adding at the end the
5 following new subparagraph:

6 “(J) a qualified long-term unemployment
7 recipient.”.

8 (2) *QUALIFIED LONG-TERM UNEMPLOYMENT RE-*
9 *CIPIENT.*—Section 51(d) is amended by adding at the
10 end the following new paragraph:

11 “(15) *QUALIFIED LONG-TERM UNEMPLOYMENT*
12 *RECIPIENT.*—The term ‘qualified long-term unemploy-
13 ment recipient’ means any individual who is certified
14 by the designated local agency as being in a period
15 of unemployment which—

16 “(A) is not less than 27 consecutive weeks,

17 and

18 “(B) includes a period in which the indi-
19 vidual was receiving unemployment compensa-
20 tion under State or Federal law.”.

21 (c) *EFFECTIVE DATES.*—

22 (1) *EXTENSION.*—The amendment made by sub-
23 section (a) shall apply to individuals who begin work
24 for the employer after December 31, 2014.

1 (B) *ROUND 5 EXTENSION PROPERTY.*—*Sec-*
2 tion 168(k)(4) is amended by adding at the end
3 the following new subparagraph:

4 “(L) *SPECIAL RULES FOR ROUND 5 EXTEN-*
5 *SION PROPERTY.*—

6 “(i) *IN GENERAL.*—*In the case of*
7 *round 5 extension property, in applying*
8 *this paragraph to any taxpayer—*

9 “(I) *the limitation described in*
10 *subparagraph (B)(i) and the business*
11 *credit increase amount under subpara-*
12 *graph (E)(iii) thereof shall not apply,*
13 *and*

14 “(II) *the bonus depreciation*
15 *amount, maximum amount, and max-*
16 *imum increase amount shall be com-*
17 *puted separately from amounts com-*
18 *puted with respect to eligible qualified*
19 *property which is not round 5 exten-*
20 *sion property.*

21 “(ii) *ELECTION.*—

22 “(I) *A taxpayer who has an elec-*
23 *tion in effect under this paragraph for*
24 *round 4 extension property shall be*
25 *treated as having an election in effect*

1 *for round 5 extension property unless*
2 *the taxpayer elects to not have this*
3 *paragraph apply to round 5 extension*
4 *property.*

5 “(II) *A taxpayer who does not*
6 *have an election in effect under this*
7 *paragraph for round 4 extension prop-*
8 *erty may elect to have this paragraph*
9 *apply to round 5 extension property.*

10 “(iii) *ROUND 5 EXTENSION PROP-*
11 *ERTY.—For purposes of this subparagraph,*
12 *the term ‘round 5 extension property’ means*
13 *property which is eligible qualified property*
14 *solely by reason of the extension of the ap-*
15 *plication of the special allowance under*
16 *paragraph (1) pursuant to the amendments*
17 *made by section 143(a)(1) of the Protecting*
18 *Americans from Tax Hikes Act of 2015*
19 *(and the application of such extension to*
20 *this paragraph pursuant to the amendment*
21 *made by section 143(a)(3) of such Act).”.*

22 (4) *CONFORMING AMENDMENTS.—*

23 (A) *The heading for section 168(k) is*
24 *amended by striking “JANUARY 1, 2015” and in-*
25 *serting “JANUARY 1, 2016”.*

1 (B) *The heading for section 168(k)(2)(B)(ii)*
2 *is amended by striking “PRE-JANUARY 1, 2015”*
3 *and inserting “PRE-JANUARY 1, 2016”.*

4 (5) *EFFECTIVE DATE.—*

5 (A) *IN GENERAL.—Except as provided in*
6 *subparagraph (B), the amendments made by this*
7 *subsection shall apply to property placed in serv-*
8 *ice after December 31, 2014, in taxable years*
9 *ending after such date.*

10 (B) *ELECTION TO ACCELERATE AMT CRED-*
11 *IT.—The amendments made by paragraph (3)*
12 *shall apply to taxable years ending after Decem-*
13 *ber 31, 2014.*

14 (b) *EXTENDED AND MODIFIED FOR 2016 THROUGH*
15 *2019.—*

16 (1) *IN GENERAL.—Section 168(k)(2), as amend-*
17 *ed by subsection (a), is amended to read as follows:*

18 “(2) *QUALIFIED PROPERTY.—For purposes of*
19 *this subsection—*

20 “(A) *IN GENERAL.—The term ‘qualified*
21 *property’ means property—*

22 “(i) *(I) to which this section applies*
23 *which has a recovery period of 20 years or*
24 *less,*

1 “(II) which is computer software (as
2 defined in section 167(f)(1)(B)) for which a
3 deduction is allowable under section 167(a)
4 without regard to this subsection,

5 “(III) which is water utility property,
6 or

7 “(IV) which is qualified improvement
8 property,

9 “(ii) the original use of which com-
10 mences with the taxpayer, and

11 “(iii) which is placed in service by the
12 taxpayer before January 1, 2020.

13 “(B) CERTAIN PROPERTY HAVING LONGER
14 PRODUCTION PERIODS TREATED AS QUALIFIED
15 PROPERTY.—

16 “(i) IN GENERAL.—The term ‘qualified
17 property’ includes any property if such
18 property—

19 “(I) meets the requirements of
20 clauses (i) and (ii) of subparagraph
21 (A),

22 “(II) is placed in service by the
23 taxpayer before January 1, 2021,

24 “(III) is acquired by the taxpayer
25 (or acquired pursuant to a written

1977

1 *contract entered into) before January*
2 *1, 2020,*

3 *“(IV) has a recovery period of at*
4 *least 10 years or is transportation*
5 *property,*

6 *“(V) is subject to section 263A,*
7 *and*

8 *“(VI) meets the requirements of*
9 *clause (iii) of section 263A(f)(1)(B)*
10 *(determined as if such clause also ap-*
11 *plies to property which has a long use-*
12 *ful life (within the meaning of section*
13 *263A(f)).*

14 *“(ii) ONLY PRE-JANUARY 1, 2020 BASIS*
15 *ELIGIBLE FOR ADDITIONAL ALLOWANCE.—*
16 *In the case of property which is qualified*
17 *property solely by reason of clause (i),*
18 *paragraph (1) shall apply only to the extent*
19 *of the adjusted basis thereof attributable to*
20 *manufacture, construction, or production*
21 *before January 1, 2020.*

22 *“(iii) TRANSPORTATION PROPERTY.—*
23 *For purposes of this subparagraph, the term*
24 *‘transportation property’ means tangible*

1 *personal property used in the trade or busi-*
2 *ness of transporting persons or property.*

3 “(iv) *APPLICATION OF SUBPARA-*
4 *GRAPH.—This subparagraph shall not*
5 *apply to any property which is described in*
6 *subparagraph (C).*

7 “(C) *CERTAIN AIRCRAFT.—The term ‘quali-*
8 *fied property’ includes property—*

9 “(i) *which meets the requirements of*
10 *subparagraph (A)(ii) and subclauses (II)*
11 *and (III) of subparagraph (B)(i),*

12 “(ii) *which is an aircraft which is not*
13 *a transportation property (as defined in*
14 *subparagraph (B)(iii)) other than for agri-*
15 *cultural or firefighting purposes,*

16 “(iii) *which is purchased and on which*
17 *such purchaser, at the time of the contract*
18 *for purchase, has made a nonrefundable de-*
19 *posit of the lesser of—*

20 “(I) *10 percent of the cost, or*

21 “(II) *\$100,000, and*

22 “(iv) *which has—*

23 “(I) *an estimated production pe-*
24 *riod exceeding 4 months, and*

25 “(II) *a cost exceeding \$200,000.*

1 “(D) *EXCEPTION FOR ALTERNATIVE DEPRE-*
2 *CIATION PROPERTY.*—*The term ‘qualified prop-*
3 *erty’ shall not include any property to which the*
4 *alternative depreciation system under subsection*
5 *(g) applies, determined—*

6 “(i) *without regard to paragraph (7) of*
7 *subsection (g) (relating to election to have*
8 *system apply), and*

9 “(ii) *after application of section*
10 *280F(b) (relating to listed property with*
11 *limited business use).*

12 “(E) *SPECIAL RULES.*—

13 “(i) *SELF-CONSTRUCTED PROPERTY.*—
14 *In the case of a taxpayer manufacturing,*
15 *constructing, or producing property for the*
16 *taxpayer’s own use, the requirements of sub-*
17 *clause (III) of subparagraph (B)(i) shall be*
18 *treated as met if the taxpayer begins manu-*
19 *facturing, constructing, or producing the*
20 *property before January 1, 2020.*

21 “(ii) *SALE-LEASEBACKS.*—*For pur-*
22 *poses of clause (iii) and subparagraph*
23 *(A)(ii), if property is—*

24 “(I) *originally placed in service*
25 *by a person, and*

1 “(II) sold and leased back by such
2 person within 3 months after the date
3 such property was originally placed in
4 service,

5 such property shall be treated as originally
6 placed in service not earlier than the date
7 on which such property is used under the
8 leaseback referred to in subclause (II).

9 “(iii) SYNDICATION.—For purposes of
10 subparagraph (A)(ii), if—

11 “(I) property is originally placed
12 in service by the lessor of such prop-
13 erty,

14 “(II) such property is sold by
15 such lessor or any subsequent pur-
16 chaser within 3 months after the date
17 such property was originally placed in
18 service (or, in the case of multiple
19 units of property subject to the same
20 lease, within 3 months after the date
21 the final unit is placed in service, so
22 long as the period between the time the
23 first unit is placed in service and the
24 time the last unit is placed in service
25 does not exceed 12 months), and

1 “(III) the user of such property
2 after the last sale during such 3-month
3 period remains the same as when such
4 property was originally placed in serv-
5 ice,

6 such property shall be treated as originally
7 placed in service not earlier than the date
8 of such last sale.

9 “(F) COORDINATION WITH SECTION 280F.—

10 For purposes of section 280F—

11 “(i) AUTOMOBILES.—In the case of a
12 passenger automobile (as defined in section
13 280F(d)(5)) which is qualified property, the
14 Secretary shall increase the limitation
15 under section 280F(a)(1)(A)(i) by \$8,000.

16 “(ii) LISTED PROPERTY.—The deduc-
17 tion allowable under paragraph (1) shall be
18 taken into account in computing any recap-
19 ture amount under section 280F(b)(2).

20 “(iii) PHASE DOWN.—In the case of a
21 passenger automobile placed in service by
22 the taxpayer after December 31, 2017,
23 clause (i) shall be applied by substituting
24 for ‘\$8,000’—

1 “(I) in the case of an automobile
2 placed in service during 2018, \$6,400,
3 and

4 “(II) in the case of an automobile
5 placed in service during 2019, \$4,800.

6 “(G) DEDUCTION ALLOWED IN COMPUTING
7 MINIMUM TAX.—For purposes of determining al-
8 ternative minimum taxable income under section
9 55, the deduction under section 167 for qualified
10 property shall be determined without regard to
11 any adjustment under section 56.”.

12 (2) QUALIFIED IMPROVEMENT PROPERTY.—Sec-
13 tion 168(k)(3) is amended to read as follows:

14 “(3) QUALIFIED IMPROVEMENT PROPERTY.—For
15 purposes of this subsection—

16 “(A) IN GENERAL.—The term ‘qualified im-
17 provement property’ means any improvement to
18 an interior portion of a building which is non-
19 residential real property if such improvement is
20 placed in service after the date such building was
21 first placed in service.

22 “(B) CERTAIN IMPROVEMENTS NOT IN-
23 CLUDED.—Such term shall not include any im-
24 provement for which the expenditure is attrib-
25 utable to—

- 1 “(i) the enlargement of the building,
2 “(ii) any elevator or escalator, or
3 “(iii) the internal structural frame-
4 work of the building.”.

5 (3) *EXPANSION OF ELECTION TO ACCELERATE*
6 *AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—*
7 *Section 168(k)(4), as amended by subsection (a), is*
8 *amended to read as follows:*

9 “(4) *ELECTION TO ACCELERATE AMT CREDITS IN*
10 *LIEU OF BONUS DEPRECIATION.—*

11 “(A) *IN GENERAL.—If a corporation elects*
12 *to have this paragraph apply for any taxable*
13 *year—*

14 “(i) *paragraphs (1) and (2)(F) shall*
15 *not apply to any qualified property placed*
16 *in service during such taxable year,*

17 “(ii) *the applicable depreciation meth-*
18 *od used under this section with respect to*
19 *such property shall be the straight line*
20 *method, and*

21 “(iii) *the limitation imposed by section*
22 *53(c) for such taxable year shall be in-*
23 *creased by the bonus depreciation amount*
24 *which is determined for such taxable year*
25 *under subparagraph (B).*

1 “(B) *BONUS DEPRECIATION AMOUNT.*—*For*
2 *purposes of this paragraph—*

3 “(i) *IN GENERAL.*—*The bonus depre-*
4 *ciation amount for any taxable year is an*
5 *amount equal to 20 percent of the excess (if*
6 *any) of—*

7 “(I) *the aggregate amount of de-*
8 *preciation which would be allowed*
9 *under this section for qualified prop-*
10 *erty placed in service by the taxpayer*
11 *during such taxable year if paragraph*
12 *(1) applied to all such property (and,*
13 *in the case of any such property which*
14 *is a passenger automobile (as defined*
15 *in section 280F(d)(5)), if paragraph*
16 *(2)(F) applied to such automobile),*
17 *over*

18 “(II) *the aggregate amount of de-*
19 *preciation which would be allowed*
20 *under this section for qualified prop-*
21 *erty placed in service by the taxpayer*
22 *during such taxable year if paragraphs*
23 *(1) and (2)(F) did not apply to any*
24 *such property.*

1 *The aggregate amounts determined under*
2 *subclauses (I) and (II) shall be determined*
3 *without regard to any election made under*
4 *subparagraph (A) or subsection (b)(2)(D),*
5 *(b)(3)(D), or (g)(7).*

6 “(ii) *LIMITATION.*—*The bonus depre-*
7 *ciation amount for any taxable year shall*
8 *not exceed the lesser of—*

9 “(I) *50 percent of the minimum*
10 *tax credit under section 53(b) for the*
11 *first taxable year ending after Decem-*
12 *ber 31, 2015, or*

13 “(II) *the minimum tax credit*
14 *under section 53(b) for such taxable*
15 *year determined by taking into ac-*
16 *count only the adjusted net minimum*
17 *tax for taxable years ending before*
18 *January 1, 2016 (determined by treat-*
19 *ing credits as allowed on a first-in,*
20 *first-out basis).*

21 “(iii) *AGGREGATION RULE.*—*All cor-*
22 *porations which are treated as a single em-*
23 *ployer under section 52(a) shall be treat-*
24 *ed—*

1 “(I) as 1 taxpayer for purposes of
2 this paragraph, and

3 “(II) as having elected the appli-
4 cation of this paragraph if any such
5 corporation so elects.

6 “(C) CREDIT REFUNDABLE.—For purposes
7 of section 6401(b), the aggregate increase in the
8 credits allowable under part IV of subchapter A
9 for any taxable year resulting from the applica-
10 tion of this paragraph shall be treated as allowed
11 under subpart C of such part (and not any other
12 subpart).

13 “(D) OTHER RULES.—

14 “(i) ELECTION.—Any election under
15 this paragraph may be revoked only with
16 the consent of the Secretary.

17 “(ii) PARTNERSHIPS WITH ELECTING
18 PARTNERS.—In the case of a corporation
19 which is a partner in a partnership and
20 which makes an election under subpara-
21 graph (A) for the taxable year, for purposes
22 of determining such corporation’s distribu-
23 tive share of partnership items under sec-
24 tion 702 for such taxable year—

1 “(I) paragraphs (1) and (2)(F)
2 shall not apply to any qualified prop-
3 erty placed in service during such tax-
4 able year, and

5 “(II) the applicable depreciation
6 method used under this section with re-
7 spect to such property shall be the
8 straight line method.

9 “(iii) CERTAIN PARTNERSHIPS.—In
10 the case of a partnership in which more
11 than 50 percent of the capital and profits
12 interests are owned (directly or indirectly)
13 at all times during the taxable year by 1
14 corporation (or by corporations treated as 1
15 taxpayer under subparagraph (B)(iii)),
16 each partner shall compute its bonus depre-
17 ciation amount under clause (i) of subpara-
18 graph (B) by taking into account its dis-
19 tributive share of the amounts determined
20 by the partnership under subclauses (I) and
21 (II) of such clause for the taxable year of
22 the partnership ending with or within the
23 taxable year of the partner.”.

24 (4) SPECIAL RULES FOR CERTAIN PLANTS BEAR-
25 ING FRUITS AND NUTS.—Section 168(k) is amended—

1 (A) by striking paragraph (5), and

2 (B) by inserting after paragraph (4) the fol-
3 lowing new paragraph:

4 “(5) *SPECIAL RULES FOR CERTAIN PLANTS*
5 *BEARING FRUITS AND NUTS.*—

6 “(A) *IN GENERAL.*—*In the case of any spec-*
7 *ified plant which is planted before January 1,*
8 *2020, or is grafted before such date to a plant*
9 *that has already been planted, by the taxpayer*
10 *in the ordinary course of the taxpayer’s farming*
11 *business (as defined in section 263A(e)(4)) dur-*
12 *ing a taxable year for which the taxpayer has*
13 *elected the application of this paragraph—*

14 “(i) *a depreciation deduction equal to*
15 *50 percent of the adjusted basis of such*
16 *specified plant shall be allowed under sec-*
17 *tion 167(a) for the taxable year in which*
18 *such specified plant is so planted or grafted,*
19 *and*

20 “(ii) *the adjusted basis of such speci-*
21 *fied plant shall be reduced by the amount of*
22 *such deduction.*

23 “(B) *SPECIFIED PLANT.*—*For purposes of*
24 *this paragraph, the term ‘specified plant’*
25 *means—*

1 “(i) any tree or vine which bears fruits
2 or nuts, and

3 “(ii) any other plant which will have
4 more than one yield of fruits or nuts and
5 which generally has a pre-productive period
6 of more than 2 years from the time of
7 planting or grafting to the time at which
8 such plant begins bearing fruits or nuts.

9 Such term shall not include any property which
10 is planted or grafted outside of the United
11 States.

12 “(C) ELECTION REVOCABLE ONLY WITH
13 CONSENT.—An election under this paragraph
14 may be revoked only with the consent of the Sec-
15 retary.

16 “(D) ADDITIONAL DEPRECIATION MAY BE
17 CLAIMED ONLY ONCE.—If this paragraph applies
18 to any specified plant, such specified plant shall
19 not be treated as qualified property in the tax-
20 able year in which placed in service.

21 “(E) DEDUCTION ALLOWED IN COMPUTING
22 MINIMUM TAX.—Rules similar to the rules of
23 paragraph (2)(G) shall apply for purposes of
24 this paragraph.

1 “(F) *PHASE DOWN*.—*In the case of a speci-*
2 *fied plant which is planted after December 31,*
3 *2017 (or is grafted to a plant that has already*
4 *been planted before such date), subparagraph*
5 *(A)(i) shall be applied by substituting for ‘50*
6 *percent’—*

7 “(i) *in the case of a plant which is*
8 *planted (or so grafted) in 2018, ‘40 percent’,*
9 *and*

10 “(ii) *in the case of a plant which is*
11 *planted (or so grafted) during 2019, ‘30*
12 *percent’.*”.

13 (5) *PHASE DOWN OF BONUS DEPRECIATION*.—
14 *Section 168(k) is amended by adding at the end the*
15 *following new paragraph:*

16 “(6) *PHASE DOWN*.—*In the case of qualified*
17 *property placed in service by the taxpayer after De-*
18 *cember 31, 2017, paragraph (1)(A) shall be applied*
19 *by substituting for ‘50 percent’—*

20 “(A) *in the case of property placed in serv-*
21 *ice in 2018 (or in the case of property placed in*
22 *service in 2019 and described in paragraph*
23 *(2)(B) or (C) (determined by substituting ‘2019’*
24 *for ‘2020’ in paragraphs (2)(B)(i)(III) and (ii)*
25 *and paragraph (2)(E)(i)), ‘40 percent’,*

1 “(B) in the case of property placed in serv-
2 ice in 2019 (or in the case of property placed in
3 service in 2020 and described in paragraph
4 (2)(B) or (C), ‘30 percent’.”.

5 (6) *CONFORMING AMENDMENTS.*—

6 (A) *Section 168(e)(6) is amended—*

7 (i) *by redesignating subparagraphs (A)*
8 *and (B) as subparagraphs (D) and (E), re-*
9 *spectively,*

10 (ii) *by striking all that precedes sub-*
11 *paragraph (D) (as so redesignated) and in-*
12 *serting the following:*

13 “(6) *QUALIFIED LEASEHOLD IMPROVEMENT*
14 *PROPERTY.—For purposes of this subsection—*

15 “(A) *IN GENERAL.—The term ‘qualified*
16 *leasehold improvement property’ means any im-*
17 *provement to an interior portion of a building*
18 *which is nonresidential real property if—*

19 “(i) *such improvement is made under*
20 *or pursuant to a lease (as defined in sub-*
21 *section (h)(7))—*

22 “(I) *by the lessee (or any subles-*
23 *see) of such portion, or*

24 “(II) *by the lessor of such portion,*

1 “(ii) such portion is to be occupied ex-
2 clusively by the lessee (or any sublessee) of
3 such portion, and

4 “(iii) such improvement is placed in
5 service more than 3 years after the date the
6 building was first placed in service.

7 “(B) CERTAIN IMPROVEMENTS NOT IN-
8 CLUDED.—Such term shall not include any im-
9 provement for which the expenditure is attrib-
10 utable to—

11 “(i) the enlargement of the building,

12 “(ii) any elevator or escalator,

13 “(iii) any structural component bene-
14 fitting a common area, or

15 “(iv) the internal structural framework
16 of the building.

17 “(C) DEFINITIONS AND SPECIAL RULES.—

18 For purposes of this paragraph—

19 “(i) COMMITMENT TO LEASE TREATED
20 AS LEASE.—A commitment to enter into a
21 lease shall be treated as a lease, and the
22 parties to such commitment shall be treated
23 as lessor and lessee, respectively.

24 “(ii) RELATED PERSONS.—A lease be-
25 tween related persons shall not be considered

1 *a lease. For purposes of the preceding sen-*
2 *tence, the term ‘related persons’ means—*

3 *“(I) members of an affiliated*
4 *group (as defined in section 1504), and*

5 *“(II) persons having a relation-*
6 *ship described in subsection (b) of sec-*
7 *tion 267; except that, for purposes of*
8 *this clause, the phrase ‘80 percent or*
9 *more’ shall be substituted for the*
10 *phrase ‘more than 50 percent’ each*
11 *place it appears in such subsection.”,*
12 *and*

13 *(iii) by striking “subparagraph (A)”*
14 *in subparagraph (E) (as so redesignated)*
15 *and inserting “subparagraph (D)”.*

16 *(B) Section 168(e)(7)(B) is amended by*
17 *striking “qualified leasehold improvement prop-*
18 *erty” and inserting “qualified improvement*
19 *property”.*

20 *(C) Section 168(e)(8) is amended by strik-*
21 *ing subparagraph (D).*

22 *(D) Section 168(k), as amended by the pre-*
23 *ceding provisions of this section, is amended by*
24 *adding at the end the following new paragraph:*

1 “(7) *ELECTION OUT.*—If a taxpayer makes an
2 election under this paragraph with respect to any
3 class of property for any taxable year, paragraphs (1)
4 and (2)(F) shall not apply to any qualified property
5 in such class placed in service during such taxable
6 year. An election under this paragraph may be re-
7 voked only with the consent of the Secretary.”.

8 (E) Section 168(l)(3) is amended—

9 (i) by striking “section 168(k)” in sub-
10 paragraph (A) and inserting “subsection
11 (k)”, and

12 (ii) by striking “section
13 168(k)(2)(D)(i)” in subparagraph (B) and
14 inserting “subsection (k)(2)(D)”.

15 (F) Section 168(l)(4) is amended by strik-
16 ing “subparagraph (E) of section 168(k)(2)” and
17 all that follows and inserting “subsection
18 (k)(2)(E) shall apply.”.

19 (G) Section 168(l)(5) is amended by strik-
20 ing “section 168(k)(2)(G)” and inserting “sub-
21 section (k)(2)(G)”.

22 (H) Section 263A(c) is amended by adding
23 at the end the following new paragraph:

24 “(7) *COORDINATION WITH SECTION 168(k)(5).*—
25 This section shall not apply to any amount allowed

1 *as a deduction by reason of section 168(k)(5) (relat-*
2 *ing to special rules for certain plants bearing fruits*
3 *and nuts).”.*

4 *(I) Section 460(c)(6)(B)(ii), as amended by*
5 *subsection (a), is amended to read as follows:*

6 *“(ii) is placed in service before Janu-*
7 *ary 1, 2020 (January 1, 2021 in the case*
8 *of property described in section*
9 *168(k)(2)(B)).”.*

10 *(J) Section 168(k), as amended by sub-*
11 *section (a), is amended by striking “AND BE-*
12 *FORE JANUARY 1, 2016” in the heading thereof*
13 *and inserting “AND BEFORE JANUARY 1, 2020”.*

14 *(7) EFFECTIVE DATES.—*

15 *(A) IN GENERAL.—Except as otherwise pro-*
16 *vided in this paragraph, the amendments made*
17 *by this subsection shall apply to property placed*
18 *in service after December 31, 2015, in taxable*
19 *years ending after such date.*

20 *(B) EXPANSION OF ELECTION TO ACCEL-*
21 *ERATE AMT CREDITS IN LIEU OF BONUS DEPRE-*
22 *CIATION.—The amendments made by paragraph*
23 *(3) shall apply to taxable years ending after De-*
24 *cember 31, 2015, except that in the case of any*
25 *taxable year beginning before January 1, 2016,*

1 *and ending after December 31, 2015, the limita-*
2 *tion under section 168(k)(4)(B)(ii) of the Inter-*
3 *nal Revenue Code of 1986 (as amended by this*
4 *section) shall be the sum of—*

5 *(i) the product of—*

6 *(I) the maximum increase amount*
7 *(within the meaning of section*
8 *168(k)(4)(C)(iii) of such Code, as in ef-*
9 *fect before the amendments made by*
10 *this subsection), multiplied by*

11 *(II) a fraction the numerator of*
12 *which is the number of days in the tax-*
13 *able year before January 1, 2016, and*
14 *the denominator of which is the num-*
15 *ber of days in the taxable year, plus*

16 *(ii) the product of—*

17 *(I) such limitation (determined*
18 *without regard to this subparagraph),*
19 *multiplied by*

20 *(II) a fraction the numerator of*
21 *which is the number of days in the tax-*
22 *able year after December 31, 2015, and*
23 *the denominator of which is the num-*
24 *ber of days in the taxable year.*

1 (C) *SPECIAL RULES FOR CERTAIN PLANTS*
2 *BEARING FRUITS AND NUTS.*—*The amendments*
3 *made by paragraph (4) (other than subpara-*
4 *graph (A) thereof) shall apply to specified plants*
5 *(as defined in section 168(k)(5)(B) of the Inter-*
6 *nal Revenue Code of 1986, as amended by this*
7 *subsection) planted or grafted after December 31,*
8 *2015.*

9 **SEC. 144. EXTENSION OF LOOK-THRU TREATMENT OF PAY-**
10 **MENTS BETWEEN RELATED CONTROLLED**
11 **FOREIGN CORPORATIONS UNDER FOREIGN**
12 **PERSONAL HOLDING COMPANY RULES.**

13 (a) *IN GENERAL.*—*Section 954(c)(6)(C) is amended by*
14 *striking “January 1, 2015” and inserting “January 1,*
15 *2020”.*

16 (b) *EFFECTIVE DATE.*—*The amendment made by this*
17 *section shall apply to taxable years of foreign corporations*
18 *beginning after December 31, 2014, and to taxable years*
19 *of United States shareholders with or within which such*
20 *taxable years of foreign corporations end.*

1 **SEC. 152. EXTENSION OF MORTGAGE INSURANCE PRE-**
2 **MIUMS TREATED AS QUALIFIED RESIDENCE**
3 **INTEREST.**

4 (a) *IN GENERAL.*—Subclause (I) of section
5 163(h)(3)(E)(iv) is amended by striking “December 31,
6 2014” and inserting “December 31, 2016”.

7 (b) *EFFECTIVE DATE.*—The amendment made by this
8 section shall apply to amounts paid or accrued after Decem-
9 ber 31, 2014.

10 **SEC. 153. EXTENSION OF ABOVE-THE-LINE DEDUCTION FOR**
11 **QUALIFIED TUITION AND RELATED EX-**
12 **PENSES.**

13 (a) *IN GENERAL.*—Section 222(e) is amended by strik-
14 ing “December 31, 2014” and inserting “December 31,
15 2016”.

16 (b) *EFFECTIVE DATE.*—The amendment made by this
17 section shall apply to taxable years beginning after Decem-
18 ber 31, 2014.

19 **PART 2—INCENTIVES FOR GROWTH, JOBS,**
20 **INVESTMENT, AND INNOVATION**

21 **SEC. 161. EXTENSION OF INDIAN EMPLOYMENT TAX CRED-**
22 **IT.**

23 (a) *IN GENERAL.*—Section 45A(f) is amended by strik-
24 ing “December 31, 2014” and inserting “December 31,
25 2016”.

1 (b) *EFFECTIVE DATE.*—*The amendment made by this*
2 *section shall apply to taxable years beginning after Decem-*
3 *ber 31, 2014.*

4 **SEC. 162. EXTENSION AND MODIFICATION OF RAILROAD**
5 **TRACK MAINTENANCE CREDIT.**

6 (a) *EXTENSION.*—*Section 45G(f) is amended by strik-*
7 *ing “January 1, 2015” and inserting “January 1, 2017”.*

8 (b) *MODIFICATION.*—*Section 45G(d) is amended by*
9 *striking “January 1, 2005,” and inserting “January 1,*
10 *2015.”.*

11 (c) *EFFECTIVE DATES.*—

12 (1) *EXTENSION.*—*The amendment made by sub-*
13 *section (a) shall apply to expenditures paid or in-*
14 *curring in taxable years beginning after December 31,*
15 *2014.*

16 (2) *MODIFICATION.*—*The amendment made by*
17 *subsection (b) shall apply to expenditures paid or in-*
18 *curring in taxable years beginning after December 31,*
19 *2015.*

20 **SEC. 163. EXTENSION OF MINE RESCUE TEAM TRAINING**
21 **CREDIT.**

22 (a) *IN GENERAL.*—*Section 45N(e) is amended by*
23 *striking “December 31, 2014” and inserting “December 31,*
24 *2016”.*

1 (b) *EFFECTIVE DATE.*—*The amendment made by this*
2 *section shall apply to taxable years beginning after Decem-*
3 *ber 31, 2014.*

4 **SEC. 164. EXTENSION OF QUALIFIED ZONE ACADEMY**
5 **BONDS.**

6 (a) *EXTENSION.*—*Section 54E(c)(1) is amended by*
7 *striking “and 2014” and inserting “2014, 2015, and 2016”.*

8 (b) *EFFECTIVE DATE.*—*The amendment made by this*
9 *section shall apply to obligations issued after December 31,*
10 *2014.*

11 **SEC. 165. EXTENSION OF CLASSIFICATION OF CERTAIN**
12 **RACE HORSES AS 3-YEAR PROPERTY.**

13 (a) *IN GENERAL.*—*Section 168(e)(3)(A)(i) is amend-*
14 *ed—*

15 (1) *by striking “January 1, 2015” in subclause*
16 *(I) and inserting “January 1, 2017”, and*

17 (2) *by striking “December 31, 2014” in sub-*
18 *clause (II) and inserting “December 31, 2016”.*

19 (b) *EFFECTIVE DATE.*—*The amendments made by this*
20 *section shall apply to property placed in service after De-*
21 *cember 31, 2014.*

1 **SEC. 166. EXTENSION OF 7-YEAR RECOVERY PERIOD FOR**
2 **MOTORSPORTS ENTERTAINMENT COM-**
3 **PLEXES.**

4 (a) *IN GENERAL.*—Section 168(i)(15)(D) is amended
5 by striking “December 31, 2014” and inserting “December
6 31, 2016”.

7 (b) *EFFECTIVE DATE.*—The amendment made by this
8 section shall apply to property placed in service after De-
9 cember 31, 2014.

10 **SEC. 167. EXTENSION AND MODIFICATION OF ACCELER-**
11 **ATED DEPRECIATION FOR BUSINESS PROP-**
12 **ERTY ON AN INDIAN RESERVATION.**

13 (a) *IN GENERAL.*—Section 168(j)(8) is amended by
14 striking “December 31, 2014” and inserting “December 31,
15 2016”.

16 (b) *ELECTION TO HAVE SPECIAL RULES NOT*
17 *APPLY.*—Section 168(j) is amended by redesignating para-
18 graph (8), as amended by subsection (a), as paragraph (9),
19 and by inserting after paragraph (7) the following new
20 paragraph:

21 “(8) *ELECTION OUT.*—If a taxpayer makes an
22 election under this paragraph with respect to any
23 class of property for any taxable year, this subsection
24 shall not apply to all property in such class placed
25 in service during such taxable year. Such election,
26 once made, shall be irrevocable.”.

1 (c) *EFFECTIVE DATES.*—

2 (1) *EXTENSION.*—*The amendment made by sub-*
3 *section (a) shall apply to property placed in service*
4 *after December 31, 2014.*

5 (2) *MODIFICATION.*—*The amendments made by*
6 *subsection (b) shall apply to taxable years beginning*
7 *after December 31, 2015.*

8 **SEC. 168. EXTENSION OF ELECTION TO EXPENSE MINE**
9 **SAFETY EQUIPMENT.**

10 (a) *IN GENERAL.*—*Section 179E(g) is amended by*
11 *striking “December 31, 2014” and inserting “December 31,*
12 *2016”.*

13 (b) *EFFECTIVE DATE.*—*The amendment made by this*
14 *section shall apply to property placed in service after De-*
15 *cember 31, 2014.*

16 **SEC. 169. EXTENSION OF SPECIAL EXPENSING RULES FOR**
17 **CERTAIN FILM AND TELEVISION PRODUC-**
18 **TIONS; SPECIAL EXPENSING FOR LIVE THEAT-**
19 **RICAL PRODUCTIONS.**

20 (a) *IN GENERAL.*—*Section 181(f) is amended by strik-*
21 *ing “December 31, 2014” and inserting “December 31,*
22 *2016”.*

23 (b) *APPLICATION TO LIVE PRODUCTIONS.*—

24 (1) *IN GENERAL.*—*Paragraph (1) of section*
25 *181(a) is amended by inserting “, and any qualified*

1 *live theatrical production,” after “any qualified film*
2 *or television production”.*

3 (2) *CONFORMING AMENDMENTS.—Section 181 is*
4 *amended—*

5 (A) *by inserting “or any qualified live the-*
6 *atrical production” after “qualified film or tele-*
7 *vision production” each place it appears in sub-*
8 *sections (a)(2), (b), and (c)(1),*

9 (B) *by inserting “or qualified live theatrical*
10 *productions” after “qualified film or television*
11 *productions” in subsection (f), and*

12 (C) *by inserting “**AND LIVE THEAT-***
13 ***RICAL**” after “**FILM AND TELEVISION**” in the*
14 *heading.*

15 (3) *CLERICAL AMENDMENT.—The item relating*
16 *to section 181 in the table of sections for part VI of*
17 *subchapter B of chapter 1 is amended to read as fol-*
18 *lows:*

“Sec. 181. Treatment of certain qualified film and television and live theatrical productions.”.

19 (c) *QUALIFIED LIVE THEATRICAL PRODUCTION.—Sec-*
20 *tion 181 is amended—*

21 (1) *by redesignating subsections (e) and (f), as*
22 *amended by subsections (a) and (b), as subsections (f)*
23 *and (g), respectively, and*

1 (2) by inserting after subsection (d) the following
2 new subsection:

3 “(e) *QUALIFIED LIVE THEATRICAL PRODUCTION.*—

4 *For purposes of this section—*

5 “(1) *IN GENERAL.*—*The term ‘qualified live the-*
6 *atrical production’ means any production described*
7 *in paragraph (2) if 75 percent of the total compensa-*
8 *tion of the production is qualified compensation (as*
9 *defined in subsection (d)(3)).*

10 “(2) *PRODUCTION.*—

11 “(A) *IN GENERAL.*—*A production is de-*
12 *scribed in this paragraph if such production is*
13 *a live staged production of a play (with or with-*
14 *out music) which is derived from a written book*
15 *or script and is produced or presented by a tax-*
16 *able entity in any venue which has an audience*
17 *capacity of not more than 3,000 or a series of*
18 *venues the majority of which have an audience*
19 *capacity of not more than 3,000.*

20 “(B) *TOURING COMPANIES, ETC.*—*In the*
21 *case of multiple live staged productions—*

22 “(i) *for which the election under this*
23 *section would be allowable to the same tax-*
24 *payer, and*

25 “(ii) *which are—*

1 “(I) *separate phases of a produc-*
2 *tion, or*

3 “(II) *separate simultaneous stag-*
4 *ings of the same production in dif-*
5 *ferent geographical locations (not in-*
6 *cluding multiple performance locations*
7 *of any one touring production),*

8 *each such live staged production shall be treated*
9 *as a separate production.*

10 “(C) *PHASE.—For purposes of subpara-*
11 *graph (B), the term ‘phase’ with respect to any*
12 *qualified live theatrical production refers to each*
13 *of the following, but only if each of the following*
14 *is treated by the taxpayer as a separate activity*
15 *for all purposes of this title:*

16 “(i) *The initial staging of a live theat-*
17 *rical production.*

18 “(ii) *Subsequent additional stagings or*
19 *touring of such production which are pro-*
20 *duced by the same producer as the initial*
21 *staging.*

22 “(D) *SEASONAL PRODUCTIONS.—*

23 “(i) *IN GENERAL.—In the case of a live*
24 *staged production not described in subpara-*
25 *graph (B) which is produced or presented*

1 by a taxable entity for not more than 10
2 weeks of the taxable year, subparagraph (A)
3 shall be applied by substituting ‘6,500’ for
4 ‘3,000’.

5 “(ii) *SHORT TAXABLE YEARS.*—For
6 purposes of clause (i), in the case of any
7 taxable year of less than 12 months, the
8 number of weeks for which a production is
9 produced or presented shall be annualized
10 by multiplying the number of weeks the pro-
11 duction is produced or presented during
12 such taxable year by 12 and dividing the
13 result by the number of months in such tax-
14 able year.

15 “(E) *EXCEPTION.*—A production is not de-
16 scribed in this paragraph if such production in-
17 cludes or consists of any performance of conduct
18 described in section 2257(h)(1) of title 18,
19 United States Code.”.

20 (d) *EFFECTIVE DATE.*—

21 (1) *EXTENSION.*—The amendment made by sub-
22 section (a) shall apply to productions commencing
23 after December 31, 2014.

24 (2) *MODIFICATIONS.*—

1 (A) *IN GENERAL.*—*The amendments made*
2 *by subsections (b) and (c) shall apply to produc-*
3 *tions commencing after December 31, 2015.*

4 (B) *COMMENCEMENT.*—*For purposes of sub-*
5 *paragraph (A), the date on which a qualified*
6 *live theatrical production commences is the date*
7 *of the first public performance of such produc-*
8 *tion for a paying audience.*

9 **SEC. 170. EXTENSION OF DEDUCTION ALLOWABLE WITH RE-**
10 **SPECT TO INCOME ATTRIBUTABLE TO DO-**
11 **MESTIC PRODUCTION ACTIVITIES IN PUERTO**
12 **RICO.**

13 (a) *IN GENERAL.*—*Section 199(d)(8)(C) is amended—*

14 (1) *by striking “first 9 taxable years” and in-*
15 *serting “first 11 taxable years”, and*

16 (2) *by striking “January 1, 2015” and inserting*
17 *“January 1, 2017”.*

18 (b) *EFFECTIVE DATE.*—*The amendments made by this*
19 *section shall apply to taxable years beginning after Decem-*
20 *ber 31, 2014.*

21 **SEC. 171. EXTENSION AND MODIFICATION OF EMPOWER-**
22 **MENT ZONE TAX INCENTIVES.**

23 (a) *IN GENERAL.*—

1 (1) *EXTENSION.*—Section 1391(d)(1)(A)(i) is
2 amended by striking “December 31, 2014” and insert-
3 ing “December 31, 2016”.

4 (2) *TREATMENT OF CERTAIN TERMINATION*
5 *DATES SPECIFIED IN NOMINATIONS.*—In the case of a
6 designation of an empowerment zone the nomination
7 for which included a termination date which is con-
8 temporaneous with the date specified in subparagraph
9 (A)(i) of section 1391(d)(1) of the Internal Revenue
10 Code of 1986 (as in effect before the enactment of this
11 Act), subparagraph (B) of such section shall not
12 apply with respect to such designation if, after the
13 date of the enactment of this section, the entity which
14 made such nomination amends the nomination to
15 provide for a new termination date in such manner
16 as the Secretary of the Treasury (or the Secretary’s
17 designee) may provide.

18 (b) *MODIFICATION.*—Section 1394(b)(3)(B)(i) is
19 amended—

20 (1) by striking “References” and inserting the
21 following:

22 “(I) *IN GENERAL.*—Except as pro-
23 vided in subclause (II), references”,
24 and

1 (2) *by adding at the end the following new sub-*
2 *clause:*

3 “(II) *SPECIAL RULE FOR EM-*
4 *PLOYEE RESIDENCE TEST.—For pur-*
5 *poses of subsection (b)(6) and (c)(5) of*
6 *section 1397C, an employee shall be*
7 *treated as a resident of an empower-*
8 *ment zone if such employee is a resi-*
9 *dent of an empowerment zone, an en-*
10 *terprise community, or a qualified low-*
11 *income community within an applica-*
12 *ble nominating jurisdiction.”.*

13 (c) *DEFINITIONS.—*

14 (1) *QUALIFIED LOW-INCOME COMMUNITY.—Sec-*
15 *tion 1394(b)(3) is amended by redesignating subpara-*
16 *graphs (C) and (D) as subparagraphs (D) and (E),*
17 *respectively, and by inserting after subparagraph (B)*
18 *the following new subparagraph:*

19 “(C) *QUALIFIED LOW-INCOME COMMU-*
20 *NITY.—For purposes of subparagraph (B)—*

21 “(i) *IN GENERAL.—The term ‘qualified*
22 *low-income community’ means any popu-*
23 *lation census tract if—*

24 “(I) *the poverty rate for such*
25 *tract is at least 20 percent, or*

1 “(II) the median family income
2 for such tract does not exceed 80 per-
3 cent of statewide median family in-
4 come (or, in the case of a tract located
5 within a metropolitan area, metropoli-
6 tan area median family income if
7 greater).

8 Subclause (II) shall be applied using
9 possessionwide median family income in the
10 case of census tracts located within a posses-
11 sion of the United States.

12 “(ii) TARGETED POPULATIONS.—The
13 Secretary shall prescribe regulations under
14 which 1 or more targeted populations (with-
15 in the meaning of section 103(20) of the
16 Riegle Community Development and Regu-
17 latory Improvement Act of 1994) may be
18 treated as qualified low-income commu-
19 nities.

20 “(iii) AREAS NOT WITHIN CENSUS
21 TRACTS.—In the case of an area which is
22 not tracted for population census tracts, the
23 equivalent county divisions (as defined by
24 the Bureau of the Census for purposes of de-
25 fining poverty areas) shall be used for pur-

1 *poses of determining poverty rates and me-*
2 *dian family income.*

3 “(iv) *MODIFICATION OF INCOME RE-*
4 *QUIREMENT FOR CENSUS TRACTS WITHIN*
5 *HIGH MIGRATION RURAL COUNTIES.*—

6 “(I) *IN GENERAL.*—*In the case of*
7 *a population census tract located with-*
8 *in a high migration rural county,*
9 *clause (i)(II) shall be applied to areas*
10 *not located within a metropolitan area*
11 *by substituting ‘85 percent’ for ‘80 per-*
12 *cent’.*

13 “(II) *HIGH MIGRATION RURAL*
14 *COUNTY.*—*For purposes of this clause,*
15 *the term ‘high migration rural county’*
16 *means any county which, during the*
17 *20-year period ending with the year in*
18 *which the most recent census was con-*
19 *ducted, has a net out-migration of in-*
20 *habitants from the county of at least*
21 *10 percent of the population of the*
22 *county at the beginning of such pe-*
23 *riod.”.*

24 (2) *APPLICABLE NOMINATING JURISDICTION.*—

25 *Section 1394(b)(3)(D), as redesignated by paragraph*

1 (1), is amended by adding at the end the following
2 new clause:

3 “(iii) *APPLICABLE NOMINATING JURIS-*
4 *DICTION.—The term ‘applicable nominating*
5 *jurisdiction’ means, with respect to any em-*
6 *powerment zone or enterprise community,*
7 *any local government that nominated such*
8 *community for designation under section*
9 *1391.”.*

10 (d) *CONFORMING AMENDMENTS.—*

11 (1) *Section 1394(b)(3)(B)(iii) is amended by*
12 *striking “or an enterprise community” and inserting*
13 *“, an enterprise community, or a qualified low-in-*
14 *come community within an applicable nominating*
15 *jurisdiction”.*

16 (2) *Section 1394(b)(3)(D), as redesignated by*
17 *subsection (c)(1), is amended by striking “DEFINI-*
18 *TIONS” and inserting “OTHER DEFINITIONS”.*

19 (e) *EFFECTIVE DATES.—*

20 (1) *EXTENSIONS.—The amendment made by sub-*
21 *section (a) shall apply to taxable years beginning*
22 *after December 31, 2014.*

23 (2) *MODIFICATIONS.—The amendments made by*
24 *subsections (b), (c), and (d) shall apply to bonds*
25 *issued after December 31, 2015.*

1 **SEC. 172. EXTENSION OF TEMPORARY INCREASE IN LIMIT**
2 **ON COVER OVER OF RUM EXCISE TAXES TO**
3 **PUERTO RICO AND THE VIRGIN ISLANDS.**

4 (a) *IN GENERAL.*—Section 7652(f)(1) is amended by
5 striking “January 1, 2015” and inserting “January 1,
6 2017”.

7 (b) *EFFECTIVE DATE.*—The amendment made by this
8 section shall apply to distilled spirits brought into the
9 United States after December 31, 2014.

10 **SEC. 173. EXTENSION OF AMERICAN SAMOA ECONOMIC DE-**
11 **VELOPMENT CREDIT.**

12 (a) *IN GENERAL.*—Section 119(d) of division A of the
13 *Tax Relief and Health Care Act of 2006* is amended—

14 (1) by striking “January 1, 2015” each place it
15 appears and inserting “January 1, 2017”,

16 (2) by striking “first 9 taxable years” in para-
17 graph (1) and inserting “first 11 taxable years”, and

18 (3) by striking “first 3 taxable years” in para-
19 graph (2) and inserting “first 5 taxable years”.

20 (b) *EFFECTIVE DATE.*—The amendments made by this
21 section shall apply to taxable years beginning after Decem-
22 ber 31, 2014.

23 **SEC. 174. MORATORIUM ON MEDICAL DEVICE EXCISE TAX.**

24 (a) *IN GENERAL.*—Section 4191 is amended by adding
25 at the end the following new subsection:

1 (b) *EFFECTIVE DATE.*—*The amendment made by this*
2 *section shall apply to property placed in service after De-*
3 *cember 31, 2014.*

4 **SEC. 183. EXTENSION OF CREDIT FOR 2-WHEELED PLUG-IN**
5 **ELECTRIC VEHICLES.**

6 (a) *IN GENERAL.*—*Section 30D(g)(3)(E) is amended*
7 *by striking “acquired” and all that follows and inserting*
8 *the following: “acquired—*

9 *“(i) after December 31, 2011, and be-*
10 *fore January 1, 2014, or*

11 *“(ii) in the case of a vehicle that has*
12 *2 wheels, after December 31, 2014, and be-*
13 *fore January 1, 2017.”.*

14 (b) *EFFECTIVE DATE.*—*The amendments made by this*
15 *section shall apply to vehicles acquired after December 31,*
16 *2014.*

17 **SEC. 184. EXTENSION OF SECOND GENERATION BIOFUEL**
18 **PRODUCER CREDIT.**

19 (a) *IN GENERAL.*—*Section 40(b)(6)(J)(i) is amended*
20 *by striking “January 1, 2015” and inserting “January 1,*
21 *2017”.*

22 (b) *EFFECTIVE DATE.*—*The amendment made by this*
23 *subsection shall apply to qualified second generation biofuel*
24 *production after December 31, 2014.*

1 **SEC. 185. EXTENSION OF BIODIESEL AND RENEWABLE DIE-**
2 **SEL INCENTIVES.**

3 (a) *INCOME TAX CREDIT.*—

4 (1) *IN GENERAL.*—*Subsection (g) of section 40A*
5 *is amended by striking “December 31, 2014” and in-*
6 *serting “December 31, 2016”.*

7 (2) *EFFECTIVE DATE.*—*The amendment made by*
8 *this subsection shall apply to fuel sold or used after*
9 *December 31, 2014.*

10 (b) *EXCISE TAX INCENTIVES.*—

11 (1) *IN GENERAL.*—*Section 6426(c)(6) is amend-*
12 *ed by striking “December 31, 2014” and inserting*
13 *“December 31, 2016”.*

14 (2) *PAYMENTS.*—*Section 6427(e)(6)(B) is*
15 *amended by striking “December 31, 2014” and insert-*
16 *ing “December 31, 2016”.*

17 (3) *EFFECTIVE DATE.*—*The amendments made*
18 *by this subsection shall apply to fuel sold or used*
19 *after December 31, 2014.*

20 (4) *SPECIAL RULE FOR 2015.*—*Notwithstanding*
21 *any other provision of law, in the case of any bio-*
22 *diesel mixture credit properly determined under sec-*
23 *tion 6426(c) of the Internal Revenue Code of 1986 for*
24 *the period beginning on January 1, 2015, and ending*
25 *on December 31, 2015, such credit shall be allowed,*
26 *and any refund or payment attributable to such cred-*

1 *it (including any payment under section 6427(e) of*
2 *such Code) shall be made, only in such manner as the*
3 *Secretary of the Treasury (or the Secretary's delegate)*
4 *shall provide. Such Secretary shall issue guidance*
5 *within 30 days after the date of the enactment of this*
6 *Act providing for a one-time submission of claims*
7 *covering periods described in the preceding sentence.*
8 *Such guidance shall provide for a 180-day period for*
9 *the submission of such claims (in such manner as*
10 *prescribed by such Secretary) to begin not later than*
11 *30 days after such guidance is issued. Such claims*
12 *shall be paid by such Secretary not later than 60*
13 *days after receipt. If such Secretary has not paid*
14 *pursuant to a claim filed under this subsection within*
15 *60 days after the date of the filing of such claim, the*
16 *claim shall be paid with interest from such date de-*
17 *termined by using the overpayment rate and method*
18 *under section 6621 of such Code.*

19 **SEC. 186. EXTENSION AND MODIFICATION OF PRODUCTION**
20 **CREDIT FOR INDIAN COAL FACILITIES.**

21 *(a) IN GENERAL.—Section 45(e)(10)(A) is amended by*
22 *striking “9-year period” each place it appears and insert-*
23 *ing “11-year period”.*

1 **(b) REPEAL OF LIMITATION BASED ON DATE FACILITY**
2 *IS PLACED IN SERVICE.*—Section 45(d)(10) is amended to
3 *read as follows:*

4 “(10) *INDIAN COAL PRODUCTION FACILITY.*—The
5 *term ‘Indian coal production facility’ means a facil-*
6 *ity that produces Indian coal.”.*

7 **(c) TREATMENT OF SALES TO RELATED PARTIES.**—
8 *Section 45(e)(10)(A)(ii)(I) is amended by inserting “(either*
9 *directly by the taxpayer or after sale or transfer to one or*
10 *more related persons)” after “unrelated person”.*

11 **(d) CREDIT ALLOWED AGAINST ALTERNATIVE MIN-**
12 *IMUM TAX.*—

13 **(1) IN GENERAL.**—Section 38(c)(4)(B), as
14 *amended by the preceding provisions of this Act, is*
15 *amended by redesignating clauses (v) through (x) as*
16 *clauses (vi) through (xi), respectively, and by insert-*
17 *ing after clause (iv) the following new clause:*

18 “(v) *the credit determined under sec-*
19 *tion 45 to the extent that such credit is at-*
20 *tributable to section 45(e)(10) (relating to*
21 *Indian coal production facilities),”.*

22 **(2) CONFORMING AMENDMENT.**—Section
23 *45(e)(10) is amended by striking subparagraph (D).*

24 **(e) EFFECTIVE DATES.**—

1 (1) *EXTENSION.*—*The amendments made by sub-*
2 *section (a) shall apply to coal produced after Decem-*
3 *ber 31, 2014.*

4 (2) *MODIFICATIONS.*—*The amendments made by*
5 *subsections (b) and (c) shall apply to coal produced*
6 *and sold after December 31, 2015, in taxable years*
7 *ending after such date.*

8 (3) *CREDIT ALLOWED AGAINST ALTERNATIVE*
9 *MINIMUM TAX.*—*The amendments made by subsection*
10 *(d) shall apply to credits determined for taxable years*
11 *beginning after December 31, 2015.*

12 **SEC. 187. EXTENSION OF CREDITS WITH RESPECT TO FA-**
13 **CILITIES PRODUCING ENERGY FROM CER-**
14 **TAIN RENEWABLE RESOURCES.**

15 (a) *IN GENERAL.*—*The following provisions of section*
16 *45(d) are each amended by striking “January 1, 2015”*
17 *each place it appears and inserting “January 1, 2017”:*

18 (1) *Paragraph (2)(A).*

19 (2) *Paragraph (3)(A).*

20 (3) *Paragraph (4)(B).*

21 (4) *Paragraph (6).*

22 (5) *Paragraph (7).*

23 (6) *Paragraph (9).*

24 (7) *Paragraph (11)(B).*

1 (b) *EXTENSION OF ELECTION TO TREAT QUALIFIED*
2 *FACILITIES AS ENERGY PROPERTY.*—Section
3 48(a)(5)(C)(ii) is amended by striking “January 1, 2015”
4 and inserting “January 1, 2017”.

5 (c) *EFFECTIVE DATES.*—The amendments made by
6 this section shall take effect on January 1, 2015.

7 **SEC. 188. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT**
8 **NEW HOMES.**

9 (a) *IN GENERAL.*—Section 45L(g) is amended by
10 striking “December 31, 2014” and inserting “December 31,
11 2016”.

12 (b) *EFFECTIVE DATE.*—The amendment made by this
13 section shall apply to homes acquired after December 31,
14 2014.

15 **SEC. 189. EXTENSION OF SPECIAL ALLOWANCE FOR SEC-**
16 **OND GENERATION BIOFUEL PLANT PROP-**
17 **ERTY.**

18 (a) *IN GENERAL.*—Section 168(l)(2)(D) is amended by
19 striking “January 1, 2015” and inserting “January 1,
20 2017”.

21 (b) *EFFECTIVE DATE.*—The amendment made by this
22 section shall apply to property placed in service after De-
23 cember 31, 2014.

1 **SEC. 190. EXTENSION OF ENERGY EFFICIENT COMMERCIAL**
2 **BUILDINGS DEDUCTION.**

3 (a) *IN GENERAL.*—Section 179D(h) is amended by
4 striking “December 31, 2014” and inserting “December 31,
5 2016”.

6 (b) *EFFECTIVE DATE.*—The amendment made by sub-
7 section (a) shall apply to property placed in service after
8 December 31, 2014.

9 **SEC. 191. EXTENSION OF SPECIAL RULE FOR SALES OR DIS-**
10 **POSITIONS TO IMPLEMENT FERC OR STATE**
11 **ELECTRIC RESTRUCTURING POLICY FOR**
12 **QUALIFIED ELECTRIC UTILITIES.**

13 (a) *IN GENERAL.*—Section 451(i)(3) is amended by
14 striking “January 1, 2015” and inserting “January 1,
15 2017”.

16 (b) *EFFECTIVE DATE.*—The amendment made by this
17 section shall apply to dispositions after December 31, 2014.

18 **SEC. 192. EXTENSION OF EXCISE TAX CREDITS RELATING**
19 **TO ALTERNATIVE FUELS.**

20 (a) *EXTENSION OF ALTERNATIVE FUELS EXCISE TAX*
21 *CREDITS.*—

22 (1) *IN GENERAL.*—Sections 6426(d)(5) and
23 6426(e)(3) are each amended by striking “December
24 31, 2014” and inserting “December 31, 2016”.

25 (2) *OUTLAY PAYMENTS FOR ALTERNATIVE*
26 *FUELS.*—Section 6427(e)(6)(C) is amended by strik-

1 *ing “December 31, 2014” and inserting “December*
2 *31, 2016”.*

3 *(b) EFFECTIVE DATE.—The amendments made by this*
4 *section shall apply to fuel sold or used after December 31,*
5 *2014.*

6 *(c) SPECIAL RULE FOR 2015.—Notwithstanding any*
7 *other provision of law, in the case of any alternative fuel*
8 *credit properly determined under section 6426(d) of the In-*
9 *ternal Revenue Code of 1986 for the period beginning on*
10 *January 1, 2015, and ending on December 31, 2015, such*
11 *credit shall be allowed, and any refund or payment attrib-*
12 *utable to such credit (including any payment under section*
13 *6427(e) of such Code) shall be made, only in such manner*
14 *as the Secretary of the Treasury (or the Secretary’s dele-*
15 *gate) shall provide. Such Secretary shall issue guidance*
16 *within 30 days after the date of the enactment of this Act*
17 *providing for a one-time submission of claims covering pe-*
18 *riods described in the preceding sentence. Such guidance*
19 *shall provide for a 180-day period for the submission of*
20 *such claims (in such manner as prescribed by such Sec-*
21 *retary) to begin not later than 30 days after such guidance*
22 *is issued. Such claims shall be paid by such Secretary not*
23 *later than 60 days after receipt. If such Secretary has not*
24 *paid pursuant to a claim filed under this subsection within*
25 *60 days after the date of the filing of such claim, the claim*

1 *shall be paid with interest from such date determined by*
2 *using the overpayment rate and method under section 6621*
3 *of such Code.*

4 **SEC. 193. EXTENSION OF CREDIT FOR NEW QUALIFIED**
5 **FUEL CELL MOTOR VEHICLES.**

6 (a) *IN GENERAL.*—Section 30B(k)(1) is amended by
7 striking “December 31, 2014” and inserting “December 31,
8 2016”.

9 (b) *EFFECTIVE DATE.*—The amendment made by this
10 section shall apply to property purchased after December
11 31, 2014.

12 **TITLE II—PROGRAM INTEGRITY**

13 **SEC. 201. MODIFICATION OF FILING DATES OF RETURNS**
14 **AND STATEMENTS RELATING TO EMPLOYEE**
15 **WAGE INFORMATION AND NONEMPLOYEE**
16 **COMPENSATION TO IMPROVE COMPLIANCE.**

17 (a) *IN GENERAL.*—Section 6071 is amended by redес-
18 ignating subsection (c) as subsection (d), and by inserting
19 after subsection (b) the following new subsection:

20 “(c) *RETURNS AND STATEMENTS RELATING TO EM-*
21 *PLOYEE WAGE INFORMATION AND NONEMPLOYEE COM-*
22 *PENSATION.*—Forms W-2 and W-3 and any returns or
23 statements required by the Secretary to report nonemployee
24 compensation shall be filed on or before January 31 of the

1 *year following the calendar year to which such returns re-*
2 *late.”.*

3 *(b) DATE FOR CERTAIN REFUNDS.—Section 6402 is*
4 *amended by adding at the end the following new subsection:*

5 *“(m) EARLIEST DATE FOR CERTAIN REFUNDS.—No*
6 *credit or refund of an overpayment for a taxable year shall*
7 *be made to a taxpayer before the 15th day of the second*
8 *month following the close of such taxable year if a credit*
9 *is allowed to such taxpayer under section 24 (by reason of*
10 *subsection (d) thereof) or 32 for such taxable year.”.*

11 *(c) CONFORMING AMENDMENT.—Section 6071(b) is*
12 *amended by striking “subparts B and C of part III of this*
13 *subchapter” and inserting “subpart B of part III of this*
14 *subchapter (other than returns and statements required to*
15 *be filed with respect to nonemployee compensation)”.*

16 *(d) EFFECTIVE DATES.—*

17 *(1) IN GENERAL.—Except as provided in para-*
18 *graph (2), the amendments made by this section shall*
19 *apply to returns and statements relating to calendar*
20 *years beginning after the date of the enactment of this*
21 *Act.*

22 *(2) DATE FOR CERTAIN REFUNDS.—The amend-*
23 *ment made by subsection (b) shall apply to credits or*
24 *refunds made after December 31, 2016.*

1 **SEC. 202. SAFE HARBOR FOR DE MINIMIS ERRORS ON IN-**
2 **FORMATION RETURNS AND PAYEE STATE-**
3 **MENTS.**

4 *(a) IN GENERAL.—Section 6721(c) is amended by add-*
5 *ing at the end the following new paragraph:*

6 *“(3) SAFE HARBOR FOR CERTAIN DE MINIMIS*
7 *ERRORS.—*

8 *“(A) IN GENERAL.—If, with respect to an*
9 *information return filed with the Secretary—*

10 *“(i) there are 1 or more failures de-*
11 *scribed in subsection (a)(2)(B) relating to*
12 *an incorrect dollar amount,*

13 *“(ii) no single amount in error differs*
14 *from the correct amount by more than \$100,*
15 *and*

16 *“(iii) no single amount reported for*
17 *tax withheld on any information return dif-*
18 *fers from the correct amount by more than*
19 *\$25,*

20 *then no correction shall be required and, for pur-*
21 *poses of this section, such return shall be treated*
22 *as having been filed with all of the correct re-*
23 *quired information.*

24 *“(B) EXCEPTION.—Subparagraph (A) shall*
25 *not apply with respect to any incorrect dollar*
26 *amount to the extent that such error relates to an*

1 *amount with respect to which an election is*
2 *made under section 6722(c)(3)(B).*

3 “(C) *REGULATORY AUTHORITY.*—*The Sec-*
4 *retary may issue regulations to prevent the abuse*
5 *of the safe harbor under this paragraph, includ-*
6 *ing regulations providing that this paragraph*
7 *shall not apply to the extent necessary to prevent*
8 *any such abuse.”.*

9 **(b) FAILURE TO FURNISH CORRECT PAYEE STATE-**
10 **MENT.**—*Section 6722(c) is amended by adding at the end*
11 *the following new paragraph:*

12 “(3) *SAFE HARBOR FOR CERTAIN DE MINIMIS*
13 *ERRORS.*—

14 “(A) *IN GENERAL.*—*If, with respect to any*
15 *payee statement—*

16 “(i) *there are 1 or more failures de-*
17 *scribed in subsection (a)(2)(B) relating to*
18 *an incorrect dollar amount,*

19 “(ii) *no single amount in error differs*
20 *from the correct amount by more than \$100,*
21 *and*

22 “(iii) *no single amount reported for*
23 *tax withheld on any information return dif-*
24 *fers from the correct amount by more than*
25 *\$25,*

1 *then no correction shall be required and, for pur-*
2 *poses of this section, such statement shall be*
3 *treated as having been filed with all of the cor-*
4 *rect required information.*

5 “(B) *EXCEPTION.*—*Subparagraph (A) shall*
6 *not apply to any payee statement if the person*
7 *to whom such statement is required to be fur-*
8 *nished makes an election (at such time and in*
9 *such manner as the Secretary may prescribe)*
10 *that subparagraph (A) not apply with respect to*
11 *such statement.*

12 “(C) *REGULATORY AUTHORITY.*—*The Sec-*
13 *retary may issue regulations to prevent the abuse*
14 *of the safe harbor under this paragraph, includ-*
15 *ing regulations providing that this paragraph*
16 *shall not apply to the extent necessary to prevent*
17 *any such abuse.”.*

18 (c) *APPLICATION TO BROKER REPORTING OF BASIS.*—
19 *Section 6045(g)(2)(B) is amended by adding at the end the*
20 *following new clause:*

21 “(iii) *TREATMENT OF UNCORRECTED*
22 *DE MINIMIS ERRORS.*—*Except as otherwise*
23 *provided by the Secretary, the customer’s*
24 *adjusted basis shall be determined by treat-*
25 *ing any incorrect dollar amount which is*

1 not required to be corrected by reason of sec-
2 tion 6721(c)(3) or section 6722(c)(3) as the
3 correct amount.”.

4 (d) *CONFORMING AMENDMENTS.*—

5 (1) Section 6721(c) is amended by striking “*EX-*
6 *CEPTION FOR DE MINIMIS FAILURES TO INCLUDE*
7 *ALL REQUIRED INFORMATION*” in the heading and
8 inserting “*EXCEPTIONS FOR CERTAIN DE MINIMIS*
9 *FAILURES*”.

10 (2) Section 6721(c)(1) is amended by striking
11 “*IN GENERAL*” in the heading and inserting “*EXCEP-*
12 *TION FOR DE MINIMIS FAILURE TO INCLUDE ALL RE-*
13 *QUIRED INFORMATION*”.

14 (e) *EFFECTIVE DATE.*—The amendments made by this
15 section shall apply to returns required to be filed, and payee
16 statements required to be provided, after December 31, 2016.

17 **SEC. 203. REQUIREMENTS FOR THE ISSUANCE OF ITINS.**

18 (a) *IN GENERAL.*—Section 6109 is amended by adding
19 at the end the following new subsection:

20 “(i) *SPECIAL RULES RELATING TO THE ISSUANCE OF*
21 *ITINS.*—

22 “(1) *IN GENERAL.*—The Secretary is authorized
23 to issue an individual taxpayer identification number
24 to an individual only if the applicant submits an ap-

1 *plication, using such form as the Secretary may re-*
2 *quire and including the required documentation—*

3 *“(A) in the case of an applicant not de-*
4 *scribed in subparagraph (B)—*

5 *“(i) in person to an employee of the*
6 *Internal Revenue Service or a community-*
7 *based certified acceptance agent approved*
8 *by the Secretary, or*

9 *“(ii) by mail, pursuant to rules pre-*
10 *scribed by the Secretary, or*

11 *“(B) in the case of an applicant who resides*
12 *outside of the United States, by mail or in per-*
13 *son to an employee of the Internal Revenue Serv-*
14 *ice or a designee of the Secretary at a United*
15 *States diplomatic mission or consular post.*

16 *“(2) REQUIRED DOCUMENTATION.—For purposes*
17 *of this subsection—*

18 *“(A) IN GENERAL.—The term ‘required doc-*
19 *umentation’ includes such documentation as the*
20 *Secretary may require that proves the individ-*
21 *ual’s identity, foreign status, and residency.*

22 *“(B) VALIDITY OF DOCUMENTS.—The Sec-*
23 *retary may accept only original documents or*
24 *certified copies meeting the requirements of the*
25 *Secretary.*

1 “(3) *TERM OF ITIN.*—

2 “(A) *IN GENERAL.*—*An individual taxpayer*
3 *identification number issued after December 31,*
4 *2012, shall remain in effect unless the individual*
5 *to whom such number is issued does not file a*
6 *return of tax (or is not included as a dependent*
7 *on the return of tax of another taxpayer) for 3*
8 *consecutive taxable years. In the case of an indi-*
9 *vidual described in the preceding sentence, such*
10 *number shall expire on the last day of such third*
11 *consecutive taxable year.*

12 “(B) *SPECIAL RULE FOR EXISTING ITINS.*—
13 *In the case of an individual with respect to*
14 *whom an individual taxpayer identification*
15 *number was issued before January 1, 2013, such*
16 *number shall remain in effect until the earlier*
17 *of—*

18 “(i) *the applicable date, or*

19 “(ii) *if the individual does not file a*
20 *return of tax (or is not included as a de-*
21 *pendent on the return of tax of another tax-*
22 *payer) for 3 consecutive taxable years, the*
23 *earlier of—*

24 “(I) *the last day of such third*
25 *consecutive taxable year, or*

1 “(II) the last day of the taxable
2 year that includes the date of the en-
3 actment of this subsection.

4 “(C) *APPLICABLE DATE.*—For purposes of
5 subparagraph (B), the term ‘applicable date’
6 means—

7 “(i) January 1, 2017, in the case of an
8 individual taxpayer identification number
9 issued before January 1, 2008,

10 “(ii) January 1, 2018, in the case of
11 an individual taxpayer identification num-
12 ber issued in 2008,

13 “(iii) January 1, 2019, in the case of
14 an individual taxpayer identification num-
15 ber issued in 2009 or 2010, and

16 “(iv) January 1, 2020, in the case of
17 an individual taxpayer identification num-
18 ber issued in 2011 or 2012.

19 “(4) *DISTINGUISHING ITINS ISSUED SOLELY FOR*
20 *PURPOSES OF TREATY BENEFITS.*—The Secretary
21 shall implement a system that ensures that individual
22 taxpayer identification numbers issued solely for pur-
23 poses of claiming tax treaty benefits are used only for
24 such purposes, by distinguishing such numbers from

1 *other individual taxpayer identification numbers*
2 *issued.”.*

3 *(b) AUDIT BY TIGTA.—Not later than 2 years after*
4 *the date of the enactment of this Act, and every 2 years*
5 *thereafter, the Treasury Inspector General for Tax Adminis-*
6 *tration shall conduct an audit of the program of the Inter-*
7 *nal Revenue Service for the issuance of individual taxpayer*
8 *identification numbers pursuant to section 6109(i) of the*
9 *Internal Revenue Code of 1986 (as added by this section)*
10 *and report the results of such audit to the Committee on*
11 *Finance of the Senate and the Committee on the Ways and*
12 *Means of the House of Representatives.*

13 *(c) COMMUNITY-BASED CERTIFIED ACCEPTANCE*
14 *AGENTS.—The Secretary of the Treasury, or the Secretary’s*
15 *delegate, shall maintain a program for training and ap-*
16 *proving community-based certified acceptance agents for*
17 *purposes of section 6109(i)(1)(A)(i) of the Internal Revenue*
18 *Code of 1986 (as added by this section). Persons eligible*
19 *to be acceptance agents under such program include—*

20 *(1) financial institutions (as defined in section*
21 *265(b)(5) of such Code and the regulations there-*
22 *under),*

23 *(2) colleges and universities which are described*
24 *in section 501(c)(3) of such Code and exempt from*
25 *taxation under section 501(a) of such Code,*

1 (3) *Federal agencies (as defined in section*
2 *6402(h) of such Code),*

3 (4) *State and local governments, including agen-*
4 *cies responsible for vital records,*

5 (5) *community-based organizations which are*
6 *described in subsection (c)(3) or (d) of section 501 of*
7 *such Code and exempt from taxation under section*
8 *501(a) of such Code,*

9 (6) *persons that provide assistance to taxpayers*
10 *in the preparation of their tax returns, and*

11 (7) *other persons or categories of persons as au-*
12 *thorized by regulations or other guidance of the Sec-*
13 *retary of the Treasury.*

14 *(d) ITIN STUDY.—*

15 (1) *IN GENERAL.—The Secretary of the Treas-*
16 *ury, or the Secretary's delegate, shall conduct a study*
17 *on the effectiveness of the application process for indi-*
18 *vidual taxpayer identification numbers before the im-*
19 *plementation of the amendments made by this section,*
20 *the effects of the amendments made by this section on*
21 *such application process, the comparative effectiveness*
22 *of an in-person review process for application versus*
23 *other methods of reducing fraud in the ITIN program*
24 *and improper payments to ITIN holders as a result,*

1 *and possible administrative and legislative rec-*
2 *ommendations to improve such process.*

3 (2) *SPECIFIC REQUIREMENTS.—Such study shall*
4 *include an evaluation of the following:*

5 (A) *Possible administrative and legislative*
6 *recommendations to reduce fraud and improper*
7 *payments through the use of individual taxpayer*
8 *identification numbers (hereinafter referred to as*
9 *“ITINs”).*

10 (B) *If data supports an in-person initial*
11 *review of ITIN applications to reduce fraud and*
12 *improper payments, the administrative and leg-*
13 *islative steps needed to implement such an in-*
14 *person initial review of ITIN applications, in*
15 *conjunction with an expansion of the commu-*
16 *nity-based certified acceptance agent program*
17 *under subsection (c), with a goal of transitioning*
18 *to such a program by 2020.*

19 (C) *Strategies for more efficient processing*
20 *of ITIN applications.*

21 (D) *The acceptance agent program as in ex-*
22 *istence on the date of the enactment of this Act*
23 *and ways to expand the geographic availability*
24 *of agents through the community-based certified*
25 *acceptance agent program under subsection (c).*

1 (E) *Strategies for the Internal Revenue*
2 *Service to work with other Federal agencies,*
3 *State and local governments, and other organiza-*
4 *tions and persons described in subsection (c) to*
5 *encourage participation in the community-based*
6 *certified acceptance agent program under sub-*
7 *section (c) to facilitate in-person initial review*
8 *of ITIN applications.*

9 (F) *Typical characteristics (derived from*
10 *Form W-7 and other sources) of mail applica-*
11 *tions for ITINs as compared with typical char-*
12 *acteristics of in-person applications.*

13 (G) *Typical characteristics (derived from 17*
14 *Form W-7 and other sources) of ITIN applica-*
15 *tions before the Internal Revenue Service revised*
16 *its application procedures in 2012 as compared*
17 *with typical characteristics of ITIN applications*
18 *made after such revisions went into effect.*

19 (3) *REPORT.—The Secretary, or the Secretary’s*
20 *delegate, shall submit to the Committee on Finance of*
21 *the Senate and the Committee on Ways and Means of*
22 *the House of Representatives a report detailing the*
23 *study under paragraph (1) and its findings not later*
24 *than 1 year after the date of the enactment of this*
25 *Act.*

1 (4) *ADMINISTRATIVE STEPS.*—*The Secretary of*
2 *the Treasury shall implement any administrative*
3 *steps identified by the report under paragraph (3) not*
4 *later than 180 days after submitting such report.*

5 (e) *MATHEMATICAL OR CLERICAL ERROR AUTHOR-*
6 *ITY.*—*Paragraph (2) of section 6213(g) of the Internal Rev-*
7 *enue Code of 1986 is amended by striking “and” at the*
8 *end of subparagraph (M), by striking the period at the end*
9 *of subparagraph (N) and inserting “, and”, and by insert-*
10 *ing after subparagraph (N) the following new subpara-*
11 *graph:*

12 *“(O) the inclusion on a return of an indi-*
13 *vidual taxpayer identification number issued*
14 *under section 6109(i) which has expired, been re-*
15 *voked by the Secretary, or is otherwise invalid.”.*

16 (f) *EFFECTIVE DATE.*—*The amendments made by this*
17 *section shall apply to applications for individual taxpayer*
18 *identification numbers made after the date of the enactment*
19 *of this Act.*

20 **SEC. 204. PREVENTION OF RETROACTIVE CLAIMS OF**
21 **EARNED INCOME CREDIT AFTER ISSUANCE**
22 **OF SOCIAL SECURITY NUMBER.**

23 (a) *IN GENERAL.*—*Section 32(m) is amended by in-*
24 *serting “on or before the due date for filing the return for*
25 *the taxable year” before the period at the end.*

1 **(b) EFFECTIVE DATE.**—

2 **(1) IN GENERAL.**—*Except as provided in para-*
3 *graph (2), the amendment made by this section shall*
4 *apply to any return of tax, and any amendment or*
5 *supplement to any return of tax, which is filed after*
6 *the date of the enactment of this Act.*

7 **(2) EXCEPTION FOR TIMELY-FILED 2015 RE-**
8 *TURNS.*—*The amendment made by this section shall*
9 *not apply to any return of tax (other than an amend-*
10 *ment or supplement to any return of tax) for any*
11 *taxable year which includes the date of the enactment*
12 *of this Act if such return is filed on or before the due*
13 *date for such return of tax.*

14 **SEC. 205. PREVENTION OF RETROACTIVE CLAIMS OF CHILD**
15 **TAX CREDIT.**

16 **(a) QUALIFYING CHILD IDENTIFICATION REQUIRE-**
17 *MENT.*—*Section 24(e) is amended by inserting “and such*
18 *taxpayer identification number was issued on or before the*
19 *due date for filing such return” before the period at the end.*

20 **(b) TAXPAYER IDENTIFICATION REQUIREMENT.**—*Sec-*
21 *tion 24(e), as amended by subsection (a) is amended—*

22 **(1)** *by striking “IDENTIFICATION REQUIRE-*
23 *MENT.*—*No credit shall be allowed” and inserting the*
24 *following: “IDENTIFICATION REQUIREMENTS.—*

1 “(1) *QUALIFYING CHILD IDENTIFICATION RE-*
2 *QUIREMENT.—No credit shall be allowed*”, and

3 (2) *by adding at the end the following new para-*
4 *graph:*

5 “(2) *TAXPAYER IDENTIFICATION REQUIRE-*
6 *MENT.—No credit shall be allowed under this section*
7 *if the identifying number of the taxpayer was issued*
8 *after the due date for filing the return for the taxable*
9 *year.*”.

10 (c) *EFFECTIVE DATE.—*

11 (1) *IN GENERAL.—The amendments made by*
12 *this section shall apply to any return of tax, and any*
13 *amendment or supplement to any return of tax,*
14 *which is filed after the date of the enactment of this*
15 *Act.*

16 (2) *EXCEPTION FOR TIMELY-FILED 2015 RE-*
17 *TURNS.—The amendments made by this section shall*
18 *not apply to any return of tax (other than an amend-*
19 *ment or supplement to any return of tax) for any*
20 *taxable year which includes the date of the enactment*
21 *of this Act if such return is filed on or before the due*
22 *date for such return of tax.*

23 **SEC. 206. PREVENTION OF RETROACTIVE CLAIMS OF AMER-**
24 **ICAN OPPORTUNITY TAX CREDIT.**

25 (a) *IN GENERAL.—Section 25A(i) is amended—*

1 (1) *by striking paragraph (6), and*
2 (2) *by inserting after paragraph (5) the fol-*
3 *lowing new paragraph:*

4 “(6) *IDENTIFICATION NUMBERS.—*

5 “(A) *STUDENT.—The requirements of sub-*
6 *section (g)(1) shall not be treated as met with re-*
7 *spect to the Hope Scholarship Credit unless the*
8 *individual’s taxpayer identification number was*
9 *issued on or before the due date for filing the re-*
10 *turn of tax for the taxable year.*

11 “(B) *TAXPAYER.—No Hope Scholarship*
12 *Credit shall be allowed under this section if the*
13 *identifying number of the taxpayer was issued*
14 *after the due date for filing the return for the*
15 *taxable year.”.*

16 (b) *EFFECTIVE DATES.—*

17 (1) *IN GENERAL.—Except as provided in para-*
18 *graph (2), the amendment made by subsection (a)(2)*
19 *shall apply to any return of tax, and any amendment*
20 *or supplement to any return of tax, which is filed*
21 *after the date of the enactment of this Act.*

22 (2) *EXCEPTION FOR TIMELY-FILED 2015 RE-*
23 *TURNS.—The amendment made by subsection (a)(2)*
24 *shall not apply to any return of tax (other than an*
25 *amendment or supplement to any return of tax) for*

1 *any taxable year which includes the date of the enact-*
2 *ment of this Act if such return is filed on or before*
3 *the due date for such return of tax.*

4 (3) *REPEAL OF DEADWOOD.*—*The amendment*
5 *made by subsection (a)(1) shall take effect on the date*
6 *of the enactment of this Act.*

7 **SEC. 207. PROCEDURES TO REDUCE IMPROPER CLAIMS.**

8 (a) *DUE DILIGENCE REQUIREMENTS.*—*Section*
9 *6695(g) is amended—*

10 (1) *by striking “section 32” and inserting “sec-*
11 *tion 24, 25A(a)(1), or 32”, and*

12 (2) *in the heading by inserting “CHILD TAX*
13 *CREDIT; AMERICAN OPPORTUNITY TAX CREDIT; AND”*
14 *before “EARNED INCOME CREDIT”.*

15 (b) *RETURN PREPARER DUE DILIGENCE STUDY.*—

16 (1) *IN GENERAL.*—*The Secretary of the Treas-*
17 *ury, or his delegate, shall conduct a study of the effec-*
18 *tiveness of tax return preparer due diligence require-*
19 *ments for claiming the earned income tax credit*
20 *under section 32 of the Internal Revenue Code of*
21 *1986, the child tax credit under section 24 of such*
22 *Code, and the American opportunity tax credit under*
23 *section 25A(i) of such Code.*

24 (2) *REQUIREMENTS.*—*Such study shall include*
25 *an evaluation of the following:*

1 (A) *The effectiveness of the questions cur-*
2 *rently asked as part of the due-diligence require-*
3 *ment with respect to minimizing error and*
4 *fraud.*

5 (B) *Whether all such questions are nec-*
6 *essary and support improved compliance.*

7 (C) *The comparative effectiveness of such*
8 *questions relative to other means of determining*
9 *(i) eligibility for these tax credits and (ii) the*
10 *correct amount of tax credit.*

11 (D) *Whether due diligence of this type*
12 *should apply to other methods of tax filing and*
13 *whether such requirements should vary based on*
14 *the methods to increase effectiveness.*

15 (E) *The effectiveness of the preparer penalty*
16 *under section 6695(g) in enforcing the due dili-*
17 *gence requirements.*

18 (3) *REPORT.—The Secretary, or his delegate,*
19 *shall submit to the Committee on Ways and Means of*
20 *the House of Representatives and the Committee on*
21 *Finance of the Senate a report detailing the study*
22 *and its findings—*

23 (A) *in the case of the portion of the study*
24 *that relates to the earned income tax credit, not*

1 *later than 1 year after the date of enactment of*
2 *this Act, and*

3 *(B) in the case of the portions of the study*
4 *that relate to the child tax credit and the Amer-*
5 *ican opportunity tax credit, not later than 2*
6 *years after the date of the enactment of this Act.*

7 *(c) EFFECTIVE DATE.—The amendment made by this*
8 *section shall apply to taxable years beginning after Decem-*
9 *ber 31, 2015.*

10 **SEC. 208. RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY**
11 **CLAIMED CREDITS IN PRIOR YEAR.**

12 *(a) RESTRICTIONS.—*

13 *(1) CHILD TAX CREDIT.—Section 24 is amended*
14 *by adding at the end the following new subsection:*

15 “*(g) RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY*
16 *CLAIMED CREDIT IN PRIOR YEAR.—*

17 “*(1) TAXPAYERS MAKING PRIOR FRAUDULENT OR*
18 *RECKLESS CLAIMS.—*

19 “*(A) IN GENERAL.—No credit shall be al-*
20 *lowed under this section for any taxable year in*
21 *the disallowance period.*

22 “*(B) DISALLOWANCE PERIOD.—For pur-*
23 *poses of subparagraph (A), the disallowance pe-*
24 *riod is—*

1 “(i) the period of 10 taxable years after
2 the most recent taxable year for which there
3 was a final determination that the tax-
4 payer’s claim of credit under this section
5 was due to fraud, and

6 “(ii) the period of 2 taxable years after
7 the most recent taxable year for which there
8 was a final determination that the tax-
9 payer’s claim of credit under this section
10 was due to reckless or intentional disregard
11 of rules and regulations (but not due to
12 fraud).

13 “(2) *TAXPAYERS MAKING IMPROPER PRIOR*
14 *CLAIMS.*—*In the case of a taxpayer who is denied*
15 *credit under this section for any taxable year as a re-*
16 *sult of the deficiency procedures under subchapter B*
17 *of chapter 63, no credit shall be allowed under this*
18 *section for any subsequent taxable year unless the tax-*
19 *payer provides such information as the Secretary*
20 *may require to demonstrate eligibility for such cred-*
21 *it.”.*

22 “(2) *AMERICAN OPPORTUNITY TAX CREDIT.*—*Sec-*
23 *tion 25A(i), as amended by the preceding provisions*
24 *of this Act, is amended by adding at the end the fol-*
25 *lowing new paragraph:*

1 “(7) *RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED CREDIT IN PRIOR YEAR.*—

2
3 “(A) *TAXPAYERS MAKING PRIOR FRAUDULENT OR RECKLESS CLAIMS.*—

4
5 “(i) *IN GENERAL.*—*No credit shall be allowed under this section for any taxable year in the disallowance period.*

6
7
8 “(ii) *DISALLOWANCE PERIOD.*—*For purposes of clause (i), the disallowance period is—*

9
10
11 “(I) *the period of 10 taxable years after the most recent taxable year for which there was a final determination that the taxpayer’s claim of credit under this section was due to fraud, and*

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13
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16
17 “(II) *the period of 2 taxable years after the most recent taxable year for which there was a final determination that the taxpayer’s claim of credit under this section was due to reckless or intentional disregard of rules and regulations (but not due to fraud).*

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24 “(B) *TAXPAYERS MAKING IMPROPER PRIOR CLAIMS.*—*In the case of a taxpayer who is de-*

25

1 *nied credit under this section for any taxable*
2 *year as a result of the deficiency procedures*
3 *under subchapter B of chapter 63, no credit shall*
4 *be allowed under this section for any subsequent*
5 *taxable year unless the taxpayer provides such*
6 *information as the Secretary may require to*
7 *demonstrate eligibility for such credit.”.*

8 *(b) MATH ERROR AUTHORITY.—*

9 *(1) EARNED INCOME TAX CREDIT.—Section*
10 *6213(g)(2)(K) is amended by inserting before the*
11 *comma at the end the following: “or an entry on the*
12 *return claiming the credit under section 32 for a tax-*
13 *able year for which the credit is disallowed under sub-*
14 *section (k)(1) thereof”.*

15 *(2) AMERICAN OPPORTUNITY TAX CREDIT AND*
16 *CHILD TAX CREDIT.—Section 6213(g)(2), as amended*
17 *by the preceding provisions of this Act, is amended by*
18 *striking “and” at the end of subparagraph (N), by*
19 *striking the period at the end of subparagraph (O),*
20 *and by inserting after subparagraph (O) the following*
21 *new subparagraphs:*

22 *“(P) an omission of information required*
23 *by section 24(h)(2) or an entry on the return*
24 *claiming the credit under section 24 for a tax-*

1 able year for which the credit is disallowed
2 under subsection (h)(1) thereof, and

3 “(Q) an omission of information required
4 by section 25A(i)(8)(B) or an entry on the re-
5 turn claiming the credit determined under sec-
6 tion 25A(i) for a taxable year for which the cred-
7 it is disallowed under paragraph (8)(A) there-
8 of.”.

9 (c) *EFFECTIVE DATE.*—The amendments made by this
10 section shall apply to taxable years beginning after Decem-
11 ber 31, 2015.

12 **SEC. 209. TREATMENT OF CREDITS FOR PURPOSES OF CER-**
13 **TAIN PENALTIES.**

14 (a) *APPLICATION OF UNDERPAYMENT PENALTIES.*—
15 Section 6664(a) is amended by adding at the end the fol-
16 lowing: “A rule similar to the rule of section 6211(b)(4)
17 shall apply for purposes of this subsection.”.

18 (b) *PENALTY FOR ERRONEOUS CLAIM OF CREDIT*
19 *MADE APPLICABLE TO EARNED INCOME CREDIT.*—Section
20 6676(a) is amended by striking “(other than a claim for
21 a refund or credit relating to the earned income credit
22 under section 32)”.

23 (c) *REASONABLE CAUSE EXCEPTION FOR ERRONEOUS*
24 *CLAIM FOR REFUND OR CREDIT.*—

1 (1) *IN GENERAL.*—Section 6676(a) is amended
2 by striking “has a reasonable basis” and inserting “is
3 due to reasonable cause”.

4 (2) *NONECONOMIC SUBSTANCE TRANSACTIONS.*—
5 Section 6676(c) is amended by striking “having a
6 reasonable basis” and inserting “due to reasonable
7 cause”.

8 (d) *EFFECTIVE DATES.*—

9 (1) *UNDERPAYMENT PENALTIES.*—The amend-
10 ment made by subsection (a) shall apply to—

11 (A) returns filed after the date of the enact-
12 ment of this Act, and

13 (B) returns filed on or before such date if
14 the period specified in section 6501 of the Inter-
15 nal Revenue Code of 1986 for assessment of the
16 taxes with respect to which such return relates
17 has not expired as of such date.

18 (2) *PENALTY FOR ERRONEOUS CLAIM OF CRED-*
19 *IT.*—The amendment made by subsection (b) shall
20 apply to claims filed after the date of the enactment
21 of this Act.

1 **SEC. 210. INCREASE THE PENALTY APPLICABLE TO PAID**
2 **TAX PREPARERS WHO ENGAGE IN WILLFUL**
3 **OR RECKLESS CONDUCT.**

4 (a) *IN GENERAL.*—Section 6694(b)(1)(B) is amended
5 by striking “50 percent” and inserting “75 percent”.

6 (b) *EFFECTIVE DATE.*—The amendment made by this
7 section shall apply to returns prepared for taxable years
8 ending after the date of the enactment of this Act.

9 **SEC. 211. EMPLOYER IDENTIFICATION NUMBER REQUIRED**
10 **FOR AMERICAN OPPORTUNITY TAX CREDIT.**

11 (a) *IN GENERAL.*—Section 25A(i)(6), as added by this
12 Act, is amended by adding at the end the following new
13 subparagraph:

14 “(C) *INSTITUTION.*—No Hope Scholarship
15 Credit shall be allowed under this section unless
16 the taxpayer includes the employer identification
17 number of any institution to which qualified tui-
18 tion and related expenses were paid with respect
19 to the individual.”.

20 (b) *INFORMATION REPORTING.*—Section 6050S(b)(2)
21 is amended by striking “and” at the end of subparagraph
22 (B), by redesignating subparagraph (C) as subparagraph
23 (D), and by inserting after subparagraph (B) the following
24 new subparagraph:

25 “(C) the employer identification number of
26 the institution, and”.

1 (c) *EFFECTIVE DATE.*—

2 (1) *SUBSECTION (a).*—*The amendments made by*
3 *subsection (a) shall apply to taxable years beginning*
4 *after December 31, 2015.*

5 (2) *SUBSECTION (b).*—*The amendments made by*
6 *subsection (b) shall apply to expenses paid after De-*
7 *cember 31, 2015, for education furnished in academic*
8 *periods beginning after such date.*

9 **SEC. 212. HIGHER EDUCATION INFORMATION REPORTING**
10 **ONLY TO INCLUDE QUALIFIED TUITION AND**
11 **RELATED EXPENSES ACTUALLY PAID.**

12 (a) *IN GENERAL.*—*Section 6050S(b)(2)(B)(i) is*
13 *amended by striking “or the aggregate amount billed”.*

14 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
15 *section (b) shall apply to expenses paid after December 31,*
16 *2015, for education furnished in academic periods begin-*
17 *ning after such date.*

18 **TITLE III—MISCELLANEOUS**
19 **PROVISIONS**
20 **Subtitle A—Family Tax Relief**

21 **SEC. 301. EXCLUSION FOR AMOUNTS RECEIVED UNDER THE**
22 **WORK COLLEGES PROGRAM.**

23 (a) *IN GENERAL.*—*Paragraph (2) of section 117(c) is*
24 *amended by striking “or” at the end of subparagraph (A),*
25 *by striking the period at the end of subparagraph (B) and*

1 inserting “, or”, and by adding at the end the following
2 new subparagraph:

3 “(C) a comprehensive student work-learn-
4 ing-service program (as defined in section 448(e)
5 of the Higher Education Act of 1965) operated
6 by a work college (as defined in such section).”.

7 (b) *EFFECTIVE DATE.*—The amendments made by this
8 section shall apply to amounts received in taxable years be-
9 ginning after the date of the enactment of this Act.

10 **SEC. 302. IMPROVEMENTS TO SECTION 529 ACCOUNTS.**

11 (a) *COMPUTER TECHNOLOGY AND EQUIPMENT PERMA-*
12 *NENTLY ALLOWED AS A QUALIFIED HIGHER EDUCATION*
13 *EXPENSE FOR SECTION 529 ACCOUNTS.*—

14 (1) *IN GENERAL.*—Section 529(e)(3)(A)(iii) is
15 amended to read as follows:

16 “(iii) expenses for the purchase of com-
17 puter or peripheral equipment (as defined
18 in section 168(i)(2)(B)), computer software
19 (as defined in section 197(e)(3)(B)), or
20 Internet access and related services, if such
21 equipment, software, or services are to be
22 used primarily by the beneficiary during
23 any of the years the beneficiary is enrolled
24 at an eligible educational institution.”.

1 (2) *EFFECTIVE DATE.*—*The amendment made by*
2 *this subsection shall apply to taxable years beginning*
3 *after December 31, 2014.*

4 (b) *ELIMINATION OF DISTRIBUTION AGGREGATION RE-*
5 *QUIREMENTS.*—

6 (1) *IN GENERAL.*—*Section 529(c)(3) is amended*
7 *by striking subparagraph (D).*

8 (2) *EFFECTIVE DATE.*—*The amendment made by*
9 *this subsection shall apply to distributions after De-*
10 *cember 31, 2014.*

11 (c) *RECONTRIBUTION OF REFUNDED AMOUNTS.*—

12 (1) *IN GENERAL.*—*Section 529(c)(3), as amended*
13 *by subsection (b), is amended by adding at the end*
14 *the following new subparagraph:*

15 “(D) *SPECIAL RULE FOR CONTRIBUTIONS*
16 *OF REFUNDED AMOUNTS.*—*In the case of a bene-*
17 *ficiary who receives a refund of any qualified*
18 *higher education expenses from an eligible edu-*
19 *cational institution, subparagraph (A) shall not*
20 *apply to that portion of any distribution for the*
21 *taxable year which is recontributed to a qualified*
22 *tuition program of which such individual is a*
23 *beneficiary, but only to the extent such recon-*
24 *tribution is made not later than 60 days after*

1 *the date of such refund and does not exceed the*
2 *refunded amount.”.*

3 (2) *EFFECTIVE DATE.*—

4 (A) *IN GENERAL.*—*The amendment made*
5 *by this subsection shall apply with respect to re-*
6 *funds of qualified higher education expenses after*
7 *December 31, 2014.*

8 (B) *TRANSITION RULE.*—*In the case of a re-*
9 *fund of qualified higher education expenses re-*
10 *ceived after December 31, 2014, and before the*
11 *date of the enactment of this Act, section*
12 *529(c)(3)(D) of the Internal Revenue Code of*
13 *1986 (as added by this subsection) shall be ap-*
14 *plied by substituting “not later than 60 days*
15 *after the date of the enactment of this subpara-*
16 *graph” for “not later than 60 days after the date*
17 *of such refund”.*

18 **SEC. 303. ELIMINATION OF RESIDENCY REQUIREMENT FOR**

19 **QUALIFIED ABLE PROGRAMS.**

20 (a) *IN GENERAL.*—*Section 529A(b)(1) is amended by*
21 *striking subparagraph (C), by inserting “and” at the end*
22 *of subparagraph (B), and by redesignating subparagraph*
23 *(D) as subparagraph (C).*

24 (b) *CONFORMING AMENDMENTS.*—

1 *lating to the incarceration of such individual for the covered*
2 *offense for which such individual was convicted.*

3 “(b) *WRONGFULLY INCARCERATED INDIVIDUAL.*—*For*
4 *purposes of this section, the term ‘wrongfully incarcerated*
5 *individual’ means an individual—*

6 “(1) *who was convicted of a covered offense,*

7 “(2) *who served all or part of a sentence of im-*
8 *prisonment relating to that covered offense, and*

9 “(3)(A) *who was pardoned, granted clemency, or*
10 *granted amnesty for that covered offense because that*
11 *individual was innocent of that covered offense, or*

12 “(B)(i) *for whom the judgment of conviction for*
13 *that covered offense was reversed or vacated, and*

14 “(ii) *for whom the indictment, information, or*
15 *other accusatory instrument for that covered offense*
16 *was dismissed or who was found not guilty at a new*
17 *trial after the judgment of conviction for that covered*
18 *offense was reversed or vacated.*

19 “(c) *COVERED OFFENSE.*—*For purposes of this sec-*
20 *tion, the term ‘covered offense’ means any criminal offense*
21 *under Federal or State law, and includes any criminal of-*
22 *fense arising from the same course of conduct as that crimi-*
23 *nal offense.”.*

24 (b) *CONFORMING AMENDMENT.*—*The table of sections*
25 *for part III of subchapter B of chapter 1 is amended by*

1 *inserting after the item relating to section 139E the fol-*
2 *lowing new item:*

“Sec. 139F. Certain amounts received by wrongfully incarcerated individuals.”.

3 (c) *EFFECTIVE DATE.*—*The amendments made by this*
4 *section shall apply to taxable years beginning before, on,*
5 *or after the date of the enactment of this Act.*

6 (d) *WAIVER OF LIMITATIONS.*—*If the credit or refund*
7 *of any overpayment of tax resulting from the application*
8 *of this Act to a period before the date of enactment of this*
9 *Act is prevented as of such date by the operation of any*
10 *law or rule of law (including res judicata), such credit or*
11 *refund may nevertheless be allowed or made if the claim*
12 *therefor is filed before the close of the 1-year period begin-*
13 *ning on the date of the enactment of this Act.*

14 **SEC. 305. CLARIFICATION OF SPECIAL RULE FOR CERTAIN**
15 **GOVERNMENTAL PLANS.**

16 (a) *IN GENERAL.*—*Paragraph (1) of section 105(j) is*
17 *amended—*

18 (1) *by striking “the taxpayer” and inserting “a*
19 *qualified taxpayer”, and*

20 (2) *by striking “deceased plan participant’s ben-*
21 *eficiary” and inserting “deceased employee’s bene-*
22 *ficiary (other than an individual described in para-*
23 *graph (3)(B))”.*

1 (b) *QUALIFIED TAXPAYER.*—Subsection (j) of section
2 105 is amended by adding at the end the following new
3 paragraph:

4 “(3) *QUALIFIED TAXPAYER.*—For purposes of
5 paragraph (1), with respect to an accident or health
6 plan described in paragraph (2), the term ‘qualified
7 taxpayer’ means a taxpayer who is—

8 “(A) an employee, or

9 “(B) the spouse, dependent (as defined for
10 purposes of subsection (b)), or child (as defined
11 for purposes of such subsection) of an employee.”.

12 (c) *APPLICATION TO POLITICAL SUBDIVISIONS OF*
13 *STATES.*—Paragraph (2) of section 105(j) is amended—

14 (1) by inserting “or established by or on behalf
15 of a State or political subdivision thereof” after “pub-
16 lic retirement system”, and

17 (2) by inserting “or 501(c)(9)” after “section
18 115” in subparagraph (B).

19 (d) *EFFECTIVE DATE.*—The amendments made by this
20 section shall apply to payments after the date of the enact-
21 ment of this Act.

1 **SEC. 306. ROLLOVERS PERMITTED FROM OTHER RETIRE-**
2 **MENT PLANS INTO SIMPLE RETIREMENT AC-**
3 **COUNTS.**

4 (a) *IN GENERAL.*—Section 408(p)(1)(B) is amended
5 by inserting “except in the case of a rollover contribution
6 described in subsection (d)(3)(G) or a rollover contribution
7 otherwise described in subsection (d)(3) or in section 402(c),
8 403(a)(4), 403(b)(8), or 457(e)(16), which is made after the
9 2-year period described in section 72(t)(6),” before “with
10 respect to which the only contributions allowed”.

11 (b) *EFFECTIVE DATE.*—The amendments made by this
12 section shall apply to contributions made after the date of
13 the enactment of this Act.

14 **SEC. 307. TECHNICAL AMENDMENT RELATING TO ROLL-**
15 **OVER OF CERTAIN AIRLINE PAYMENT**
16 **AMOUNTS.**

17 (a) *IN GENERAL.*—Section 1106(a) of the FAA Mod-
18 ernization and Reform Act of 2012 (26 U.S.C. 408 note)
19 is amended by adding at the end the following new para-
20 graph:

21 “(6) *SPECIAL RULE FOR CERTAIN AIRLINE PAY-*
22 *MENT AMOUNTS.*—In the case of any amount which
23 became an airline payment amount by reason of the
24 amendments made by section 1(b) of Public Law
25 113–243 (26 U.S.C. 408 note), paragraph (1) shall be
26 applied by substituting “(or, if later, within the pe-

1 **SEC. 309. PREVENTION OF EXTENSION OF TAX COLLECTION**
2 **PERIOD FOR MEMBERS OF THE ARMED**
3 **FORCES WHO ARE HOSPITALIZED AS A RE-**
4 **SULT OF COMBAT ZONE INJURIES.**

5 (a) *IN GENERAL.*—Section 7508(e) is amended by add-
6 ing at the end the following new paragraph:

7 “(3) *COLLECTION PERIOD AFTER ASSESSMENT*
8 *NOT EXTENDED AS A RESULT OF HOSPITALIZATION.*—
9 *With respect to any period of continuous qualified*
10 *hospitalization described in subsection (a) and the*
11 *next 180 days thereafter, subsection (a) shall not*
12 *apply in the application of section 6502.”*

13 (b) *EFFECTIVE DATE.*—The amendment made by this
14 section shall apply to taxes assessed before, on, or after the
15 date of the enactment of this Act.

16 **Subtitle B—Real Estate Investment**
17 **Trusts**

18 **SEC. 311. RESTRICTION ON TAX-FREE SPINOFFS INVOLVING**
19 **REITS.**

20 (a) *IN GENERAL.*—Section 355 is amended by adding
21 at the end the following new subsection:

22 “(h) *RESTRICTION ON DISTRIBUTIONS INVOLVING*
23 *REAL ESTATE INVESTMENT TRUSTS.*—

24 “(1) *IN GENERAL.*—This section (and so much of
25 section 356 as relates to this section) shall not apply
26 to any distribution if either the distributing corpora-

1 *tion or controlled corporation is a real estate invest-*
2 *ment trust.*

3 “(2) *EXCEPTIONS FOR CERTAIN SPINOFFS.—*

4 “(A) *SPINOFFS OF A REAL ESTATE INVEST-*
5 *MENT TRUST BY ANOTHER REAL ESTATE INVEST-*
6 *MENT TRUST.—Paragraph (1) shall not apply to*
7 *any distribution if, immediately after the dis-*
8 *tribution, the distributing corporation and the*
9 *controlled corporation are both real estate invest-*
10 *ment trusts.*

11 “(B) *SPINOFFS OF CERTAIN TAXABLE REIT*
12 *SUBSIDIARIES.—Paragraph (1) shall not apply*
13 *to any distribution if—*

14 “(i) *the distributing corporation has*
15 *been a real estate investment trust at all*
16 *times during the 3-year period ending on*
17 *the date of such distribution,*

18 “(ii) *the controlled corporation has*
19 *been a taxable REIT subsidiary (as defined*
20 *in section 856(l)) of the distributing cor-*
21 *poration at all times during such period,*
22 *and*

23 “(iii) *the distributing corporation had*
24 *control (as defined in section 368(c) applied*
25 *by taking into account stock owned directly*

1 or indirectly, including through one or more
2 corporations or partnerships, by the distrib-
3 uting corporation) of the controlled corpora-
4 tion at all times during such period.

5 A controlled corporation will be treated as meet-
6 ing the requirements of clauses (ii) and (iii) if
7 the stock of such corporation was distributed by
8 a taxable REIT subsidiary in a transaction to
9 which this section (or so much of section 356 as
10 relates to this section) applies and the assets of
11 such corporation consist solely of the stock or as-
12 sets of assets held by one or more taxable REIT
13 subsidiaries of the distributing corporation meet-
14 ing the requirements of clauses (ii) and (iii). For
15 purposes of clause (iii), control of a partnership
16 means ownership of 80 percent of the profits in-
17 terest and 80 percent of the capital interests.”.

18 (b) *PREVENTION OF REIT ELECTION FOLLOWING*
19 *TAX-FREE SPIN OFF.*—Section 856(c) is amended by redес-
20 *ignating paragraph (8) as paragraph (9) and by inserting*
21 *after paragraph (7) the following new paragraph:*

22 “(8) *ELECTION AFTER TAX-FREE REORGANIZA-*
23 *TION.*—If a corporation was a distributing corpora-
24 tion or a controlled corporation (other than a con-
25 trolled corporation with respect to a distribution de-

1 **SEC. 313. PROHIBITED TRANSACTION SAFE HARBORS.**

2 (a) *ALTERNATIVE 3-YEAR AVERAGING TEST FOR PER-*
3 *CENTAGE OF ASSETS THAT CAN BE SOLD ANNUALLY.—*

4 (1) *IN GENERAL.—*Clause (iii) of section
5 857(b)(6)(C) is amended by inserting before the semi-
6 colon at the end the following: “, or (IV) the trust sat-
7 isfies the requirements of subclause (II) applied by
8 substituting ‘20 percent’ for ‘10 percent’ and the 3-
9 year average adjusted bases percentage for the taxable
10 year (as defined in subparagraph (G)) does not exceed
11 10 percent, or (V) the trust satisfies the requirements
12 of subclause (III) applied by substituting ‘20 percent’
13 for ‘10 percent’ and the 3-year average fair market
14 value percentage for the taxable year (as defined in
15 subparagraph (H)) does not exceed 10 percent”.

16 (2) *3-YEAR AVERAGE ADJUSTED BASES AND FAIR*
17 *MARKET VALUE PERCENTAGES.—*Paragraph (6) of
18 section 857(b) is amended by redesignating subpara-
19 graphs (G) and (H) as subparagraphs (I) and (J), re-
20 spectively, and by inserting after subparagraph (F)
21 the following new subparagraphs:

22 “(G) *3-YEAR AVERAGE ADJUSTED BASES*
23 *PERCENTAGE.—*The term ‘3-year average ad-
24 justed bases percentage’ means, with respect to
25 any taxable year, the ratio (expressed as a per-
26 centage) of—

1 “(i) the aggregate adjusted bases (as
2 determined for purposes of computing earn-
3 ings and profits) of property (other than
4 sales of foreclosure property or sales to
5 which section 1033 applies) sold during the
6 3 taxable year period ending with such tax-
7 able year, divided by

8 “(ii) the sum of the aggregate adjusted
9 bases (as so determined) of all of the assets
10 of the trust as of the beginning of each of
11 the 3 taxable years which are part of the pe-
12 riod referred to in clause (i).

13 “(H) 3-YEAR AVERAGE FAIR MARKET VALUE
14 PERCENTAGE.—The term ‘3-year average fair
15 market value percentage’ means, with respect to
16 any taxable year, the ratio (expressed as a per-
17 centage) of—

18 “(i) the fair market value of property
19 (other than sales of foreclosure property or
20 sales to which section 1033 applies) sold
21 during the 3 taxable year period ending
22 with such taxable year, divided by

23 “(ii) the sum of the fair market value
24 of all of the assets of the trust as of the be-
25 ginning of each of the 3 taxable years which

1 are part of the period referred to in clause
2 (i).”.

3 (3) *CONFORMING AMENDMENTS.*—Clause (iv) of
4 section 857(b)(6)(D) is amended by adding “or” at
5 the end of subclause (III) and by adding at the end
6 the following new subclauses:

7 “(IV) the trust satisfies the re-
8 quirements of subclause (II) applied by
9 substituting ‘20 percent’ for ‘10 per-
10 cent’ and the 3-year average adjusted
11 bases percentage for the taxable year
12 (as defined in subparagraph (G)) does
13 not exceed 10 percent, or

14 “(V) the trust satisfies the require-
15 ments of subclause (III) applied by
16 substituting ‘20 percent’ for ‘10 per-
17 cent’ and the 3-year average fair mar-
18 ket value percentage for the taxable
19 year (as defined in subparagraph (H))
20 does not exceed 10 percent.”.

21 (b) *APPLICATION OF SAFE HARBORS INDEPENDENT OF*
22 *DETERMINATION WHETHER REAL ESTATE ASSET IS IN-*
23 *VENTORY PROPERTY.*—

24 (1) *IN GENERAL.*—Subparagraphs (C) and (D)
25 of section 857(b)(6) are each amended by striking

1 *“and which is described in section 1221(a)(1)” in the*
2 *matter preceding clause (i).*

3 (2) *NO INFERENCE FROM SAFE HARBORS.—Sub-*
4 *paragraph (F) of section 857(b)(6) is amended to*
5 *read as follows:*

6 *“(F) NO INFERENCE WITH RESPECT TO*
7 *TREATMENT AS INVENTORY PROPERTY.—The de-*
8 *termination of whether property is described in*
9 *section 1221(a)(1) shall be made without regard*
10 *to this paragraph.”.*

11 (c) *EFFECTIVE DATES.—*

12 (1) *IN GENERAL.—The amendments made by*
13 *subsection (a) shall apply to taxable years beginning*
14 *after the date of the enactment of this Act.*

15 (2) *APPLICATION OF SAFE HARBORS.—*

16 (A) *IN GENERAL.—Except as provided in*
17 *subparagraph (B), the amendments made by*
18 *subsection (b) shall take effect as if included in*
19 *section 3051 of the Housing Assistance Tax Act*
20 *of 2008.*

21 (B) *RETROACTIVE APPLICATION OF NO IN-*
22 *FERENCE NOT APPLICABLE TO CERTAIN TIMBER*
23 *PROPERTY PREVIOUSLY TREATED AS NOT INVEN-*
24 *TORY PROPERTY.—The amendment made by sub-*
25 *section (b)(2) shall not apply to any sale of*

1 *property to which section 857(b)(6)(G) of the In-*
2 *ternal Revenue Code of 1986 (as in effect on the*
3 *day before the date of the enactment of this Act)*
4 *applies.*

5 **SEC. 314. REPEAL OF PREFERENTIAL DIVIDEND RULE FOR**
6 **PUBLICLY OFFERED REITS.**

7 *(a) IN GENERAL.—Section 562(c) is amended by in-*
8 *serting “or a publicly offered REIT” after “a publicly of-*
9 *fered regulated investment company (as defined in section*
10 *67(c)(2)(B))”.*

11 *(b) PUBLICLY OFFERED REIT.—Section 562(c), as*
12 *amended by subsection (a), is amended—*

13 *(1) by striking “Except in the case of” and in-*
14 *serting the following:*

15 *“(1) IN GENERAL.—Except in the case of”, and*

16 *(2) by adding at the end the following new para-*
17 *graph:*

18 *“(2) PUBLICLY OFFERED REIT.—For purposes of*
19 *this subsection, the term ‘publicly offered REIT’*
20 *means a real estate investment trust which is required*
21 *to file annual and periodic reports with the Securities*
22 *and Exchange Commission under the Securities Ex-*
23 *change Act of 1934.”.*

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall apply to distributions in taxable years begin-*
3 *ning after December 31, 2014.*

4 **SEC. 315. AUTHORITY FOR ALTERNATIVE REMEDIES TO AD-**
5 **DRESS CERTAIN REIT DISTRIBUTION FAIL-**
6 **URES.**

7 (a) *IN GENERAL.*—*Subsection (e) of section 562 is*
8 *amended—*

9 (1) *by striking “In the case of a real estate in-*
10 *vestment trust” and inserting the following:*

11 “*(1) DETERMINATION OF EARNINGS AND PROFITS*
12 *FOR PURPOSES OF DIVIDENDS PAID DEDUCTION.*—*In*
13 *the case of a real estate investment trust”, and*

14 (2) *by adding at the end the following new para-*
15 *graph:*

16 “*(2) AUTHORITY TO PROVIDE ALTERNATIVE REM-*
17 *EDIES FOR CERTAIN FAILURES.*—*In the case of a fail-*
18 *ure of a distribution by a real estate investment trust*
19 *to comply with the requirements of subsection (c), the*
20 *Secretary may provide an appropriate remedy to cure*
21 *such failure in lieu of not considering the distribution*
22 *to be a dividend for purposes of computing the divi-*
23 *dends paid deduction if—*

1 “(A) the Secretary determines that such
2 failure is inadvertent or is due to reasonable
3 cause and not due to willful neglect, or

4 “(B) such failure is of a type of failure
5 which the Secretary has identified for purposes
6 of this paragraph as being described in subpara-
7 graph (A).”.

8 (b) *EFFECTIVE DATE.*—The amendments made by this
9 section shall apply to distributions in taxable years begin-
10 ning after December 31, 2015.

11 **SEC. 316. LIMITATIONS ON DESIGNATION OF DIVIDENDS BY**
12 **REITS.**

13 (a) *IN GENERAL.*—Section 857 is amended by redesign-
14 nating subsection (g) as subsection (h) and by inserting
15 after subsection (f) the following new subsection:

16 “(g) *LIMITATIONS ON DESIGNATION OF DIVIDENDS.*—

17 “(1) *OVERALL LIMITATION.*—The aggregate
18 amount of dividends designated by a real estate in-
19 vestment trust under subsections (b)(3)(C) and
20 (c)(2)(A) with respect to any taxable year may not
21 exceed the dividends paid by such trust with respect
22 to such year. For purposes of the preceding sentence,
23 dividends paid after the close of the taxable year de-
24 scribed in section 858 shall be treated as paid with
25 respect to such year.

1 “(2) *PROPORTIONALITY.*—*The Secretary may*
2 *prescribe regulations or other guidance requiring the*
3 *proportionality of the designation of particular types*
4 *of dividends among shares or beneficial interests of a*
5 *real estate investment trust.*”.

6 (b) *EFFECTIVE DATE.*—*The amendments made by this*
7 *section shall apply to distributions in taxable years begin-*
8 *ning after December 31, 2015.*

9 **SEC. 317. DEBT INSTRUMENTS OF PUBLICLY OFFERED**
10 **REITS AND MORTGAGES TREATED AS REAL**
11 **ESTATE ASSETS.**

12 (a) *DEBT INSTRUMENTS OF PUBLICLY OFFERED*
13 *REITS TREATED AS REAL ESTATE ASSETS.*—

14 (1) *IN GENERAL.*—*Subparagraph (B) of section*
15 *856(c)(5) is amended—*

16 (A) *by striking “and shares” and inserting*
17 *“, shares”, and*

18 (B) *by inserting “, and debt instruments*
19 *issued by publicly offered REITs” before the pe-*
20 *riod at the end of the first sentence.*

21 (2) *INCOME FROM NONQUALIFIED DEBT INSTRU-*
22 *MENTS OF PUBLICLY OFFERED REITS NOT QUALIFIED*
23 *FOR PURPOSES OF SATISFYING THE 75 PERCENT*
24 *GROSS INCOME TEST.*—*Subparagraph (H) of section*
25 *856(c)(3) is amended by inserting “(other than a*

1 *nonqualified publicly offered REIT debt instrument)*”
2 *after “real estate asset”.*

3 *(3) 25 PERCENT ASSET LIMITATION ON HOLDING*
4 *OF NONQUALIFIED DEBT INSTRUMENTS OF PUBLICLY*
5 *OFFERED REITS.—Subparagraph (B) of section*
6 *856(c)(4) is amended by redesignating clause (iii) as*
7 *clause (iv) and by inserting after clause (ii) the fol-*
8 *lowing new clause:*

9 *“(iii) not more than 25 percent of the*
10 *value of its total assets is represented by*
11 *nonqualified publicly offered REIT debt in-*
12 *struments, and”.*

13 *(4) DEFINITIONS RELATED TO DEBT INSTRU-*
14 *MENTS OF PUBLICLY OFFERED REITS.—Paragraph*
15 *(5) of section 856(c) is amended by adding at the end*
16 *the following new subparagraph:*

17 *“(L) DEFINITIONS RELATED TO DEBT IN-*
18 *STRUMENTS OF PUBLICLY OFFERED REITS.—*

19 *“(i) PUBLICLY OFFERED REIT.—The*
20 *term ‘publicly offered REIT’ has the mean-*
21 *ing given such term by section 562(c)(2).*

22 *“(ii) NONQUALIFIED PUBLICLY OF-*
23 *FERED REIT DEBT INSTRUMENT.—The term*
24 *‘nonqualified publicly offered REIT debt in-*
25 *strument’ means any real estate asset which*

1 to the extent that rents attributable to such per-
2 sonal property are treated as rents from real
3 property under subsection (d)(1)(C).

4 “(B) CERTAIN PERSONAL PROPERTY MORT-
5 GAGED IN CONNECTION WITH REAL PROPERTY.—
6 In the case of an obligation secured by a mort-
7 gage on both real property and personal prop-
8 erty, if the fair market value of such personal
9 property does not exceed 15 percent of the total
10 fair market value of all such property, such obli-
11 gation shall be treated—

12 “(i) for purposes of paragraph (3)(B),
13 as an obligation described therein, and

14 “(ii) for purposes of paragraph (4)(A),
15 as a real estate asset.

16 For purposes of the preceding sentence, the fair
17 market value of all such property shall be deter-
18 mined in the same manner as the fair market
19 value of real property is determined for purposes
20 of apportioning interest income between real
21 property and personal property under para-
22 graph (3)(B).”.

23 (b) EFFECTIVE DATE.—The amendments made by this
24 section shall apply to taxable years beginning after Decem-
25 ber 31, 2015.

1 **SEC. 319. HEDGING PROVISIONS.**

2 (a) *MODIFICATION TO PERMIT THE TERMINATION OF*
3 *A HEDGING TRANSACTION USING AN ADDITIONAL HEDGING*
4 *INSTRUMENT.*—*Subparagraph (G) of section 856(c)(5) is*
5 *amended by striking “and” at the end of clause (i), by strik-*
6 *ing the period at the end of clause (ii) and inserting “,*
7 *and”, and by adding at the end the following new clause:*

8 *“(iii) if—*

9 *“(I) a real estate investment trust*
10 *enters into one or more positions de-*
11 *scribed in clause (i) with respect to in-*
12 *debtedness described in clause (i) or*
13 *one or more positions described in*
14 *clause (ii) with respect to property*
15 *which generates income or gain de-*
16 *scribed in paragraph (2) or (3),*

17 *“(II) any portion of such indebt-*
18 *edness is extinguished or any portion*
19 *of such property is disposed of, and*

20 *“(III) in connection with such ex-*
21 *tinguishment or disposition, such trust*
22 *enters into one or more transactions*
23 *which would be hedging transactions*
24 *described in clause (ii) or (iii) of sec-*
25 *tion 1221(b)(2)(A) with respect to any*

1 *position referred to in subclause (I) if*
2 *such position were ordinary property,*
3 *any income of such trust from any position*
4 *referred to in subclause (I) and from any*
5 *transaction referred to in subclause (III)*
6 *(including gain from the termination of*
7 *any such position or transaction) shall not*
8 *constitute gross income under paragraphs*
9 *(2) and (3) to the extent that such trans-*
10 *action hedges such position.”.*

11 *(b) IDENTIFICATION REQUIREMENTS.—*

12 *(1) IN GENERAL.—Subparagraph (G) of section*
13 *856(c)(5), as amended by subsection (a), is amended*
14 *by striking “and” at the end of clause (ii), by striking*
15 *the period at the end of clause (iii) and inserting “,*
16 *and”, and by adding at the end the following new*
17 *clause:*

18 *“(iv) clauses (i), (ii), and (iii) shall*
19 *not apply with respect to any transaction*
20 *unless such transaction satisfies the identi-*
21 *fication requirement described in section*
22 *1221(a)(7) (determined after taking into ac-*
23 *count any curative provisions provided*
24 *under the regulations referred to therein).”.*

1 (2) *CONFORMING AMENDMENTS.*—Subparagraph
2 (G) of section 856(c)(5) is amended—

3 (A) by striking “which is clearly identified
4 pursuant to section 1221(a)(7)” in clause (i),
5 and

6 (B) by striking “, but only if such trans-
7 action is clearly identified as such before the
8 close of the day on which it was acquired, origi-
9 nated, or entered into (or such other time as the
10 Secretary may prescribe)” in clause (ii).

11 (c) *EFFECTIVE DATE.*—The amendments made by this
12 section shall apply to taxable years beginning after Decem-
13 ber 31, 2015.

14 **SEC. 320. MODIFICATION OF REIT EARNINGS AND PROFITS**

15 **CALCULATION TO AVOID DUPLICATE TAX-**
16 **ATION.**

17 (a) *EARNINGS AND PROFITS NOT INCREASED BY*
18 *AMOUNTS ALLOWED IN COMPUTING TAXABLE INCOME IN*
19 *PRIOR YEARS.*—Section 857(d) is amended—

20 (1) by amending paragraph (1) to read as fol-
21 lows:

22 “(1) *IN GENERAL.*—The earnings and profits of
23 a real estate investment trust for any taxable year
24 (but not its accumulated earnings) shall not be re-
25 duced by any amount which—

1 “(A) is not allowable in computing its tax-
2 able income for such taxable year, and

3 “(B) was not allowable in computing its
4 taxable income for any prior taxable year.”, and
5 (2) by adding at the end the following new para-
6 graphs:

7 “(4) *REAL ESTATE INVESTMENT TRUST.*—For
8 purposes of this subsection, the term ‘real estate in-
9 vestment trust’ includes a domestic corporation, trust,
10 or association which is a real estate investment trust
11 determined without regard to the requirements of sub-
12 section (a).

13 “(5) *SPECIAL RULES FOR DETERMINING EARN-*
14 *INGS AND PROFITS FOR PURPOSES OF THE DEDUC-*
15 *TION FOR DIVIDENDS PAID.*—For special rules for de-
16 termining the earnings and profits of a real estate in-
17 vestment trust for purposes of the deduction for divi-
18 dends paid, see section 562(e)(1).”.

19 (b) *EXCEPTION FOR PURPOSES OF DETERMINING*
20 *DIVIDENDS PAID DEDUCTION.*—Section 562(e)(1), as
21 amended by the preceding provisions of this Act, is amended
22 by striking “deduction, the earnings” and all that follows
23 and inserting the following: “deduction—

24 “(A) the earnings and profits of such trust
25 for any taxable year (but not its accumulated

1 *earnings) shall be increased by the amount of*
2 *gain (if any) on the sale or exchange of real*
3 *property which is taken into account in deter-*
4 *mining the taxable income of such trust for such*
5 *taxable year (and not otherwise taken into ac-*
6 *count in determining such earnings and profits),*
7 *and*

8 “(B) section 857(d)(1) shall be applied
9 without regard to subparagraph (B) thereof.”.

10 (c) *EFFECTIVE DATE.*—*The amendments made by this*
11 *section shall apply to taxable years beginning after Decem-*
12 *ber 31, 2015.*

13 **SEC. 321. TREATMENT OF CERTAIN SERVICES PROVIDED BY**
14 **TAXABLE REIT SUBSIDIARIES.**

15 (a) *TAXABLE REIT SUBSIDIARIES TREATED IN SAME*
16 *MANNER AS INDEPENDENT CONTRACTORS FOR CERTAIN*
17 *PURPOSES.*—

18 (1) *MARKETING AND DEVELOPMENT EXPENSES*
19 *UNDER RENTAL PROPERTY SAFE HARBOR.*—*Clause (v)*
20 *of section 857(b)(6)(C) is amended by inserting “or a*
21 *taxable REIT subsidiary” before the period at the*
22 *end.*

23 (2) *MARKETING EXPENSES UNDER TIMBER SAFE*
24 *HARBOR.*—*Clause (v) of section 857(b)(6)(D) is*

1 amended by striking “, in the case of a sale on or be-
2 fore the termination date,”.

3 (3) *FORECLOSURE PROPERTY GRACE PERIOD.*—

4 Subparagraph (C) of section 856(e)(4) is amended by
5 inserting “or through a taxable REIT subsidiary”
6 after “receive any income”.

7 (b) *TAX ON REDETERMINED TRS SERVICE INCOME.*—

8 (1) *IN GENERAL.*—Subparagraph (A) of section
9 857(b)(7) is amended by striking “and excess inter-
10 est” and inserting “excess interest, and redetermined
11 TRS service income”.

12 (2) *REDETERMINED TRS SERVICE INCOME.*—

13 Paragraph (7) of section 857(b) is amended by redес-
14 ignating subparagraphs (E) and (F) as subpara-
15 graphs (F) and (G), respectively, and inserting after
16 subparagraph (D) the following new subparagraph:

17 “(E) *REDETERMINED TRS SERVICE IN-*
18 *COME.*—

19 “(i) *IN GENERAL.*—The term ‘redeter-
20 mined TRS service income’ means gross in-
21 come of a taxable REIT subsidiary of a real
22 estate investment trust attributable to serv-
23 ices provided to, or on behalf of, such trust
24 (less deductions properly allocable thereto)
25 to the extent the amount of such income

1 *(less such deductions) would (but for sub-*
2 *paragraph (F)) be increased on distribu-*
3 *tion, apportionment, or allocation under*
4 *section 482.*

5 “(i) *COORDINATION WITH REDETER-*
6 *MINED RENTS.—Clause (i) shall not apply*
7 *with respect to gross income attributable to*
8 *services furnished or rendered to a tenant of*
9 *the real estate investment trust (or to deduc-*
10 *tions properly allocable thereto).”.*

11 (3) *CONFORMING AMENDMENTS.—Subparagraphs*
12 *(B)(i) and (C) of section 857(b)(7) are each amended*
13 *by striking “subparagraph (E)” and inserting “sub-*
14 *paragraph (F)”.*

15 (c) *EFFECTIVE DATE.—The amendments made by this*
16 *section shall apply to taxable years beginning after Decem-*
17 *ber 31, 2015.*

18 **SEC. 322. EXCEPTION FROM FIRPTA FOR CERTAIN STOCK**
19 **OF REITS.**

20 (a) *MODIFICATIONS OF OWNERSHIP RULES.—*

21 (1) *IN GENERAL.—Section 897 is amended by*
22 *adding at the end the following new subsection:*

23 “(k) *SPECIAL RULES RELATING TO REAL ESTATE IN-*
24 *VESTMENT TRUSTS.—*

1 “(1) *INCREASE IN PERCENTAGE OWNERSHIP FOR*
2 *EXCEPTIONS FOR PERSONS HOLDING PUBLICLY TRAD-*
3 *ED STOCK.—*

4 “(A) *DISPOSITIONS.—In the case of any*
5 *disposition of stock in a real estate investment*
6 *trust, paragraphs (3) and (6)(C) of subsection*
7 *(c) shall each be applied by substituting ‘more*
8 *than 10 percent’ for ‘more than 5 percent’.*

9 “(B) *DISTRIBUTIONS.—In the case of any*
10 *distribution from a real estate investment trust,*
11 *subsection (h)(1) shall be applied by substituting*
12 *‘10 percent’ for ‘5 percent’.*

13 “(2) *STOCK HELD BY QUALIFIED SHARE-*
14 *HOLDERS NOT TREATED AS USRPI.—*

15 “(A) *IN GENERAL.—Except as provided in*
16 *subparagraph (B)—*

17 “(i) *stock of a real estate investment*
18 *trust which is held directly (or indirectly*
19 *through 1 or more partnerships) by a quali-*
20 *fied shareholder shall not be treated as a*
21 *United States real property interest, and*

22 “(ii) *notwithstanding subsection (h)(1),*
23 *any distribution to a qualified shareholder*
24 *shall not be treated as gain recognized from*
25 *the sale or exchange of a United States real*

1 *property interest to the extent the stock of*
2 *the real estate investment trust held by such*
3 *qualified shareholder is not treated as a*
4 *United States real property interest under*
5 *clause (i).*

6 “(B) *EXCEPTION.—In the case of a quali-*
7 *fied shareholder with 1 or more applicable inves-*
8 *tors—*

9 “(i) *subparagraph (A)(i) shall not*
10 *apply to so much of the stock of a real es-*
11 *tate investment trust held by a qualified*
12 *shareholder as bears the same ratio to the*
13 *value of the interests (other than interests*
14 *held solely as a creditor) held by such appli-*
15 *cable investors in the qualified shareholder*
16 *bears to value of all interests (other than in-*
17 *terests held solely as a creditor) in the*
18 *qualified shareholder, and*

19 “(ii) *a percentage equal to the ratio de-*
20 *termined under clause (i) of the amounts re-*
21 *alized by the qualified shareholder with re-*
22 *spect to any disposition of stock in the real*
23 *estate investment trust or with respect to*
24 *any distribution from the real estate invest-*
25 *ment trust attributable to gain from sales or*

1 *exchanges of a United States real property*
2 *interest shall be treated as amounts realized*
3 *from the disposition of United States real*
4 *property interests.*

5 “(C) *SPECIAL RULE FOR CERTAIN DIS-*
6 *TRIBUTIONS TREATED AS SALE OR EXCHANGE.—*
7 *If a distribution by a real estate investment*
8 *trust is treated as a sale or exchange of stock*
9 *under section 301(c)(3), 302, or 331 with respect*
10 *to a qualified shareholder—*

11 “(i) *in the case of an applicable inves-*
12 *tor, subparagraph (B) shall apply with re-*
13 *spect to such distribution, and*

14 “(ii) *in the case of any other person,*
15 *such distribution shall be treated under sec-*
16 *tion 857(b)(3)(F) as a dividend from a real*
17 *estate investment trust notwithstanding any*
18 *other provision of this title.*

19 “(D) *APPLICABLE INVESTOR.—For purposes*
20 *of this paragraph, the term ‘applicable investor’*
21 *means, with respect to any qualified shareholder*
22 *holding stock in a real estate investment trust, a*
23 *person (other than a qualified shareholder)*
24 *which—*

1 “(i) holds an interest (other than an
2 interest solely as a creditor) in such quali-
3 fied shareholder, and

4 “(ii) holds more than 10 percent of the
5 stock of such real estate investment trust
6 (whether or not by reason of the person’s
7 ownership interest in the qualified share-
8 holder).

9 “(E) CONSTRUCTIVE OWNERSHIP RULES.—
10 For purposes of subparagraphs (B)(i) and (C)
11 and paragraph (4), the constructive ownership
12 rules under subsection (c)(6)(C) shall apply.

13 “(3) QUALIFIED SHAREHOLDER.—For purposes
14 of this subsection—

15 “(A) IN GENERAL.—The term ‘qualified
16 shareholder’ means a foreign person which—

17 “(i)(I) is eligible for benefits of a com-
18 prehensive income tax treaty with the
19 United States which includes an exchange
20 of information program and the principal
21 class of interests of which is listed and regu-
22 larly traded on 1 or more recognized stock
23 exchanges (as defined in such comprehensive
24 income tax treaty), or

1 “(II) is a foreign partnership that is
2 created or organized under foreign law as a
3 limited partnership in a jurisdiction that
4 has an agreement for the exchange of infor-
5 mation with respect to taxes with the
6 United States and has a class of limited
7 partnership units which is regularly traded
8 on the New York Stock Exchange or Nasdaq
9 Stock Market and such class of limited
10 partnership units value is greater than 50
11 percent of the value of all the partnership
12 units,

13 “(ii) is a qualified collective invest-
14 ment vehicle, and

15 “(iii) maintains records on the iden-
16 tity of each person who, at any time during
17 the foreign person’s taxable year, holds di-
18 rectly 5 percent or more of the class of in-
19 terest described in subclause (I) or (II) of
20 clause (i), as the case may be.

21 “(B) QUALIFIED COLLECTIVE INVESTMENT
22 VEHICLE.—For purposes of this subsection, the
23 term ‘qualified collective investment vehicle’
24 means a foreign person—

1 “(i) which, under the comprehensive
2 income tax treaty described in subpara-
3 graph (A)(i), is eligible for a reduced rate
4 of withholding with respect to ordinary
5 dividends paid by a real estate investment
6 trust even if such person holds more than 10
7 percent of the stock of such real estate in-
8 vestment trust,

9 “(ii) which—

10 “(I) is a publicly traded partner-
11 ship (as defined in section 7704(b)) to
12 which subsection (a) of section 7704
13 does not apply,

14 “(II) is a withholding foreign
15 partnership for purposes of chapters 3,
16 4, and 61,

17 “(III) if such foreign partnership
18 were a United States corporation,
19 would be a United States real property
20 holding corporation (determined with-
21 out regard to paragraph (1)) at any
22 time during the 5-year period ending
23 on the date of disposition of, or dis-
24 tribution with respect to, such partner-

1 *ship's interests in a real estate invest-*
2 *ment trust, or*

3 *“(iii) which is designated as a quali-*
4 *fied collective investment vehicle by the Sec-*
5 *retary and is either—*

6 *“(I) fiscally transparent within*
7 *the meaning of section 894, or*

8 *“(II) required to include divi-*
9 *dends in its gross income, but entitled*
10 *to a deduction for distributions to per-*
11 *sons holding interests (other than in-*
12 *terests solely as a creditor) in such for-*
13 *ign person.*

14 *“(4) PARTNERSHIP ALLOCATIONS.—*

15 *“(A) IN GENERAL.—For the purposes of this*
16 *subsection, in the case of an applicable investor*
17 *who is a nonresident alien individual or a for-*
18 *ign corporation and is a partner in a partner-*
19 *ship that is a qualified shareholder, if such part-*
20 *ner's proportionate share of USRPI gain for the*
21 *taxable year exceeds such partner's distributive*
22 *share of USRPI gain for the taxable year, then*

23 *“(i) such partner's distributive share of*
24 *the amount of gain taken into account*
25 *under subsection (a)(1) by the partner for*

1 the taxable year (determined without regard
2 to this paragraph) shall be increased by the
3 amount of such excess, and

4 “(i) such partner’s distributive share
5 of items of income or gain for the taxable
6 year that are not treated as gain taken into
7 account under subsection (a)(1) (determined
8 without regard to this paragraph) shall be
9 decreased (but not below zero) by the
10 amount of such excess.

11 “(B) *USRPI GAIN.*—For the purposes of
12 this paragraph, the term ‘USRPI gain’ means
13 the excess (if any) of—

14 “(i) the sum of—

15 “(I) any gain recognized from the
16 disposition of a United States real
17 property interest, and

18 “(II) any distribution by a real
19 estate investment trust that is treated
20 as gain recognized from the sale or ex-
21 change of a United States real prop-
22 erty interest, over

23 “(ii) any loss recognized from the dis-
24 position of a United States real property
25 interest.

1 “(C) *PROPORTIONATE SHARE OF USRPI*
2 *GAIN.*—*For purposes of this paragraph, an ap-*
3 *plicable investor’s proportionate share of USRPI*
4 *gain shall be determined on the basis of such in-*
5 *vestor’s share of partnership items of income or*
6 *gain (excluding gain allocated under section*
7 *704(c)), whichever results in the largest propor-*
8 *tionate share. If the investor’s share of partner-*
9 *ship items of income or gain (excluding gain al-*
10 *located under section 704(c)) may vary during*
11 *the period such investor is a partner in the part-*
12 *nership, such share shall be the highest share*
13 *such investor may receive.”.*

14 (2) *CONFORMING AMENDMENTS.*—

15 (A) *Section 897(c)(1)(A) is amended by in-*
16 *serting “or subsection (k)” after “subparagraph*
17 *(B)” in the matter preceding clause (i).*

18 (B) *Section 857(b)(3)(F) is amended by in-*
19 *serting “or subparagraph (A)(ii) or (C) of sec-*
20 *tion 897(k)(2)” after “897(h)(1)”.*

21 (b) *DETERMINATION OF DOMESTIC CONTROL.*—

22 (1) *SPECIAL OWNERSHIP RULES.*—

23 (A) *IN GENERAL.*—*Section 897(h)(4) is*
24 *amended by adding at the end the following new*
25 *subparagraph:*

1 “(E) *SPECIAL OWNERSHIP RULES.*—*For*
2 *purposes of determining the holder of stock under*
3 *subparagraphs (B) and (C)*—

4 “(i) *in the case of any class of stock of*
5 *the qualified investment entity which is reg-*
6 *ularly traded on an established securities*
7 *market in the United States, a person hold-*
8 *ing less than 5 percent of such class of stock*
9 *at all times during the testing period shall*
10 *be treated as a United States person unless*
11 *the qualified investment entity has actual*
12 *knowledge that such person is not a United*
13 *States person,*

14 “(ii) *any stock in the qualified invest-*
15 *ment entity held by another qualified in-*
16 *vestment entity*—

17 “(I) *any class of stock of which is*
18 *regularly traded on an established se-*
19 *curities market, or*

20 “(II) *which is a regulated invest-*
21 *ment company which issues redeemable*
22 *securities (within the meaning of sec-*
23 *tion 2 of the Investment Company Act*
24 *of 1940),*

1 *shall be treated as held by a foreign person,*
2 *except that if such other qualified invest-*
3 *ment entity is domestically controlled (de-*
4 *termined after application of this subpara-*
5 *graph), such stock shall be treated as held*
6 *by a United States person, and*

7 *“(iii) any stock in the qualified invest-*
8 *ment entity held by any other qualified in-*
9 *vestment entity not described in subclause*
10 *(I) or (II) of clause (ii) shall only be treated*
11 *as held by a United States person in pro-*
12 *portion to the stock of such other qualified*
13 *investment entity which is (or is treated*
14 *under clause (ii) or (iii) as) held by a*
15 *United States person.”.*

16 (B) *CONFORMING AMENDMENT.*—*The head-*
17 *ing for paragraph (4) of section 897(h) is*
18 *amended by inserting “AND SPECIAL RULES”*
19 *after “DEFINITIONS”.*

20 (2) *TECHNICAL AMENDMENT.*—*Clause (ii) of sec-*
21 *tion 897(h)(4)(A) is amended by inserting “and for*
22 *purposes of determining whether a real estate invest-*
23 *ment trust is a domestically controlled qualified in-*
24 *vestment entity under this subsection” after “real es-*
25 *tate investment trust”.*

1 (c) *EFFECTIVE DATES.*—

2 (1) *IN GENERAL.*—*The amendments made by*
3 *subsection (a) shall take effect on the date of enact-*
4 *ment and shall apply to—*

5 (A) *any disposition on and after the date of*
6 *the enactment of this Act, and*

7 (B) *any distribution by a real estate invest-*
8 *ment trust on or after the date of the enactment*
9 *of this Act which is treated as a deduction for*
10 *a taxable year of such trust ending after such*
11 *date.*

12 (2) *DETERMINATION OF DOMESTIC CONTROL.*—
13 *The amendments made by subsection (b)(1) shall take*
14 *effect on the date of the enactment of this Act.*

15 (3) *TECHNICAL AMENDMENT.*—*The amendment*
16 *made by subsection (b)(2) shall take effect on January*
17 *1, 2015.*

18 **SEC. 323. EXCEPTION FOR INTERESTS HELD BY FOREIGN**
19 **RETIREMENT OR PENSION FUNDS.**

20 (a) *IN GENERAL.*—*Section 897, as amended by the*
21 *preceding provisions of this Act, is amended by adding at*
22 *the end the following new subsection:*

23 “(l) *EXCEPTION FOR INTERESTS HELD BY FOREIGN*
24 *PENSION FUNDS.*—

1 “(1) *IN GENERAL.*—*This section shall not apply*
2 *to any United States real property interest held di-*
3 *rectly (or indirectly through 1 or more partnerships)*
4 *by, or to any distribution received from a real estate*
5 *investment trust by—*

6 “(A) *a qualified foreign pension fund, or*

7 “(B) *any entity all of the interests of which*
8 *are held by a qualified foreign pension fund.*

9 “(2) *QUALIFIED FOREIGN PENSION FUND.*—*For*
10 *purposes of this subsection, the term ‘qualified foreign*
11 *pension fund’ means any trust, corporation, or other*
12 *organization or arrangement—*

13 “(A) *which is created or organized under*
14 *the law of a country other than the United*
15 *States,*

16 “(B) *which is established to provide retire-*
17 *ment or pension benefits to participants or bene-*
18 *ficiaries that are current or former employees (or*
19 *persons designated by such employees) of one or*
20 *more employers in consideration for services ren-*
21 *dered,*

22 “(C) *which does not have a single partici-*
23 *part or beneficiary with a right to more than*
24 *five percent of its assets or income,*

1 “(D) which is subject to government regula-
2 tion and provides annual information reporting
3 about its beneficiaries to the relevant tax au-
4 thorities in the country in which it is established
5 or operates, and

6 “(E) with respect to which, under the laws
7 of the country in which it is established or oper-
8 ates—

9 “(i) contributions to such trust, cor-
10 poration, organization, or arrangement
11 which would otherwise be subject to tax
12 under such laws are deductible or excluded
13 from the gross income of such entity or
14 taxed at a reduced rate, or

15 “(ii) taxation of any investment in-
16 come of such trust, corporation, organiza-
17 tion or arrangement is deferred or such in-
18 come is taxed at a reduced rate.

19 “(3) REGULATIONS.—The Secretary shall pre-
20 scribe such regulations as may be necessary or appro-
21 priate to carry out the purposes of this subsection.”.

22 (b) EXEMPTION FROM WITHHOLDING.—Section
23 1445(f)(3) is amended by striking “any person” and all
24 that follows and inserting the following: “any person other
25 than—

1 “(A) a United States person, and

2 “(B) except as otherwise provided by the
3 Secretary, an entity with respect to which sec-
4 tion 897 does not apply by reason of subsection
5 (l) thereof.”.

6 (c) *EFFECTIVE DATE.*—The amendments made by this
7 section shall apply to dispositions and distributions after
8 the date of the enactment of this Act.

9 **SEC. 324. INCREASE IN RATE OF WITHHOLDING OF TAX ON**
10 **DISPOSITIONS OF UNITED STATES REAL**
11 **PROPERTY INTERESTS.**

12 (a) *IN GENERAL.*—Subsections (a), (e)(3), (e)(4), and
13 (e)(5) of section 1445 are each amended by striking “10
14 percent” and inserting “15 percent”.

15 (b) *EXCEPTION FOR CERTAIN RESIDENCES.*—Section
16 1445(c) is amended by adding at the end the following new
17 paragraph:

18 “(4) *REDUCED RATE OF WITHHOLDING FOR RES-*
19 *IDENCE WHERE AMOUNT REALIZED DOES NOT EX-*
20 *CEED \$1,000,000.*—In the case of a disposition—

21 “(A) of property which is acquired by the
22 transferee for use by the transferee as a residence,

23 “(B) with respect to which the amount real-
24 ized for such property does not exceed
25 \$1,000,000, and

1 “(C) to which subsection (b)(5) does not
2 apply,
3 subsection (a) shall be applied by substituting ‘10
4 percent’ for ‘15 percent’.”

5 (c) *EFFECTIVE DATE.*—The amendments made by this
6 section shall apply to dispositions after the date which is
7 60 days after the date of the enactment of this Act.

8 **SEC. 325. INTERESTS IN RICS AND REITS NOT EXCLUDED**
9 **FROM DEFINITION OF UNITED STATES REAL**
10 **PROPERTY INTERESTS.**

11 (a) *IN GENERAL.*—Section 897(c)(1)(B) is amended by
12 striking “and” at the end of clause (i), by striking the pe-
13 riod at the end of clause (ii)(II) and inserting “, and”, and
14 by adding at the end the following new clause:

15 “(iii) neither such corporation nor any
16 predecessor of such corporation was a regu-
17 lated investment company or a real estate
18 investment trust at any time during the
19 shorter of the periods described in subpara-
20 graph (A)(ii).”

21 (b) *EFFECTIVE DATE.*—The amendment made by this
22 section shall apply to dispositions on or after the date of
23 the enactment of this Act.

1 **SEC. 326. DIVIDENDS DERIVED FROM RICS AND REITS IN-**
2 **ELIGIBLE FOR DEDUCTION FOR UNITED**
3 **STATES SOURCE PORTION OF DIVIDENDS**
4 **FROM CERTAIN FOREIGN CORPORATIONS.**

5 (a) *IN GENERAL.*—Section 245(a) is amended by add-
6 *ing at the end the following new paragraph:*

7 “(12) *DIVIDENDS DERIVED FROM RICS AND*
8 *REITS INELIGIBLE FOR DEDUCTION.*—*Regulated in-*
9 *vestment companies and real estate investment trusts*
10 *shall not be treated as domestic corporations for pur-*
11 *poses of paragraph (5)(B).”.*

12 (b) *EFFECTIVE DATE.*—*The amendment made by this*
13 *section shall apply to dividends received from regulated in-*
14 *vestment companies and real estate investment trusts on or*
15 *after the date of the enactment of this Act.*

16 (c) *NO INFERENCE.*—*Nothing contained in this section*
17 *or the amendments made by this section shall be construed*
18 *to create any inference with respect to the proper treatment*
19 *under section 245 of the Internal Revenue Code of 1986 of*
20 *dividends received from regulated investment companies or*
21 *real estate investment trusts before the date of the enactment*
22 *of this Act.*

1 **Subtitle C—Additional Provisions**

2 **SEC. 331. DEDUCTIBILITY OF CHARITABLE CONTRIBUTIONS**

3 **TO AGRICULTURAL RESEARCH ORGANIZA-**

4 **TIONS.**

5 (a) *IN GENERAL.*—Subparagraph (A) of section
6 170(b)(1) is amended by striking “or” at the end of clause
7 (vii), by striking the comma at the end of clause (viii) and
8 inserting “, or”, and by inserting after clause (viii) the fol-
9 lowing new clause:

10 “(ix) an agricultural research organi-
11 zation directly engaged in the continuous
12 active conduct of agricultural research (as
13 defined in section 1404 of the Agricultural
14 Research, Extension, and Teaching Policy
15 Act of 1977) in conjunction with a land-
16 grant college or university (as defined in
17 such section) or a non-land grant college of
18 agriculture (as defined in such section), and
19 during the calendar year in which the con-
20 tribution is made such organization is com-
21 mitted to spend such contribution for such
22 research before January 1 of the fifth cal-
23 endar year which begins after the date such
24 contribution is made.”.

1 (b) *EXPENDITURES TO INFLUENCE LEGISLATION.*—
2 *Paragraph (4) of section 501(h) is amended by redesignig-*
3 *ating subparagraphs (E) and (F) as subparagraphs (F)*
4 *and (G), respectively, and by inserting after subparagraph*
5 *(D) the following new subparagraph:*

6 “(E) *section 170(b)(1)(A)(ix) (relating to*
7 *agricultural research organizations),”.*

8 (c) *EFFECTIVE DATE.*—*The amendments made by this*
9 *section shall apply to contributions made on and after the*
10 *date of the enactment of this Act.*

11 **SEC. 332. REMOVAL OF BOND REQUIREMENTS AND EX-**
12 **TENDING FILING PERIODS FOR CERTAIN TAX-**
13 **PAYERS WITH LIMITED EXCISE TAX LIABIL-**
14 **ITY.**

15 (a) *FILING REQUIREMENTS.*—*Paragraph (4) of section*
16 *5061(d) of the Internal Revenue Code of 1986 is amended—*
17 *(1) in subparagraph (A)—*

18 (A) *by striking “In the case of” and insert-*
19 *ing the following:*

20 “(i) *MORE THAN \$1,000 AND NOT MORE*
21 *THAN \$50,000 IN TAXES.—Except as pro-*
22 *vided in clause (ii), in the case of”,*

23 (B) *by striking “under bond for deferred*
24 *payment”, and*

1 (C) by adding at the end the following new
2 clause:

3 “(i) NOT MORE THAN \$1,000 IN
4 TAXES.—In the case of any taxpayer who
5 reasonably expects to be liable for not more
6 than \$1,000 in taxes imposed with respect
7 to distilled spirits, wines, and beer under
8 subparts A, C, and D and section 7652 for
9 the calendar year and who was liable for
10 not more than \$1,000 in such taxes in the
11 preceding calendar year, the last day for the
12 payment of tax on withdrawals, removals,
13 and entries (and articles brought into the
14 United States from Puerto Rico) shall be
15 the 14th day after the last day of the cal-
16 endar year.”, and

17 (2) in subparagraph (B)—

18 (A) by striking “Subparagraph (A)” and
19 inserting the following:

20 “(i) EXCEEDS \$50,000 LIMIT.—Sub-
21 paragraph (A)(i)”, and

22 (B) by adding at the end the following new
23 clause:

24 “(i) EXCEEDS \$1,000 LIMIT.—Sub-
25 paragraph (A)(i) shall not apply to any

1 taxpayer for any portion of the calendar
2 year following the first date on which the
3 aggregate amount of tax due under subparts
4 A, C, and D and section 7652 from such
5 taxpayer during such calendar year exceeds
6 \$1,000, and any tax under such subparts
7 which has not been paid on such date shall
8 be due on the 14th day after the last day of
9 the calendar quarter in which such date oc-
10 curs.”.

11 **(b) BOND REQUIREMENTS.—**

12 **(1) IN GENERAL.—**Section 5551 of such Code is
13 amended—

14 **(A)** in subsection (a), by striking “No indi-
15 vidual” and inserting “Except as provided under
16 subsection (d), no individual”, and

17 **(B)** by adding at the end the following new
18 subsection:

19 **“(d) REMOVAL OF BOND REQUIREMENTS.—**

20 **(1) IN GENERAL.—**During any period to which
21 subparagraph (A) of section 5061(d)(4) applies to a
22 taxpayer (determined after application of subpara-
23 graph (B) thereof), such taxpayer shall not be re-
24 quired to furnish any bond covering operations or

1 *withdrawals of distilled spirits or wines for nonindus-*
2 *trial use or of beer.*

3 “(2) *SATISFACTION OF BOND REQUIREMENTS.*—
4 *Any taxpayer for any period described in paragraph*
5 *(1) shall be treated as if sufficient bond has been fur-*
6 *nished for purposes of covering operations and with-*
7 *drawals of distilled spirits or wines for nonindustrial*
8 *use or of beer for purposes of any requirements relat-*
9 *ing to bonds under this chapter.”.*

10 (2) *CONFORMING AMENDMENTS.*—

11 (A) *BONDS FOR DISTILLED SPIRITS*
12 *PLANTS.*—*Section 5173(a) of such Code is*
13 *amended—*

14 (i) *in paragraph (1), by striking “No*
15 *person” and inserting “Except as provided*
16 *under section 5551(d), no person”, and*

17 (ii) *in paragraph (2), by striking “No*
18 *distilled spirits” and inserting “Except as*
19 *provided under section 5551(d), no distilled*
20 *spirits”.*

21 (B) *BONDED WINE CELLARS.*—*Section 5351*
22 *of such Code is amended—*

23 (i) *by striking “Any person” and in-*
24 *serting the following:*

25 “(a) *IN GENERAL.*—*Any person”,*

- 1 (ii) by inserting “, except as provided
2 under section 5551(d),” before “file bond”,
3 (iii) by striking “Such premises shall”
4 and all that follows through the period, and
5 (iv) by adding at the end the following
6 new subsection:

7 “(b) *DEFINITIONS.*—For purposes of this chapter—

8 “(1) *BONDED WINE CELLAR.*—The term ‘bonded
9 wine cellar’ means any premises described in sub-
10 section (a), including any such premises established
11 by a taxpayer described in section 5551(d).

12 “(2) *BONDED WINERY.*—At the discretion of the
13 Secretary, any bonded wine cellar that engages in
14 production operations may be designated as a ‘bonded
15 winery’.”.

16 “(C) *BONDS FOR BREWERIES.*—Section 5401
17 of such Code is amended by adding at the end
18 the following new subsection:

19 “(c) *EXCEPTION FROM BOND REQUIREMENTS FOR*
20 *CERTAIN BREWERIES.*—Subsection (b) shall not apply to
21 any taxpayer for any period described in section 5551(d).”.

22 “(c) *EFFECTIVE DATE.*—The amendments made by this
23 section shall apply to any calendar quarters beginning more
24 than 1 year after the date of the enactment of this Act.

1 **SEC. 333. MODIFICATIONS TO ALTERNATIVE TAX FOR CER-**
2 **TAIN SMALL INSURANCE COMPANIES.**

3 (a) *ADDITIONAL REQUIREMENT FOR COMPANIES TO*
4 *WHICH ALTERNATIVE TAX APPLIES.—*

5 (1) *ADDED REQUIREMENT.—*

6 (A) *IN GENERAL.—*Subparagraph (A) of
7 *section 831(b)(2) is amended—*

8 (i) *by striking “(including inter-*
9 *insurers and reciprocal underwriters)”*, and

10 (ii) *by striking “and” at the end of*
11 *clause (i), by redesignating clause (ii) as*
12 *clause (iii), and by inserting after clause (i)*
13 *the following new clause:*

14 “(ii) *such company meets the diver-*
15 *sification requirements of subparagraph*
16 *(B), and”.*

17 (B) *DIVERSIFICATION REQUIREMENT.—*
18 *Paragraph (2) of section 831(b) is amended by*
19 *redesignating subparagraphs (B) as subpara-*
20 *graph (C) and by inserting after subparagraph*
21 *(A) the following new subparagraph:*

22 “(B) *DIVERSIFICATION REQUIREMENTS.—*

23 “(i) *IN GENERAL.—*An insurance com-
24 *pany meets the requirements of this sub-*
25 *paragraph if—*

1 “(I) no more than 20 percent of
2 the net written premiums (or, if great-
3 er, direct written premiums) of such
4 company for the taxable year is attrib-
5 utable to any one policyholder, or

6 “(II) such insurance company
7 does not meet the requirement of sub-
8 clause (I) and no person who holds (di-
9 rectly or indirectly) an interest in such
10 insurance company is a specified hold-
11 er who holds (directly or indirectly)
12 aggregate interests in such insurance
13 company which constitute a percentage
14 of the entire interests in such insur-
15 ance company which is more than a de
16 minimis percentage higher than the
17 percentage of interests in the specified
18 assets with respect to such insurance
19 company held (directly or indirectly)
20 by such specified holder.

21 “(ii) *DEFINITIONS.*—For purposes of
22 clause (i)(II)—

23 “(I) *SPECIFIED HOLDER.*—The
24 term ‘specified holder’ means, with re-
25 spect to any insurance company, any

1 *individual who holds (directly or indi-*
2 *rectly) an interest in such insurance*
3 *company and who is a spouse or lineal*
4 *descendant (including by adoption) of*
5 *an individual who holds an interest*
6 *(directly or indirectly) in the specified*
7 *assets with respect to such insurance*
8 *company.*

9 “(II) *SPECIFIED ASSETS.*—*The*
10 *term ‘specified assets’ means, with re-*
11 *spect to any insurance company, the*
12 *trades or businesses, rights, or assets*
13 *with respect to which the net written*
14 *premiums (or direct written pre-*
15 *miums) of such insurance company are*
16 *paid.*

17 “(III) *INDIRECT INTEREST.*—*An*
18 *indirect interest includes any interest*
19 *held through a trust, estate, partner-*
20 *ship, or corporation.*

21 “(IV) *DE MINIMIS.*—*Except as*
22 *otherwise provided by the Secretary in*
23 *regulations or other guidance, 2 per-*
24 *centage points or less shall be treated*
25 *as de minimis.”*

1 (C) *CONFORMING AMENDMENTS.*—*The sec-*
2 *ond sentence section 831(b)(2)(A) is amended—*
3 *(i) by striking “clause (ii)” and insert-*
4 *ing “clause (iii)”, and*
5 *(ii) by striking “clause (i)” and insert-*
6 *ing “clauses (i) and (ii)”.*

7 (2) *TREATMENT OF RELATED POLICYHOLDERS.*—
8 *Clause (i) of section 831(b)(2)(C), as redesignated by*
9 *paragraph (1)(B), is amended—*

10 (A) *by striking “For purposes of subpara-*
11 *graph (A), in determining” and inserting “For*
12 *purposes of this paragraph—*

13 *“(I) in determining”,*

14 (B) *by striking the period at the end and*
15 *inserting “, and”, and*

16 (C) *by adding at the end the following new*
17 *subclause:*

18 *“(II) in determining the attribu-*
19 *tion of premiums to any policyholder*
20 *under subparagraph (B)(i), all policy-*
21 *holders which are related (within the*
22 *meaning of section 267(b) or 707(b)) or*
23 *are members of the same controlled*
24 *group shall be treated as one policy-*
25 *holder.”.*

1 (3) *REPORTING.*—Section 831 is amended by re-
2 designating subsection (d) as subsection (e) and by
3 inserting after subsection (c) the following new sub-
4 section:

5 “(d) *REPORTING.*—Every insurance company for
6 which an election is in effect under subsection (b) for any
7 taxable year shall furnish to the Secretary at such time and
8 in such manner as the Secretary shall prescribe such infor-
9 mation for such taxable year as the Secretary shall require
10 with respect to the requirements of subsection
11 (b)(2)(A)(ii).”.

12 (b) *INCREASE IN LIMITATION ON PREMIUMS.*—

13 (1) *IN GENERAL.*—Clause (i) of section
14 831(b)(2)(A) is amended by striking “\$1,200,000”
15 and inserting “\$2,200,000”.

16 (2) *INFLATION ADJUSTMENT.*—Paragraph (2) of
17 section 831(b), as amended by subsection (a)(1)(B), is
18 amended by adding at the end the following new sub-
19 paragraph:

20 “(D) *INFLATION ADJUSTMENT.*—In the case
21 of any taxable year beginning in a calendar year
22 after 2015, the dollar amount set forth in sub-
23 paragraph (A)(i) shall be increased by an
24 amount equal to—

25 “(i) such dollar amount, multiplied by

1 “(i) the cost-of-living adjustment de-
2 termined under section 1(f)(3) for such cal-
3 endar year by substituting ‘calendar year
4 2013’ for ‘calendar year 1992’ in subpara-
5 graph (B) thereof.

6 If the amount as adjusted under the preceding
7 sentence is not a multiple of \$50,000, such
8 amount shall be rounded to the next lowest mul-
9 tiple of \$50,000.”.

10 (c) *EFFECTIVE DATE.*—The amendments made by this
11 section shall apply to taxable years beginning after Decem-
12 ber 31, 2016.

13 **SEC. 334. TREATMENT OF TIMBER GAINS.**

14 (a) *IN GENERAL.*—Section 1201(b) is amended to read
15 as follows:

16 “(b) *SPECIAL RATE FOR QUALIFIED TIMBER GAINS.*—

17 “(1) *IN GENERAL.*—If, for any taxable year be-
18 ginning in 2016, a corporation has both a net capital
19 gain and qualified timber gain—

20 “(A) subsection (a) shall apply to such cor-
21 poration for the taxable year without regard to
22 whether the applicable tax rate exceeds 35 per-
23 cent, and

24 “(B) the tax computed under subsection
25 (a)(2) shall be equal to the sum of—

1 “(i) 23.8 percent of the least of—
2 “(I) qualified timber gain,
3 “(II) net capital gain, or
4 “(III) taxable income, plus
5 “(ii) 35 percent of the excess (if any)
6 of taxable income over the sum of the
7 amounts for which a tax was determined
8 under subsection (a)(1) and clause (i).

9 “(2) *QUALIFIED TIMBER GAIN.*—For purposes of
10 this section, the term ‘qualified timber gain’ means,
11 with respect to any taxpayer for any taxable year, the
12 excess (if any) of—

13 “(A) the sum of the taxpayer’s gains de-
14 scribed in subsections (a) and (b) of section 631
15 for such year, over

16 “(B) the sum of the taxpayer’s losses de-
17 scribed in such subsections for such year.

18 For purposes of subparagraphs (A) and (B), only
19 timber held more than 15 years shall be taken into
20 account.”.

21 (b) *CONFORMING AMENDMENT.*—Section 55(b) is
22 amended by striking paragraph (4).

23 (c) *EFFECTIVE DATE.*—The amendments made by this
24 section shall apply to taxable years beginning after Decem-
25 ber 31, 2015.

1 **SEC. 335. MODIFICATION OF DEFINITION OF HARD CIDER.**

2 (a) *IN GENERAL.*—Section 5041 of the Internal Rev-
3 enue Code of 1986 is amended—

4 (1) in paragraph (6) of subsection (b), by strik-
5 ing “which is a still wine” and all that follows
6 through “alcohol by volume”, and

7 (2) by adding at the end the following new sub-
8 section:

9 “(g) *HARD CIDER.*—For purposes of subsection (b)(6),
10 the term ‘hard cider’ means a wine—

11 “(1) containing not more than 0.64 gram of car-
12 bon dioxide per hundred milliliters of wine, except
13 that the Secretary may by regulations prescribe such
14 tolerances to this limitation as may be reasonably
15 necessary in good commercial practice,

16 “(2) which is derived primarily—

17 “(A) from apples or pears, or

18 “(B) from—

19 “(i) apple juice concentrate or pear
20 juice concentrate, and

21 “(ii) water,

22 “(3) which contains no fruit product or fruit fla-
23 voring other than apple or pear, and

24 “(4) which contains at least one-half of 1 percent
25 and less than 8.5 percent alcohol by volume.”.

1 (b) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall apply to hard cider removed during calendar*
3 *years beginning after December 31, 2016.*

4 **SEC. 336. CHURCH PLAN CLARIFICATION.**

5 (a) *APPLICATION OF CONTROLLED GROUP RULES TO*
6 *CHURCH PLANS.*—

7 (1) *IN GENERAL.*—*Section 414(c) is amended—*

8 (A) *by striking “For purposes” and insert-*
9 *ing the following:*

10 “*(1) IN GENERAL.—Except as provided in para-*
11 *graph (2), for purposes”, and*

12 (B) *by adding at the end the following new*
13 *paragraph:*

14 “*(2) SPECIAL RULES RELATING TO CHURCH*
15 *PLANS.*—

16 “*(A) GENERAL RULE.—Except as provided*
17 *in subparagraphs (B) and (C), for purposes of*
18 *this subsection and subsection (m), an organiza-*
19 *tion that is otherwise eligible to participate in a*
20 *church plan shall not be aggregated with another*
21 *such organization and treated as a single em-*
22 *ployer with such other organization for a plan*
23 *year beginning in a taxable year unless—*

24 “*(i) one such organization provides*
25 *(directly or indirectly) at least 80 percent of*

1 *the operating funds for the other organiza-*
2 *tion during the preceding taxable year of*
3 *the recipient organization, and*

4 “(ii) *there is a degree of common man-*
5 *agement or supervision between the organi-*
6 *zations such that the organization providing*
7 *the operating funds is directly involved in*
8 *the day-to-day operations of the other orga-*
9 *nization.*

10 “(B) *NONQUALIFIED CHURCH-CONTROLLED*
11 *ORGANIZATIONS.—Notwithstanding subpara-*
12 *graph (A), for purposes of this subsection and*
13 *subsection (m), an organization that is a non-*
14 *qualified church-controlled organization shall be*
15 *aggregated with 1 or more other nonqualified*
16 *church-controlled organizations, or with an orga-*
17 *nization that is not exempt from tax under sec-*
18 *tion 501, and treated as a single employer with*
19 *such other organization, if at least 80 percent of*
20 *the directors or trustees of such other organiza-*
21 *tion are either representatives of, or directly or*
22 *indirectly controlled by, such nonqualified*
23 *church-controlled organization. For purposes of*
24 *this subparagraph, the term ‘nonqualified*
25 *church-controlled organization’ means a church-*

1 *controlled tax-exempt organization described in*
2 *section 501(c)(3) that is not a qualified church-*
3 *controlled organization (as defined in section*
4 *3121(w)(3)(B)).*

5 “(C) *PERMISSIVE AGGREGATION AMONG*
6 *CHURCH-RELATED ORGANIZATIONS.—The church*
7 *or convention or association of churches with*
8 *which an organization described in subpara-*
9 *graph (A) is associated (within the meaning of*
10 *subsection (e)(3)(D)), or an organization des-*
11 *ignated by such church or convention or associa-*
12 *tion of churches, may elect to treat such organi-*
13 *zations as a single employer for a plan year.*
14 *Such election, once made, shall apply to all suc-*
15 *ceeding plan years unless revoked with notice*
16 *provided to the Secretary in such manner as the*
17 *Secretary shall prescribe.*

18 “(D) *PERMISSIVE DISAGGREGATION OF*
19 *CHURCH-RELATED ORGANIZATIONS.—For pur-*
20 *poses of subparagraph (A), in the case of a*
21 *church plan, an employer may elect to treat*
22 *churches (as defined in section 403(b)(12)(B))*
23 *separately from entities that are not churches (as*
24 *so defined), without regard to whether such enti-*
25 *ties maintain separate church plans. Such elec-*

1 *tion, once made, shall apply to all succeeding*
2 *plan years unless revoked with notice provided to*
3 *the Secretary in such manner as the Secretary*
4 *shall prescribe.”.*

5 (2) *CLARIFICATION RELATING TO APPLICATION*
6 *OF ANTI-ABUSE RULE.—The rule of 26 CFR 1.414(c)–*
7 *5(f) shall continue to apply to each paragraph of sec-*
8 *tion 414(c) of the Internal Revenue Code of 1986, as*
9 *amended by paragraph (1).*

10 (3) *EFFECTIVE DATE.—The amendments made*
11 *by paragraph (1) shall apply to years beginning be-*
12 *fore, on, or after the date of the enactment of this Act.*

13 (b) *APPLICATION OF CONTRIBUTION AND FUNDING*
14 *LIMITATIONS TO 403(b) GRANDFATHERED DEFINED BEN-*
15 *EFIT PLANS.—*

16 (1) *IN GENERAL.—Section 251(e)(5) of the Tax*
17 *Equity and Fiscal Responsibility Act of 1982 (Public*
18 *Law 97–248), is amended—*

19 (A) *by striking “403(b)(2)” and inserting*
20 *“403(b)”, and*

21 (B) *by inserting before the period at the end*
22 *the following: “, and shall be subject to the appli-*
23 *cable limitations of section 415(b) of such Code*
24 *as if it were a defined benefit plan under section*

1 401(a) of such Code (and not to the limitations
2 of section 415(c) of such Code).”.

3 (2) *EFFECTIVE DATE.*—*The amendments made*
4 *by this subsection shall apply to years beginning be-*
5 *fore, on, or after the date of the enactment of this Act.*

6 (c) *AUTOMATIC ENROLLMENT BY CHURCH PLANS.*—

7 (1) *IN GENERAL.*—*This subsection shall super-*
8 *sede any law of a State that relates to wage, salary,*
9 *or payroll payment, collection, deduction, garnish-*
10 *ment, assignment, or withholding which would di-*
11 *rectly or indirectly prohibit or restrict the inclusion*
12 *in any church plan (as defined in section 414(e) of*
13 *the Internal Revenue Code of 1986) of an automatic*
14 *contribution arrangement.*

15 (2) *DEFINITION OF AUTOMATIC CONTRIBUTION*
16 *ARRANGEMENT.*—*For purposes of this subsection, the*
17 *term “automatic contribution arrangement” means*
18 *an arrangement—*

19 (A) *under which a participant may elect to*
20 *have the plan sponsor or the employer make pay-*
21 *ments as contributions under the plan on behalf*
22 *of the participant, or to the participant directly*
23 *in cash,*

24 (B) *under which a participant is treated as*
25 *having elected to have the plan sponsor or the*

1 *employer make such contributions in an amount*
2 *equal to a uniform percentage of compensation*
3 *provided under the plan until the participant*
4 *specifically elects not to have such contributions*
5 *made (or specifically elects to have such con-*
6 *tributions made at a different percentage), and*

7 *(C) under which the notice and election re-*
8 *quirements of paragraph (3), and the investment*
9 *requirements of paragraph (4), are satisfied.*

10 *(3) NOTICE REQUIREMENTS.—*

11 *(A) IN GENERAL.—The plan sponsor of, or*
12 *plan administrator or employer maintaining, an*
13 *automatic contribution arrangement shall, with-*
14 *in a reasonable period before the first day of*
15 *each plan year, provide to each participant to*
16 *whom the arrangement applies for such plan*
17 *year notice of the participant's rights and obli-*
18 *gations under the arrangement which—*

19 *(i) is sufficiently accurate and com-*
20 *prehensive to apprise the participant of*
21 *such rights and obligations, and*

22 *(ii) is written in a manner calculated*
23 *to be understood by the average participant*
24 *to whom the arrangement applies.*

1 (B) *ELECTION REQUIREMENTS.*—A notice
2 shall not be treated as meeting the requirements
3 of subparagraph (A) with respect to a partici-
4 pant unless—

5 (i) the notice includes an explanation
6 of the participant’s right under the arrange-
7 ment not to have elective contributions
8 made on the participant’s behalf (or to elect
9 to have such contributions made at a dif-
10 ferent percentage),

11 (ii) the participant has a reasonable
12 period of time, after receipt of the expla-
13 nation described in clause (i) and before the
14 first elective contribution is made, to make
15 such election, and

16 (iii) the notice explains how contribu-
17 tions made under the arrangement will be
18 invested in the absence of any investment
19 election by the participant.

20 (4) *DEFAULT INVESTMENT.*—If no affirmative
21 investment election has been made with respect to any
22 automatic contribution arrangement, contributions to
23 such arrangement shall be invested in a default in-
24 vestment selected with the care, skill, prudence, and

1 *diligence that a prudent person selecting an invest-*
2 *ment option would use.*

3 (5) *EFFECTIVE DATE.*—*This subsection shall take*
4 *effect on the date of the enactment of this Act.*

5 (d) *ALLOW CERTAIN PLAN TRANSFERS AND MERG-*
6 *ERS.*—

7 (1) *IN GENERAL.*—*Section 414 is amended by*
8 *adding at the end the following new subsection:*

9 “(z) *CERTAIN PLAN TRANSFERS AND MERGERS.*—

10 “(1) *IN GENERAL.*—*Under rules prescribed by*
11 *the Secretary, except as provided in paragraph (2),*
12 *no amount shall be includible in gross income by rea-*
13 *son of—*

14 “(A) *a transfer of all or a portion of the ac-*
15 *crued benefit of a participant or beneficiary,*
16 *whether or not vested, from a church plan that*
17 *is a plan described in section 401(a) or an an-*
18 *nuity contract described in section 403(b) to an*
19 *annuity contract described in section 403(b), if*
20 *such plan and annuity contract are both main-*
21 *tained by the same church or convention or asso-*
22 *ciation of churches,*

23 “(B) *a transfer of all or a portion of the ac-*
24 *crued benefit of a participant or beneficiary,*
25 *whether or not vested, from an annuity contract*

1 *described in section 403(b) to a church plan that*
2 *is a plan described in section 401(a), if such*
3 *plan and annuity contract are both maintained*
4 *by the same church or convention or association*
5 *of churches, or*

6 “(C) *a merger of a church plan that is a*
7 *plan described in section 401(a), or an annuity*
8 *contract described in section 403(b), with an an-*
9 *nuity contract described in section 403(b), if*
10 *such plan and annuity contract are both main-*
11 *tained by the same church or convention or asso-*
12 *ciation of churches.*

13 “(2) *LIMITATION.—Paragraph (1) shall not*
14 *apply to a transfer or merger unless the participant’s*
15 *or beneficiary’s total accrued benefit immediately*
16 *after the transfer or merger is equal to or greater than*
17 *the participant’s or beneficiary’s total accrued benefit*
18 *immediately before the transfer or merger, and such*
19 *total accrued benefit is nonforfeitable after the trans-*
20 *fer or merger.*

21 “(3) *QUALIFICATION.—A plan or annuity con-*
22 *tract shall not fail to be considered to be described in*
23 *section 401(a) or 403(b) merely because such plan or*
24 *annuity contract engages in a transfer or merger de-*
25 *scribed in this subsection.*

1 “(4) *DEFINITIONS.*—*For purposes of this sub-*
2 *section—*

3 “(A) *CHURCH OR CONVENTION OR ASSOCIA-*
4 *TION OF CHURCHES.*—*The term ‘church or con-*
5 *vention or association of churches’ includes an*
6 *organization described in subparagraph (A) or*
7 *(B)(ii) of subsection (e)(3).*

8 “(B) *ANNUITY CONTRACT.*—*The term ‘an-*
9 *nuity contract’ includes a custodial account de-*
10 *scribed in section 403(b)(7) and a retirement in-*
11 *come account described in section 403(b)(9).*

12 “(C) *ACCRUED BENEFIT.*—*The term ‘ac-*
13 *crued benefit’ means—*

14 “(i) *in the case of a defined benefit*
15 *plan, the employee’s accrued benefit deter-*
16 *mined under the plan, and*

17 “(ii) *in the case of a plan other than*
18 *a defined benefit plan, the balance of the*
19 *employee’s account under the plan.”.*

20 (2) *EFFECTIVE DATE.*—*The amendment made by*
21 *this subsection shall apply to transfers or mergers oc-*
22 *curring after the date of the enactment of this Act.*

23 (e) *INVESTMENTS BY CHURCH PLANS IN COLLECTIVE*
24 *TRUSTS.*—

25 (1) *IN GENERAL.*—*In the case of—*

1 (A) a church plan (as defined in section
2 414(e) of the Internal Revenue Code of 1986), in-
3 cluding a plan described in section 401(a) of
4 such Code and a retirement income account de-
5 scribed in section 403(b)(9) of such Code, and

6 (B) an organization described in section
7 414(e)(3)(A) of such Code the principal purpose
8 or function of which is the administration of
9 such a plan or account,

10 the assets of such plan, account, or organization (in-
11 cluding any assets otherwise permitted to be commin-
12 gled for investment purposes with the assets of such
13 a plan, account, or organization) may be invested in
14 a group trust otherwise described in Internal Revenue
15 Service Revenue Ruling 81-100 (as modified by In-
16 ternal Revenue Service Revenue Rulings 2004-67,
17 2011-1, and 2014-24), or any subsequent revenue
18 ruling that supersedes or modifies such revenue rul-
19 ing, without adversely affecting the tax status of the
20 group trust, such plan, account, or organization, or
21 any other plan or trust that invests in the group
22 trust.

23 (2) *EFFECTIVE DATE.*—This subsection shall
24 apply to investments made after the date of the enact-
25 ment of this Act.

1 ***Subtitle D—Revenue Provisions***

2 ***SEC. 341. UPDATED ASHRAE STANDARDS FOR ENERGY EFFI-***
3 ***CIENT COMMERCIAL BUILDINGS DEDUCTION.***

4 (a) *IN GENERAL.*—Paragraph (1) of section 179D(c)
5 *is amended by striking “Standard 90.1–2001” each place*
6 *it appears and inserting “Standard 90.1–2007”.*

7 (b) *CONFORMING AMENDMENTS.*—

8 (1) Paragraph (2) of section 179D(c) is amended
9 *to read as follows:*

10 “(2) *STANDARD 90.1–2007.*—*The term ‘Standard*
11 *90.1–2007’ means Standard 90.1–2007 of the Amer-*
12 *ican Society of Heating, Refrigerating, and Air Con-*
13 *ditioning Engineers and the Illuminating Engineer-*
14 *ing Society of North America (as in effect on the day*
15 *before the date of the adoption of Standard 90.1–2010*
16 *of such Societies).”.*

17 (2) Subsection (f) of section 179D is amended by
18 *striking “Standard 90.1–2001” each place it appears*
19 *in paragraphs (1) and (2)(C)(i) and inserting*
20 *“Standard 90.1–2007”.*

21 (3) Paragraph (1) of section 179D(f) is amend-
22 *ed—*

23 (A) *by striking “Table 9.3.1.1” and insert-*
24 *ing “Table 9.5.1”, and*

1 (B) by striking “Table 9.3.1.2” and insert-
2 ing “Table 9.6.1”.

3 (c) *EFFECTIVE DATE.*—*The amendments made by this*
4 *subsection shall apply to property placed in service after*
5 *December 31, 2015.*

6 **SEC. 342. EXCISE TAX CREDIT EQUIVALENCY FOR**
7 **LIQUIFIED PETROLEUM GAS AND LIQUIFIED**
8 **NATURAL GAS.**

9 (a) *IN GENERAL.*—*Section 6426 is amended by adding*
10 *at the end the following new subsection:*

11 “(j) *ENERGY EQUIVALENCY DETERMINATIONS FOR*
12 *LIQUEFIED PETROLEUM GAS AND LIQUEFIED NATURAL*
13 *GAS.*—*For purposes of determining any credit under this*
14 *section, any reference to the number of gallons of an alter-*
15 *native fuel or the gasoline gallon equivalent of such a fuel*
16 *shall be treated as a reference to—*

17 “(1) *in the case of liquefied petroleum gas, the*
18 *energy equivalent of a gallon of gasoline, as defined*
19 *in section 4041(a)(2)(C), and*

20 “(2) *in the case of liquefied natural gas, the en-*
21 *ergy equivalent of a gallon of diesel, as defined in sec-*
22 *tion 4041(a)(2)(D).”.*

23 (b) *EFFECTIVE DATE.*—*The amendments made by this*
24 *section shall apply to fuel sold or used after December 31,*
25 *2015.*

1 **SEC. 343. EXCLUSION FROM GROSS INCOME OF CERTAIN**
2 **CLEAN COAL POWER GRANTS TO NON-COR-**
3 **PORATE TAXPAYERS.**

4 (a) *GENERAL RULE.*—*In the case of an eligible tax-*
5 *payer other than a corporation, gross income for purposes*
6 *of the Internal Revenue Code of 1986 shall not include any*
7 *amount received under section 402 of the Energy Policy Act*
8 *of 2005.*

9 (b) *REDUCTION IN BASIS.*—*The basis of any property*
10 *subject to the allowance for depreciation under the Internal*
11 *Revenue Code of 1986 which is acquired with any amount*
12 *to which subsection (a) applies during the 12-month period*
13 *beginning on the day such amount is received shall be re-*
14 *duced by an amount equal to such amount. The excess (if*
15 *any) of such amount over the amount of the reduction under*
16 *the preceding sentence shall be applied to the reduction (as*
17 *of the last day of the period specified in the preceding sen-*
18 *tence) of the basis of any other property held by the tax-*
19 *payer. The particular properties to which the reductions re-*
20 *quired by this subsection are allocated shall be determined*
21 *by the Secretary of the Treasury (or the Secretary's dele-*
22 *gate) under regulations similar to the regulations under sec-*
23 *tion 362(c)(2) of such Code.*

24 (c) *LIMITATION TO AMOUNTS WHICH WOULD BE CON-*
25 *TRIBUTIONS TO CAPITAL.*—*Subsection (a) shall not apply*
26 *to any amount unless such amount, if received by a cor-*

1 poration, would be excluded from gross income under sec-
2 tion 118 of the Internal Revenue Code of 1986.

3 (d) *ELIGIBLE TAXPAYER.*—For purposes of this sec-
4 tion, with respect to any amount received under section 402
5 of the Energy Policy Act of 2005, the term “eligible tax-
6 payer” means a taxpayer that makes a payment to the Sec-
7 retary of the Treasury (or the Secretary’s delegate) equal
8 to 1.18 percent of the amount so received. Such payment
9 shall be made at such time and in such manner as such
10 Secretary (or the Secretary’s delegate) shall prescribe. In
11 the case of a partnership, such Secretary (or the Secretary’s
12 delegate) shall prescribe regulations to determine the alloca-
13 tion of such payment amount among the partners.

14 (e) *EFFECTIVE DATE.*—This section shall apply to
15 amounts received under section 402 of the Energy Policy
16 Act of 2005 in taxable years beginning after December 31,
17 2011.

18 **SEC. 344. CLARIFICATION OF VALUATION RULE FOR EARLY**
19 **TERMINATION OF CERTAIN CHARITABLE RE-**
20 **MAINDER UNITRUSTS.**

21 (a) *IN GENERAL.*—Section 664(e) is amended—

22 (1) by adding at the end the following: “In the
23 case of the early termination of a trust which is a
24 charitable remainder unitrust by reason of subsection
25 (d)(3), the valuation of interests in such trust for pur-

1 *poses of this section shall be made under rules similar*
2 *to the rules of the preceding sentence.”, and*

3 *(2) by striking “FOR PURPOSES OF CHARITABLE*
4 *CONTRIBUTION” in the heading thereof and inserting*
5 *“OF INTERESTS”.*

6 *(b) EFFECTIVE DATE.—The amendment made by this*
7 *section shall apply to terminations of trusts occurring after*
8 *the date of the enactment of this Act.*

9 **SEC. 345. PREVENTION OF TRANSFER OF CERTAIN LOSSES**
10 **FROM TAX INDIFFERENT PARTIES.**

11 *(a) IN GENERAL.—Section 267(d) is amended to read*
12 *as follows:*

13 *“(d) AMOUNT OF GAIN WHERE LOSS PREVIOUSLY*
14 *DISALLOWED.—*

15 *“(1) IN GENERAL.—If—*

16 *“(A) in the case of a sale or exchange of*
17 *property to the taxpayer a loss sustained by the*
18 *transferor is not allowable to the transferor as a*
19 *deduction by reason of subsection (a)(1), and*

20 *“(B) the taxpayer sells or otherwise disposes*
21 *of such property (or of other property the basis*
22 *of which in the taxpayer’s hands is determined*
23 *directly or indirectly by reference to such prop-*
24 *erty) at a gain,*

1 *then such gain shall be recognized only to the extent*
2 *that it exceeds so much of such loss as is properly al-*
3 *locable to the property sold or otherwise disposed of*
4 *by the taxpayer.*

5 *“(2) EXCEPTION FOR WASH SALES.—Paragraph*
6 *(1) shall not apply if the loss sustained by the trans-*
7 *feror is not allowable to the transferor as a deduction*
8 *by reason of section 1091 (relating to wash sales).*

9 *“(3) EXCEPTION FOR TRANSFERS FROM TAX IN-*
10 *DIFFERENT PARTIES.—Paragraph (1) shall not apply*
11 *to the extent any loss sustained by the transferor (if*
12 *allowed) would not be taken into account in deter-*
13 *mining a tax imposed under section 1 or 11 or a tax*
14 *computed as provided by either of such sections.”.*

15 *(b) EFFECTIVE DATE.—The amendment made by this*
16 *section shall apply to sales and other dispositions of prop-*
17 *erty acquired after December 31, 2015, by the taxpayer in*
18 *a sale or exchange to which section 267(a)(1) of the Internal*
19 *Revenue Code of 1986 applied.*

20 **SEC. 346. TREATMENT OF CERTAIN PERSONS AS EMPLOY-**
21 **ERS WITH RESPECT TO MOTION PICTURE**
22 **PROJECTS.**

23 *(a) IN GENERAL.—Chapter 25 (relating to general*
24 *provisions relating to employment taxes) is amended by*
25 *adding at the end the following new section:*

1 **“SEC. 3512. TREATMENT OF CERTAIN PERSONS AS EMPLOY-**
2 **ERS WITH RESPECT TO MOTION PICTURE**
3 **PROJECTS.**

4 “(a) *IN GENERAL.*—For purposes of sections
5 3121(a)(1) and 3306(b)(1), remuneration paid to a motion
6 picture project worker by a motion picture project employer
7 during a calendar year shall be treated as remuneration
8 paid with respect to employment of such worker by such
9 employer during the calendar year. The identity of such em-
10 ployer for such purposes shall be determined as set forth
11 in this section and without regard to the usual common
12 law rules applicable in determining the employer-employee
13 relationship.

14 “(b) *DEFINITIONS.*—For purposes of this section—

15 “(1) *MOTION PICTURE PROJECT EMPLOYER.*—
16 The term ‘motion picture project employer’ means
17 any person if—

18 “(A) such person (directly or through affili-
19 ates)—

20 “(i) is a party to a written contract
21 covering the services of motion picture
22 project workers with respect to motion pic-
23 ture projects in the course of a client’s trade
24 or business,

25 “(ii) is contractually obligated to pay
26 remuneration to the motion picture project

1 *workers without regard to payment or reim-*
2 *bursement by any other person,*

3 “(iii) *controls the payment (within the*
4 *meaning of section 3401(d)(1)) of remun-*
5 *eration to the motion picture project work-*
6 *ers and pays such remuneration from its*
7 *own account or accounts,*

8 “(iv) *is a signatory to one or more col-*
9 *lective bargaining agreements with a labor*
10 *organization (as defined in 29 U.S.C.*
11 *152(5)) that represents motion picture*
12 *project workers, and*

13 “(v) *has treated substantially all mo-*
14 *tion picture project workers that such per-*
15 *son pays as employees and not as inde-*
16 *pendent contractors during such calendar*
17 *year for purposes of determining employ-*
18 *ment taxes under this subtitle, and*

19 “(B) *at least 80 percent of all remuneration*
20 *(to which section 3121 applies) paid by such*
21 *person in such calendar year is paid to motion*
22 *picture project workers.*

23 “(2) *MOTION PICTURE PROJECT WORKER.—The*
24 *term ‘motion picture project worker’ means any indi-*
25 *vidual who provides services on motion picture*

1 *projects for clients who are not affiliated with the mo-*
2 *tion picture project employer.*

3 *“(3) MOTION PICTURE PROJECT.—The term ‘mo-*
4 *tion picture project’ means the production of any*
5 *property described in section 168(f)(3). Such term*
6 *does not include property with respect to which*
7 *records are required to be maintained under section*
8 *2257 of title 18, United States Code.*

9 *“(4) AFFILIATE; AFFILIATED.—A person shall be*
10 *treated as an affiliate of, or affiliated with, another*
11 *person if such persons are treated as a single em-*
12 *ployer under subsection (b) or (c) of section 414.”.*

13 *(b) CLERICAL AMENDMENT.—The table of sections for*
14 *such chapter 25 is amended by adding at the end the fol-*
15 *lowing new item:*

“Sec. 3512. Treatment of certain persons as employers with respect to motion pic-
ture projects.”.

16 *(c) EFFECTIVE DATE.—The amendments made by this*
17 *section shall apply to remuneration paid after December*
18 *31, 2015.*

19 *(d) NO INFERENCE.—Nothing in the amendments*
20 *made by this section shall be construed to create any infer-*
21 *ence on the law before the date of the enactment of this Act.*

1 **TITLE IV—TAX ADMINISTRATION**
2 **Subtitle A—Internal Revenue**
3 **Service Reforms**

4 **SEC. 401. DUTY TO ENSURE THAT INTERNAL REVENUE**
5 **SERVICE EMPLOYEES ARE FAMILIAR WITH**
6 **AND ACT IN ACCORD WITH CERTAIN TAX-**
7 **PAYER RIGHTS.**

8 *(a) IN GENERAL.—Section 7803(a) is amended by re-*
9 *designating paragraph (3) as paragraph (4) and by insert-*
10 *ing after paragraph (2) the following new paragraph:*

11 *“(3) EXECUTION OF DUTIES IN ACCORD WITH*
12 *TAXPAYER RIGHTS.—In discharging his duties, the*
13 *Commissioner shall ensure that employees of the In-*
14 *ternal Revenue Service are familiar with and act in*
15 *accord with taxpayer rights as afforded by other pro-*
16 *visions of this title, including—*

17 *“(A) the right to be informed,*

18 *“(B) the right to quality service,*

19 *“(C) the right to pay no more than the cor-*
20 *rect amount of tax,*

21 *“(D) the right to challenge the position of*
22 *the Internal Revenue Service and be heard,*

23 *“(E) the right to appeal a decision of the*
24 *Internal Revenue Service in an independent*
25 *forum,*

1 “(F) the right to finality,
2 “(G) the right to privacy,
3 “(H) the right to confidentiality,
4 “(I) the right to retain representation, and
5 “(J) the right to a fair and just tax sys-
6 tem.”.

7 (b) *EFFECTIVE DATE.*—The amendments made by this
8 section shall take effect on the date of the enactment of this
9 Act.

10 **SEC. 402. IRS EMPLOYEES PROHIBITED FROM USING PER-**
11 **SONAL EMAIL ACCOUNTS FOR OFFICIAL BUSI-**
12 **NESS.**

13 No officer or employee of the Internal Revenue Service
14 may use a personal email account to conduct any official
15 business of the Government.

16 **SEC. 403. RELEASE OF INFORMATION REGARDING THE STA-**
17 **TUS OF CERTAIN INVESTIGATIONS.**

18 (a) *IN GENERAL.*—Section 6103(e) is amended by add-
19 ing at the end the following new paragraph:

20 “(11) *DISCLOSURE OF INFORMATION REGARDING*
21 *STATUS OF INVESTIGATION OF VIOLATION OF THIS*
22 *SECTION.*—In the case of a person who provides to the
23 Secretary information indicating a violation of sec-
24 tion 7213, 7213A, or 7214 with respect to any return
25 or return information of such person, the Secretary

1 *may disclose to such person (or such person’s des-*
2 *ignee)—*

3 *“(A) whether an investigation based on the*
4 *person’s provision of such information has been*
5 *initiated and whether it is open or closed,*

6 *“(B) whether any such investigation sub-*
7 *stantiated such a violation by any individual,*
8 *and*

9 *“(C) whether any action has been taken*
10 *with respect to such individual (including wheth-*
11 *er a referral has been made for prosecution of*
12 *such individual).”.*

13 *(b) EFFECTIVE DATE.—The amendment made by this*
14 *section shall apply to disclosures made on or after the date*
15 *of the enactment of this Act.*

16 **SEC. 404. ADMINISTRATIVE APPEAL RELATING TO ADVERSE**
17 **DETERMINATIONS OF TAX-EXEMPT STATUS**
18 **OF CERTAIN ORGANIZATIONS.**

19 *(a) IN GENERAL.—Section 7123 is amended by adding*
20 *at the end of the following:*

21 *“(c) ADMINISTRATIVE APPEAL RELATING TO ADVERSE*
22 *DETERMINATION OF TAX-EXEMPT STATUS OF CERTAIN OR-*
23 *GANIZATIONS.—*

24 *“(1) IN GENERAL.—The Secretary shall prescribe*
25 *procedures under which an organization which claims*

1 to be described in section 501(c) may request an ad-
2 ministrative appeal (including a conference relating
3 to such appeal if requested by the organization) to the
4 Internal Revenue Service Office of Appeals of an ad-
5 verse determination described in paragraph (2).

6 “(2) *ADVERSE DETERMINATIONS.*—For purposes
7 of paragraph (1), an adverse determination is de-
8 scribed in this paragraph if such determination is ad-
9 verse to an organization with respect to—

10 “(A) the initial qualification or continuing
11 qualification of the organization as exempt from
12 tax under section 501(a) or as an organization
13 described in section 170(c)(2),

14 “(B) the initial classification or continuing
15 classification of the organization as a private
16 foundation under section 509(a), or

17 “(C) the initial classification or continuing
18 classification of the organization as a private op-
19 erating foundation under section 4942(j)(3).”.

20 (b) *EFFECTIVE DATE.*—The amendment made by sub-
21 section (a) shall apply to determinations made on or after
22 May 19, 2014.

1 **SEC. 405. ORGANIZATIONS REQUIRED TO NOTIFY SEC-**
2 **RETARY OF INTENT TO OPERATE UNDER**
3 **501(c)(4).**

4 *(a) IN GENERAL.—Part I of subchapter F of chapter*
5 *1 is amended by adding at the end the following new sec-*
6 *tion:*

7 **“SEC. 506. ORGANIZATIONS REQUIRED TO NOTIFY SEC-**
8 **RETARY OF INTENT TO OPERATE UNDER**
9 **501(c)(4).**

10 *“(a) IN GENERAL.—An organization described in sec-*
11 *tion 501(c)(4) shall, not later than 60 days after the organi-*
12 *zation is established, notify the Secretary (in such manner*
13 *as the Secretary shall by regulation prescribe) that it is*
14 *operating as such.*

15 *“(b) CONTENTS OF NOTICE.—The notice required*
16 *under subsection (a) shall include the following informa-*
17 *tion:*

18 *“(1) The name, address, and taxpayer identifica-*
19 *tion number of the organization.*

20 *“(2) The date on which, and the State under the*
21 *laws of which, the organization was organized.*

22 *“(3) A statement of the purpose of the organiza-*
23 *tion.*

24 *“(c) ACKNOWLEDGMENT OF RECEIPT.—Not later than*
25 *60 days after receipt of such a notice, the Secretary shall*
26 *send to the organization an acknowledgment of such receipt.*

1 “(d) *EXTENSION FOR REASONABLE CAUSE.*—*The Sec-*
2 *retary may, for reasonable cause, extend the 60-day period*
3 *described in subsection (a).*

4 “(e) *USER FEE.*—*The Secretary shall impose a reason-*
5 *able user fee for submission of the notice under subsection*
6 *(a).*

7 “(f) *REQUEST FOR DETERMINATION.*—*Upon request*
8 *by an organization to be treated as an organization de-*
9 *scribed in section 501(c)(4), the Secretary may issue a de-*
10 *termination with respect to such treatment. Such request*
11 *shall be treated for purposes of section 6104 as an applica-*
12 *tion for exemption from taxation under section 501(a).”.*

13 (b) *SUPPORTING INFORMATION WITH FIRST RE-*
14 *TURN.*—*Section 6033(f) is amended—*

15 (1) *by striking the period at the end and insert-*
16 *ing “, and”,*

17 (2) *by striking “include on the return required*
18 *under subsection (a) the information” and inserting*
19 *the following: “include on the return required under*
20 *subsection (a)—*

21 *“(1) the information”, and*

22 (3) *by adding at the end the following new para-*
23 *graph:*

24 *“(2) in the case of the first such return filed by*
25 *such an organization after submitting a notice to the*

1 *Secretary under section 506(a), such information as*
2 *the Secretary shall by regulation require in support*
3 *of the organization’s treatment as an organization de-*
4 *scribed in section 501(c)(4).”.*

5 *(c) FAILURE TO FILE INITIAL NOTIFICATION.—Sec-*
6 *tion 6652(c) is amended by redesignating paragraphs (4),*
7 *(5), and (6) as paragraphs (5), (6), and (7), respectively,*
8 *and by inserting after paragraph (3) the following new*
9 *paragraph:*

10 *“(4) NOTICES UNDER SECTION 506.—*

11 *“(A) PENALTY ON ORGANIZATION.—In the*
12 *case of a failure to submit a notice required*
13 *under section 506(a) (relating to organizations*
14 *required to notify Secretary of intent to operate*
15 *as 501(c)(4)) on the date and in the manner pre-*
16 *scribed therefor, there shall be paid by the orga-*
17 *nization failing to so submit \$20 for each day*
18 *during which such failure continues, but the*
19 *total amount imposed under this subparagraph*
20 *on any organization for failure to submit any*
21 *one notice shall not exceed \$5,000.*

22 *“(B) MANAGERS.—The Secretary may make*
23 *written demand on an organization subject to*
24 *penalty under subparagraph (A) specifying in*
25 *such demand a reasonable future date by which*

1 *the notice shall be submitted for purposes of this*
2 *subparagraph. If such notice is not submitted on*
3 *or before such date, there shall be paid by the*
4 *person failing to so submit \$20 for each day*
5 *after the expiration of the time specified in the*
6 *written demand during which such failure con-*
7 *tinues, but the total amount imposed under this*
8 *subparagraph on all persons for failure to sub-*
9 *mit any one notice shall not exceed \$5,000.”.*

10 *(d) CLERICAL AMENDMENT.—The table of sections for*
11 *part I of subchapter F of chapter 1 is amended by adding*
12 *at the end the following new item:*

“Sec. 506. Organizations required to notify Secretary of intent to operate under
501(c)(4).”.

13 *(e) LIMITATION.—Notwithstanding any other provi-*
14 *sion of law, any fees collected pursuant to section 506(e)*
15 *of the Internal Revenue Code of 1986, as added by sub-*
16 *section (a), shall not be expended by the Secretary of the*
17 *Treasury or the Secretary’s delegate unless provided by an*
18 *appropriations Act.*

19 *(f) EFFECTIVE DATE.—*

20 *(1) IN GENERAL.—The amendments made by*
21 *this section shall apply to organizations which are de-*
22 *scribed in section 501(c)(4) of the Internal Revenue*
23 *Code of 1986 and organized after the date of the en-*
24 *actment of this Act.*

1 (2) *CERTAIN EXISTING ORGANIZATIONS.*—*In the*
2 *case of any other organization described in section*
3 *501(c)(4) of such Code, the amendments made by this*
4 *section shall apply to such organization only if, on or*
5 *before the date of the enactment of this Act—*

6 (A) *such organization has not applied for a*
7 *written determination of recognition as an orga-*
8 *nization described in section 501(c)(4) of such*
9 *Code, and*

10 (B) *such organization has not filed at least*
11 *one annual return or notice required under sub-*
12 *section (a)(1) or (i) (as the case may be) of sec-*
13 *tion 6033 of such Code.*

14 *In the case of any organization to which the amend-*
15 *ments made by this section apply by reason of the*
16 *preceding sentence, such organization shall submit the*
17 *notice required by section 506(a) of such Code, as*
18 *added by this Act, not later than 180 days after the*
19 *date of the enactment of this Act.*

20 **SEC. 406. DECLARATORY JUDGMENTS FOR 501(c)(4) AND**
21 **OTHER EXEMPT ORGANIZATIONS.**

22 (a) *IN GENERAL.*—*Section 7428(a)(1) is amended by*
23 *striking “or” at the end of subparagraph (C) and by insert-*
24 *ing after subparagraph (D) the following new subpara-*
25 *graph:*

1 “(E) with respect to the initial qualification
2 or continuing qualification of an organization as
3 an organization described in section 501(c)
4 (other than paragraph (3)) or 501(d) and ex-
5 empt from tax under section 501(a), or”.

6 (b) *EFFECTIVE DATE.*—The amendments made by this
7 section shall apply to pleadings filed after the date of the
8 enactment of this Act.

9 **SEC. 407. TERMINATION OF EMPLOYMENT OF INTERNAL**
10 **REVENUE SERVICE EMPLOYEES FOR TAKING**
11 **OFFICIAL ACTIONS FOR POLITICAL PUR-**
12 **POSES.**

13 (a) *IN GENERAL.*—Paragraph (10) of section 1203(b)
14 of the Internal Revenue Service Restructuring and Reform
15 Act of 1998 is amended to read as follows:

16 “(10) performing, delaying, or failing to perform
17 (or threatening to perform, delay, or fail to perform)
18 any official action (including any audit) with respect
19 to a taxpayer for purpose of extracting personal gain
20 or benefit or for a political purpose.”.

21 (b) *EFFECTIVE DATE.*—The amendment made by this
22 section shall take effect on the date of the enactment of this
23 Act.

1 **SEC. 408. GIFT TAX NOT TO APPLY TO CONTRIBUTIONS TO**
2 **CERTAIN EXEMPT ORGANIZATIONS.**

3 (a) *IN GENERAL.*—Section 2501(a) is amended by
4 adding at the end the following new paragraph:

5 “(6) *TRANSFERS TO CERTAIN EXEMPT ORGANI-*
6 *ZATIONS.*—Paragraph (1) shall not apply to the
7 transfer of money or other property to an organiza-
8 tion described in paragraph (4), (5), or (6) of section
9 501(c) and exempt from tax under section 501(a), for
10 the use of such organization.”.

11 (b) *EFFECTIVE DATE.*—The amendment made by sub-
12 section (a) shall apply to gifts made after the date of the
13 enactment of this Act.

14 (c) *NO INFERENCE.*—Nothing in the amendment made
15 by subsection (a) shall be construed to create any inference
16 with respect to whether any transfer of property (whether
17 made before, on, or after the date of the enactment of this
18 Act) to an organization described in paragraph (4), (5),
19 or (6) of section 501(c) of the Internal Revenue Code of 1986
20 is a transfer of property by gift for purposes of chapter 12
21 of such Code.

1 **SEC. 409. EXTEND INTERNAL REVENUE SERVICE AUTHOR-**
2 **ITY TO REQUIRE TRUNCATED SOCIAL SECU-**
3 **RITY NUMBERS ON FORM W-2.**

4 (a) *WAGES.*—Section 6051(a)(2) is amended by strik-
5 ing “his social security account number” and inserting “an
6 identifying number for the employee”.

7 (b) *EFFECTIVE DATE.*—The amendment made by this
8 section shall take effect on the date of the enactment of this
9 Act.

10 **SEC. 410. CLARIFICATION OF ENROLLED AGENT CREDEN-**
11 **TIALS.**

12 Section 330 of title 31, United States Code, is amend-
13 ed—

14 (1) by redesignating subsections (b), (c), and (d)
15 as subsections (c), (d), and (e), respectively, and

16 (2) by inserting after subsection (a) the following
17 new subsection:

18 “(b) Any enrolled agents properly licensed to practice
19 as required under rules promulgated under subsection (a)
20 shall be allowed to use the credentials or designation of ‘en-
21 rolled agent’, ‘EA’, or ‘E.A.’.”

22 **SEC. 411. PARTNERSHIP AUDIT RULES.**

23 (a) *CORRECTION AND CLARIFICATION TO MODIFICA-*
24 *TIONS TO IMPUTED UNDERPAYMENTS.*—

25 (1) Section 6225(c)(4)(A)(i) is amended by strik-
26 ing “in the case of ordinary income,”.

1 (2) *Section 6225(c) is amended by redesignating*
2 *paragraphs (5) through (7) as paragraphs (6)*
3 *through (8), respectively, and by inserting after para-*
4 *graph (4) the following new paragraph:*

5 “(5) *CERTAIN PASSIVE LOSSES OF PUBLICLY*
6 *TRADED PARTNERSHIPS.—*

7 “(A) *IN GENERAL.—In the case of a pub-*
8 *licly traded partnership (as defined in section*
9 *469(k)(2)), such procedures shall provide—*

10 “(i) *for determining the imputed un-*
11 *derpayment without regard to the portion*
12 *thereof that the partnership demonstrates is*
13 *attributable to a net decrease in a specified*
14 *passive activity loss which is allocable to a*
15 *specified partner, and*

16 “(ii) *for the partnership to take such*
17 *net decrease into account as an adjustment*
18 *in the adjustment year with respect to the*
19 *specified partners to which such net de-*
20 *crease relates.*

21 “(B) *SPECIFIED PASSIVE ACTIVITY LOSS.—*
22 *For purposes of this paragraph, the term ‘speci-*
23 *fied passive activity loss’ means, with respect to*
24 *any specified partner of such publicly traded*
25 *partnership, the lesser of—*

1 “(i) the passive activity loss of such
2 partner which is separately determined
3 with respect to such partnership under sec-
4 tion 469(k) with respect to such partner’s
5 taxable year in which or with which the re-
6 viewed year of such partnership ends, or

7 “(ii) such passive activity loss so deter-
8 mined with respect to such partner’s taxable
9 year in which or with which the adjustment
10 year of such partnership ends.

11 “(C) SPECIFIED PARTNER.—For purposes of
12 this paragraph, the term ‘specified partner’
13 means any person if such person—

14 “(i) is a partner of the publicly traded
15 partnership referred to in subparagraph
16 (A),

17 “(ii) is described in section 469(a)(2),
18 and

19 “(iii) has a specified passive activity
20 loss with respect to such publicly traded
21 partnership,

22 with respect to each taxable year of such person
23 which is during the period beginning with the
24 taxable year of such person in which or with
25 which the reviewed year of such publicly traded

1 *partnership ends and ending with the taxable*
2 *year of such person in which or with which the*
3 *adjustment year of such publicly traded partner-*
4 *ship ends.”.*

5 ***(b) CORRECTION AND CLARIFICATION TO JUDICIAL***
6 ***REVIEW OF PARTNERSHIP ADJUSTMENT.—***

7 *(1) Section 6226 is amended by adding at the*
8 *end the following new subsection:*

9 ***“(d) JUDICIAL REVIEW.—For the time period within***
10 *which a partnership may file a petition for a readjustment,*
11 *see section 6234(a).”.*

12 *(2) Subsections (a)(3), (b)(1), and (d) of section*
13 *6234 are each amended by striking “the Claims*
14 *Court” and inserting “the Court of Federal Claims”.*

15 *(3) The heading for section 6234(b) is amended*
16 *by striking “CLAIMS COURT” and inserting “COURT*
17 *OF FEDERAL CLAIMS”.*

18 ***(c) CORRECTION AND CLARIFICATION TO PERIOD OF***
19 ***LIMITATIONS ON MAKING ADJUSTMENTS.—***

20 *(1) Section 6235(a)(2) is amended by striking*
21 *“paragraph (4)” and inserting “paragraph (7)”.*

22 *(2) Section 6235(a)(3) is amended by striking*
23 *“270 days” and inserting “330 days (plus the number*
24 *of days of any extension consented to by the Secretary*
25 *under section 6225(c)(7)”.*

1 (d) *TECHNICAL AMENDMENT.*—Section 6031(b) is
 2 amended by striking the last sentence and inserting the fol-
 3 lowing: “Except as provided in the procedures under section
 4 6225(c), with respect to statements under section 6226, or
 5 as otherwise provided by the Secretary, information re-
 6 quired to be furnished by the partnership under this sub-
 7 section may not be amended after the due date of the return
 8 under subsection (a) to which such information relates.”.

9 (e) *EFFECTIVE DATE.*—The amendments made by this
 10 section shall take effect as if included in section 1101 of
 11 the Bipartisan Budget Act of 2015.

12 **Subtitle B—United States Tax** 13 **Court**

14 **PART 1—TAXPAYER ACCESS TO UNITED STATES** 15 **TAX COURT**

16 **SEC. 421. FILING PERIOD FOR INTEREST ABATEMENT** 17 **CASES.**

18 (a) *IN GENERAL.*—Subsection (h) of section 6404 is
 19 amended—

20 (1) by striking “*REVIEW OF DENIAL*” in the
 21 heading and inserting “*JUDICIAL REVIEW*”, and

22 (2) by striking “if such action is brought” and
 23 all that follows in paragraph (1) and inserting “if
 24 such action is brought—

25 “(A) at any time after the earlier of—

1 “(ii) the principal place of business or
2 principal office or agency if the petitioner
3 is an entity other than an individual.”.

4 (b) *EFFECTIVE DATE.*—

5 (1) *IN GENERAL.*—The amendments made by
6 this section shall apply to petitions filed after the date
7 of enactment of this Act.

8 (2) *EFFECT ON EXISTING PROCEEDINGS.*—Noth-
9 ing in this section shall be construed to create any in-
10 ference with respect to the application of section 7482
11 of the Internal Revenue Code of 1986 with respect to
12 court proceedings filed on or before the date of the en-
13 actment of this Act.

14 **SEC. 424. SUSPENSION OF RUNNING OF PERIOD FOR FIL-**
15 **ING PETITION OF SPOUSAL RELIEF AND COL-**
16 **LECTION CASES.**

17 (a) *PETITIONS FOR SPOUSAL RELIEF.*—

18 (1) *IN GENERAL.*—Subsection (e) of section 6015
19 is amended by adding at the end the following new
20 paragraph:

21 “(6) *SUSPENSION OF RUNNING OF PERIOD FOR*
22 *FILING PETITION IN TITLE 11 CASES.*—In the case of
23 a person who is prohibited by reason of a case under
24 title 11, United States Code, from filing a petition
25 under paragraph (1)(A) with respect to a final deter-

1 *mination of relief under this section, the running of*
2 *the period prescribed by such paragraph for filing*
3 *such a petition with respect to such final determina-*
4 *tion shall be suspended for the period during which*
5 *the person is so prohibited from filing such a petition,*
6 *and for 60 days thereafter.”.*

7 (2) *EFFECTIVE DATE.*—*The amendment made by*
8 *this subsection shall apply to petitions filed under*
9 *section 6015(e) of the Internal Revenue Code of 1986*
10 *after the date of the enactment of this Act.*

11 (b) *COLLECTION PROCEEDINGS.*—

12 (1) *IN GENERAL.*—*Subsection (d) of section 6330*
13 *is amended—*

14 (A) *by striking “appeal such determination*
15 *to the Tax Court” in paragraph (1) and insert-*
16 *ing “petition the Tax Court for review of such*
17 *determination”,*

18 (B) *by striking “JUDICIAL REVIEW OF DE-*
19 *TERMINATION” in the heading of paragraph (1)*
20 *and inserting “PETITION FOR REVIEW BY TAX*
21 *COURT”,*

22 (C) *by redesignating paragraph (2) as*
23 *paragraph (3), and*

24 (D) *by inserting after paragraph (1) the fol-*
25 *lowing new paragraph:*

1 “(2) *SUSPENSION OF RUNNING OF PERIOD FOR*
2 *FILING PETITION IN TITLE 11 CASES.*—*In the case of*
3 *a person who is prohibited by reason of a case under*
4 *title 11, United States Code, from filing a petition*
5 *under paragraph (1) with respect to a determination*
6 *under this section, the running of the period pre-*
7 *scribed by such subsection for filing such a petition*
8 *with respect to such determination shall be suspended*
9 *for the period during which the person is so prohib-*
10 *ited from filing such a petition, and for 30 days*
11 *thereafter, and”.*

12 (2) *EFFECTIVE DATE.*—*The amendments made*
13 *by this subsection shall apply to petitions filed under*
14 *section 6330 of the Internal Revenue Code of 1986*
15 *after the date of the enactment of this Act.*

16 (c) *CONFORMING AMENDMENT.*—*Subsection (c) of sec-*
17 *tion 6320 is amended by striking “(2)(B)” and inserting*
18 *“(3)(B)”.*

19 **SEC. 425. APPLICATION OF FEDERAL RULES OF EVIDENCE.**

20 (a) *IN GENERAL.*—*Section 7453 is amended by strik-*
21 *ing “the rules of evidence applicable in trials without a jury*
22 *in the United States District Court of the District of Colum-*
23 *bia” and inserting “the Federal Rules of Evidence”.*

24 (b) *EFFECTIVE DATE.*—*The amendment made by this*
25 *section shall apply to proceedings commenced after the date*

1 *of the enactment of this Act and, to the extent that it is*
2 *just and practicable, to all proceedings pending on such*
3 *date.*

4 **PART 2—UNITED STATES TAX COURT**

5 **ADMINISTRATION**

6 **SEC. 431. JUDICIAL CONDUCT AND DISABILITY PROCE-**
7 **DURES.**

8 *(a) IN GENERAL.—Part II of subchapter C of chapter*
9 *76 is amended by adding at the end the following new sec-*
10 *tion:*

11 **“SEC. 7466. JUDICIAL CONDUCT AND DISABILITY PROCE-**
12 **DURES.**

13 *“(a) IN GENERAL.—The Tax Court shall prescribe*
14 *rules, consistent with the provisions of chapter 16 of title*
15 *28, United States Code, establishing procedures for the fil-*
16 *ing of complaints with respect to the conduct of any judge*
17 *or special trial judge of the Tax Court and for the investiga-*
18 *tion and resolution of such complaints. In investigating*
19 *and taking action with respect to any such complaint, the*
20 *Tax Court shall have the powers granted to a judicial coun-*
21 *cil under such chapter.*

22 *“(b) JUDICIAL COUNCIL.—The provisions of sections*
23 *354(b) through 360 of title 28, United States Code, regard-*
24 *ing referral or certification to, and petition for review in*
25 *the Judicial Conference of the United States, and action*

1 *thereon, shall apply to the exercise by the Tax Court of the*
2 *powers of a judicial council under subsection (a). The deter-*
3 *mination pursuant to section 354(b) or 355 of title 28,*
4 *United States Code, shall be made based on the grounds*
5 *for removal of a judge from office under section 7443(f),*
6 *and certification and transmittal by the Conference of any*
7 *complaint shall be made to the President for consideration*
8 *under section 7443(f).*

9 “(c) *HEARINGS.*—

10 “(1) *IN GENERAL.*—*In conducting hearings pur-*
11 *suant to subsection (a), the Tax Court may exercise*
12 *the authority provided under section 1821 of title 28,*
13 *United States Code, to pay the fees and allowances*
14 *described in that section.*

15 “(2) *REIMBURSEMENT FOR EXPENSES.*—*The*
16 *Tax Court shall have the power provided under sec-*
17 *tion 361 of such title 28 to award reimbursement for*
18 *the reasonable expenses described in that section. Re-*
19 *imbursements under this paragraph shall be made out*
20 *of any funds appropriated for purposes of the Tax*
21 *Court.”.*

22 “(b) *CLERICAL AMENDMENT.*—*The table of sections for*
23 *part II of subchapter C of chapter 76 is amended by adding*
24 *at the end the following new item:*

“Sec. 7466. *Judicial conduct and disability procedures.*”.

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall apply to proceedings commenced after the date*
3 *which is 180 days after the date of the enactment of this*
4 *Act and, to the extent just and practicable, all proceedings*
5 *pending on such date.*

6 **SEC. 432. ADMINISTRATION, JUDICIAL CONFERENCE, AND**
7 **FEES.**

8 (a) *IN GENERAL.*—*Part III of subchapter C of chapter*
9 *76 is amended by inserting before section 7471 the following*
10 *new sections:*

11 **“SEC. 7470. ADMINISTRATION.**

12 *“Notwithstanding any other provision of law, the Tax*
13 *Court may exercise, for purposes of management, adminis-*
14 *tration, and expenditure of funds of the Court, the authori-*
15 *ties provided for such purposes by any provision of law (in-*
16 *cluding any limitation with respect to such provision of*
17 *law) applicable to a court of the United States (as that term*
18 *is defined in section 451 of title 28, United States Code),*
19 *except to the extent that such provision of law is incon-*
20 *sistent with a provision of this subchapter.*

21 **“SEC. 7470A. JUDICIAL CONFERENCE.**

22 *“(a) JUDICIAL CONFERENCE.*—*The chief judge may*
23 *summon the judges and special trial judges of the Tax Court*
24 *to an annual judicial conference, at such time and place*
25 *as the chief judge shall designate, for the purpose of consid-*

1 *ering the business of the Tax Court and recommending*
2 *means of improving the administration of justice within*
3 *the jurisdiction of the Tax Court. The Tax Court shall pro-*
4 *vide by its rules for representation and active participation*
5 *at such conferences by persons admitted to practice before*
6 *the Tax Court and by other persons active in the legal pro-*
7 *fession.*

8 “(b) *REGISTRATION FEE.*—*The Tax Court may im-*
9 *pose a reasonable registration fee on persons (other than*
10 *judges and special trial judges of the Tax Court) partici-*
11 *pating at judicial conferences convened pursuant to sub-*
12 *section (a). Amounts so received by the Tax Court shall be*
13 *available to the Tax Court to defray the expenses of such*
14 *conferences.*”.

15 (b) *DISPOSITION OF FEES.*—*Section 7473 is amended*
16 *to read as follows:*

17 “**SEC. 7473. DISPOSITION OF FEES.**

18 “*Except as provided in sections 7470A and 7475, all*
19 *fees received by the Tax Court pursuant to this title shall*
20 *be deposited into a special fund of the Treasury to be avail-*
21 *able to offset funds appropriated for the operation and*
22 *maintenance of the Tax Court.*”.

23 (c) *CLERICAL AMENDMENTS.*—*The table of sections for*
24 *part III of subchapter C of chapter 76 is amended by insert-*

1 *ing before the item relating to section 7471 the following*
 2 *new items:*

“Sec. 7470. Administration.

“Sec. 7470A. Judicial conference.”.

3 ***PART 3—CLARIFICATION RELATING TO UNITED***
 4 ***STATES TAX COURT***

5 ***SEC. 441. CLARIFICATION RELATING TO UNITED STATES***
 6 ***TAX COURT.***

7 *Section 7441 is amended by adding at the end the fol-*
 8 *lowing: “The Tax Court is not an agency of, and shall be*
 9 *independent of, the executive branch of the Government.”.*

10 ***TITLE V—TRADE-RELATED***
 11 ***PROVISIONS***

12 ***SEC. 501. MODIFICATION OF EFFECTIVE DATE OF PROVI-***
 13 ***SIONS RELATING TO TARIFF CLASSIFICATION***
 14 ***OF RECREATIONAL PERFORMANCE OUTER-***
 15 ***WEAR.***

16 *Section 601(c) of the Trade Preferences Extension Act*
 17 *of 2015 (Public Law 114–27; 129 Stat. 412) is amended—*

18 *(1) in paragraph (1), by striking “the 180th day*
 19 *after the date of the enactment of this Act” and in-*
 20 *serting “March 31, 2016”; and*

21 *(2) in paragraph (2), by striking “such 180th*
 22 *day” and inserting “March 31, 2016”.*

1 **SEC. 502. AGREEMENT BY ASIA-PACIFIC ECONOMIC CO-**
2 **OPERATION MEMBERS TO REDUCE RATES OF**
3 **DUTY ON CERTAIN ENVIRONMENTAL GOODS.**

4 *Section 107 of the Bipartisan Congressional Trade*
5 *Priorities and Accountability Act of 2015 (Public Law*
6 *114–26; 19 U.S.C. 4206) is amended by adding at the end*
7 *the following:*

8 “(c) *AGREEMENT BY ASIA-PACIFIC ECONOMIC CO-*
9 *OPERATION MEMBERS TO REDUCE RATES OF DUTY ON*
10 *CERTAIN ENVIRONMENTAL GOODS.—Notwithstanding the*
11 *notification requirement described in section 103(a)(2), the*
12 *President may exercise the proclamation authority provided*
13 *for in section 103(a)(1)(B) to implement an agreement by*
14 *members of the Asia-Pacific Economic Cooperation (APEC)*
15 *to reduce any rate of duty on certain environmental goods*
16 *included in Annex C of the APEC Leaders Declaration*
17 *issued on September 9, 2012, if (and only if) the President,*
18 *as soon as feasible after the date of the enactment of this*
19 *subsection, and before exercising proclamation authority*
20 *under section 103(a)(1)(B), notifies Congress of the negotia-*
21 *tions relating to the agreement and the specific United*
22 *States objectives in the negotiations.”*

23 **TITLE VI—BUDGETARY EFFECTS**

24 **SEC. 601. BUDGETARY EFFECTS.**

25 (a) *PAYGO SCORECARD.—The budgetary effects of this*
26 *Act shall not be entered on either PAYGO scorecard main-*

1 *tained pursuant to section 4(d) of the Statutory Pay-As-*
2 *You-Go Act of 2010.*

3 *(b) SENATE PAYGO SCORECARD.—The budgetary ef-*
4 *fects of this Act shall not be entered on any PAYGO score-*
5 *card maintained for purposes of section 201 of S. Con. Res.*
6 *21 (110th Congress).*

Attest:

Clerk.

114TH CONGRESS
1ST SESSION

H.R. 2029

**HOUSE AMENDMENTS TO
SENATE AMENDMENT**