

115TH CONGRESS
2D SESSION

H. R. 5895

AN ACT

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Energy and Water,
3 Legislative Branch, and Military Construction and Vet-
4 erans Affairs Appropriations Act, 2019”.

5 **DIVISION A—ENERGY AND WATER DEVEL-**
6 **OPMENT AND RELATED AGENCIES AP-**
7 **PROPRIATIONS ACT, 2019**

8 The following sums are appropriated, out of any
9 money in the Treasury not otherwise appropriated, for en-
10 ergy and water development and related agencies for the
11 fiscal year ending September 30, 2019, and for other pur-
12 poses, namely:

13 **TITLE I**

14 **CORPS OF ENGINEERS—CIVIL**

15 **DEPARTMENT OF THE ARMY**

16 **CORPS OF ENGINEERS—CIVIL**

17 The following appropriations shall be expended under
18 the direction of the Secretary of the Army and the super-
19 vision of the Chief of Engineers for authorized civil func-
20 tions of the Department of the Army pertaining to river
21 and harbor, flood and storm damage reduction, shore pro-
22 tection, aquatic ecosystem restoration, and related efforts.

23 **INVESTIGATIONS**

24 For expenses necessary where authorized by law for
25 the collection and study of basic information pertaining
26 to river and harbor, flood and storm damage reduction,

1 shore protection, aquatic ecosystem restoration, and re-
2 lated needs; for surveys and detailed studies, and plans
3 and specifications of proposed river and harbor, flood and
4 storm damage reduction, shore protection, and aquatic
5 ecosystem restoration projects, and related efforts prior to
6 construction; for restudy of authorized projects; and for
7 miscellaneous investigations, and, when authorized by law,
8 surveys and detailed studies, and plans and specifications
9 of projects prior to construction, \$128,000,000 (increased
10 by \$1,200,000), to remain available until expended: *Pro-*
11 *vided*, That the Secretary shall initiate six new study
12 starts during fiscal year 2019: *Provided further*, That the
13 Secretary shall not deviate from the new starts proposed
14 in the work plan, once the plan has been submitted to the
15 Committees on Appropriations of both Houses of Con-
16 gress.

17 CONSTRUCTION

18 For expenses necessary for the construction of river
19 and harbor, flood and storm damage reduction, shore pro-
20 tection, aquatic ecosystem restoration, and related
21 projects authorized by law; for conducting detailed studies,
22 and plans and specifications, of such projects (including
23 those involving participation by States, local governments,
24 or private groups) authorized or made eligible for selection
25 by law (but such detailed studies, and plans and specifica-

1 tions, shall not constitute a commitment of the Govern-
2 ment to construction); \$2,323,000,000 (reduced by
3 \$7,000,000) (increased by \$7,000,000), to remain avail-
4 able until expended; of which such sums as are necessary
5 to cover the Federal share of construction costs for facili-
6 ties under the Dredged Material Disposal Facilities pro-
7 gram shall be derived from the Harbor Maintenance Trust
8 Fund as authorized by Public Law 104–303; and of which
9 such sums as are necessary to cover one-half of the costs
10 of construction, replacement, rehabilitation, and expansion
11 of inland waterways projects shall be derived from the In-
12 land Waterways Trust Fund, except as otherwise specifi-
13 cally provided for in law: *Provided*, That the Secretary
14 shall initiate five new construction starts during fiscal year
15 2019: *Provided further*, That for new construction
16 projects, project cost sharing agreements shall be executed
17 as soon as practicable but no later than August 31, 2019:
18 *Provided further*, That no allocation for a new start shall
19 be considered final and no work allowance shall be made
20 until the Secretary provides to the Committees on Appro-
21 priations of both Houses of Congress an out-year funding
22 scenario demonstrating the affordability of the selected
23 new starts and the impacts on other projects: *Provided*
24 *further*, That the Secretary may not deviate from the new
25 starts proposed in the work plan, once the plan has been

1 submitted to the Committees on Appropriations of both
2 Houses of Congress.

3 MISSISSIPPI RIVER AND TRIBUTARIES

4 For expenses necessary for flood damage reduction
5 projects and related efforts in the Mississippi River allu-
6 vial valley below Cape Girardeau, Missouri, as authorized
7 by law, \$430,000,000, to remain available until expended,
8 of which such sums as are necessary to cover the Federal
9 share of eligible operation and maintenance costs for in-
10 land harbors shall be derived from the Harbor Mainte-
11 nance Trust Fund.

12 OPERATION AND MAINTENANCE

13 For expenses necessary for the operation, mainte-
14 nance, and care of existing river and harbor, flood and
15 storm damage reduction, aquatic ecosystem restoration,
16 and related projects authorized by law; providing security
17 for infrastructure owned or operated by the Corps, includ-
18 ing administrative buildings and laboratories; maintaining
19 harbor channels provided by a State, municipality, or
20 other public agency that serve essential navigation needs
21 of general commerce, where authorized by law; surveying
22 and charting northern and northwestern lakes and con-
23 necting waters; clearing and straightening channels; and
24 removing obstructions to navigation, \$3,820,000,000 (in-
25 creased by \$1,000,000), to remain available until ex-

1 pending, of which such sums as are necessary to cover the
2 Federal share of eligible operation and maintenance costs
3 for coastal harbors and channels, and for inland harbors
4 shall be derived from the Harbor Maintenance Trust
5 Fund; of which such sums as become available from the
6 special account for the Corps of Engineers established by
7 the Land and Water Conservation Fund Act of 1965 shall
8 be derived from that account for resource protection, re-
9 search, interpretation, and maintenance activities related
10 to resource protection in the areas at which outdoor recre-
11 ation is available; and of which such sums as become avail-
12 able from fees collected under section 217 of Public Law
13 104–303 shall be used to cover the cost of operation and
14 maintenance of the dredged material disposal facilities for
15 which such fees have been collected: *Provided*, That 1 per-
16 cent of the total amount of funds provided for each of the
17 programs, projects, or activities funded under this heading
18 shall not be allocated to a field operating activity prior
19 to the beginning of the fourth quarter of the fiscal year
20 and shall be available for use by the Chief of Engineers
21 to fund such emergency activities as the Chief of Engi-
22 neers determines to be necessary and appropriate, and
23 that the Chief of Engineers shall allocate during the
24 fourth quarter any remaining funds which have not been
25 used for emergency activities proportionally in accordance

1 with the amounts provided for the programs, projects, or
2 activities.

3 REGULATORY PROGRAM

4 For expenses necessary for administration of laws
5 pertaining to regulation of navigable waters and wetlands,
6 \$200,000,000, to remain available until September 30,
7 2020.

8 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

9 For expenses necessary to clean up contamination
10 from sites in the United States resulting from work per-
11 formed as part of the Nation's early atomic energy pro-
12 gram, \$150,000,000, to remain available until expended.

13 FLOOD CONTROL AND COASTAL EMERGENCIES

14 For expenses necessary to prepare for flood, hurri-
15 cane, and other natural disasters and support emergency
16 operations, repairs, and other activities in response to
17 such disasters as authorized by law, \$35,000,000, to re-
18 main available until expended.

19 EXPENSES

20 For expenses necessary for the supervision and gen-
21 eral administration of the civil works program in the head-
22 quarters of the Corps of Engineers and the offices of the
23 Division Engineers; and for costs of management and op-
24 eration of the Humphreys Engineer Center Support Activ-
25 ity, the Institute for Water Resources, the United States

1 Army Engineer Research and Development Center, and
2 the United States Army Corps of Engineers Finance Cen-
3 ter allocable to the civil works program, \$187,000,000 (re-
4 duced by \$1,200,000) (reduced by \$1,030,000), to remain
5 available until September 30, 2020, of which not to exceed
6 \$5,000 may be used for official reception and representa-
7 tion purposes and only during the current fiscal year: *Pro-*
8 *vided*, That no part of any other appropriation provided
9 in this title shall be available to fund the civil works activi-
10 ties of the Office of the Chief of Engineers or the civil
11 works executive direction and management activities of the
12 division offices: *Provided further*, That any Flood Control
13 and Coastal Emergencies appropriation may be used to
14 fund the supervision and general administration of emer-
15 gency operations, repairs, and other activities in response
16 to any flood, hurricane, or other natural disaster.

17 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
18 FOR CIVIL WORKS

19 For the Office of the Assistant Secretary of the Army
20 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
21 \$5,000,000, to remain available until September 30, 2020:
22 *Provided*, That not more than 25 percent of such amount
23 may be obligated or expended until the Assistant Sec-
24 retary submits to the Committees on Appropriations of
25 both Houses of Congress a work plan that allocates at

1 least 95 percent of the additional funding provided under
2 each heading in this title (as designated under such head-
3 ing in the report of the Committee on Appropriations ac-
4 companying this Act) to specific programs, projects, or ac-
5 tivities.

6 GENERAL PROVISIONS—CORPS OF
7 ENGINEERS—CIVIL

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 101. (a) None of the funds provided in this title
10 shall be available for obligation or expenditure through a
11 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;

18 (4) reduces funds that are directed to be used
19 for a specific program, project, or activity by this
20 Act;

21 (5) increases funds for any program, project, or
22 activity by more than \$2,000,000 or 10 percent,
23 whichever is less; or

1 (6) reduces funds for any program, project, or
2 activity by more than \$2,000,000 or 10 percent,
3 whichever is less.

4 (b) Subsection (a)(1) shall not apply to any project
5 or activity authorized under section 205 of the Flood Con-
6 trol Act of 1948, section 14 of the Flood Control Act of
7 1946, section 208 of the Flood Control Act of 1954, sec-
8 tion 107 of the River and Harbor Act of 1960, section
9 103 of the River and Harbor Act of 1962, section 111
10 of the River and Harbor Act of 1968, section 1135 of the
11 Water Resources Development Act of 1986, section 206
12 of the Water Resources Development Act of 1996, or sec-
13 tion 204 of the Water Resources Development Act of
14 1992.

15 (c) The Corps of Engineers shall submit reports on
16 a quarterly basis to the Committees on Appropriations of
17 both Houses of Congress detailing all the funds repro-
18 grammed between programs, projects, activities, or cat-
19 egories of funding. The first quarterly report shall be sub-
20 mitted not later than 60 days after the date of enactment
21 of this Act.

22 SEC. 102. None of the funds made available in this
23 title may be used to award or modify any contract that
24 commits funds beyond the amounts appropriated for that
25 program, project, or activity that remain unobligated, ex-

1 cept that such amounts may include any funds that have
2 been made available through reprogramming pursuant to
3 section 101.

4 SEC. 103. The Secretary of the Army may transfer
5 to the Fish and Wildlife Service, and the Fish and Wildlife
6 Service may accept and expend, up to \$5,400,000 of funds
7 provided in this title under the heading “Operation and
8 Maintenance” to mitigate for fisheries lost due to Corps
9 of Engineers projects.

10 SEC. 104. None of the funds in this Act shall be used
11 for an open lake placement alternative for dredged mate-
12 rial, after evaluating the least costly, environmentally ac-
13 ceptable manner for the disposal or management of
14 dredged material originating from Lake Erie or tributaries
15 thereto, unless it is approved under a State water quality
16 certification pursuant to section 401 of the Federal Water
17 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
18 until an open lake placement alternative for dredged mate-
19 rial is approved under a State water quality certification,
20 the Corps of Engineers shall continue upland placement
21 of such dredged material consistent with the requirements
22 of section 101 of the Water Resources Development Act
23 of 1986 (33 U.S.C. 2211).

24 SEC. 105. None of the funds made available in this
25 title may be used for any acquisition of buoy chain that

1 is not consistent with 48 CFR 225.7007, subsections
2 (a)(1) and (a)(2).

3 SEC. 106. None of the funds made available by this
4 Act may be used to carry out any water supply reallocation
5 study under the Wolf Creek Dam, Lake Cumberland, Ken-
6 tucky, project authorized under the Act of July 24, 1946
7 (60 Stat. 636, ch. 595).

8 SEC. 107. Notwithstanding section 404(f)(2) of the
9 Federal Water Pollution Control Act (33 U.S.C.
10 1344(f)(2)), none of the funds made available by this Act
11 may be used to require a permit for the discharge of
12 dredged or fill material under the Federal Water Pollution
13 Control Act (33 U.S.C. 1251 et seq.) for the activities
14 identified in subparagraphs (A) and (C) of section
15 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

16 SEC. 108. The final rule issued by the Administrator
17 of the Environmental Protection Agency and the Secretary
18 of the Army entitled “Clean Water Rule: ‘Definition of
19 Waters of the United States’ ” (80 Fed. Reg. 37053 (June
20 29, 2015)) is repealed, and, until such time as the Admin-
21 istrator and the Secretary issue a final rule after the date
22 of enactment of this Act defining the scope of waters pro-
23 tected under the Federal Water Pollution Control Act and
24 such new final rule goes into effect, any regulation or pol-
25 icy revised under, or otherwise affected as a result of, the

1 rule repealed by this section shall be applied as if that
2 repealed rule had not been issued.

3 SEC. 109. As of the date of enactment of this Act
4 and each fiscal year thereafter, the Secretary of the Army
5 shall not promulgate or enforce any regulation that pro-
6 hibits an individual from possessing a firearm, including
7 an assembled or functional firearm, at a water resources
8 development project covered under section 327.0 of title
9 36, Code of Federal Regulations (as in effect on the date
10 of enactment of this Act), if—

11 (1) the individual is not otherwise prohibited by
12 law from possessing the firearm; and

13 (2) the possession of the firearm is in compli-
14 ance with the law of the State in which the water
15 resources development project is located.

16 SEC. 110. For fiscal year 2019, none of the funds
17 provided in this Act or available in the revolving fund es-
18 tablished by the Civil Functions Appropriations Act of
19 1954 (33 U.S.C. 576(a)) may be obligated or expended
20 on a new hopper dredge.

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TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$15,000,000, to remain available until expended, of which \$898,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, \$1,398,675 shall be available until September 30, 2020, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2019, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

1 WATER AND RELATED RESOURCES
2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian tribes, and others, \$1,381,992,000 (re-
11 duced by \$2,000,000) (increased by \$2,000,000) (reduced
12 by \$15,000,000) (increased by \$15,000,000), to remain
13 available until expended, of which \$67,393,000 shall be
14 available for transfer to the Upper Colorado River Basin
15 Fund and \$5,551,000 shall be available for transfer to the
16 Lower Colorado River Basin Development Fund; of which
17 such amounts as may be necessary may be advanced to
18 the Colorado River Dam Fund: *Provided*, That such trans-
19 fers may be increased or decreased within the overall ap-
20 propriation under this heading: *Provided further*, That of
21 the total appropriated, the amount for program activities
22 that can be financed by the Reclamation Fund or the Bu-
23 reau of Reclamation special fee account established by 16
24 U.S.C. 6806 shall be derived from that Fund or account:
25 *Provided further*, That funds contributed under 43 U.S.C.

1 395 are available until expended for the purposes for
2 which the funds were contributed: *Provided further*, That
3 funds advanced under 43 U.S.C. 397a shall be credited
4 to this account and are available until expended for the
5 same purposes as the sums appropriated under this head-
6 ing: *Provided further*, That of the amounts provided here-
7 in, funds may be used for high-priority projects which
8 shall be carried out by the Youth Conservation Corps, as
9 authorized by 16 U.S.C. 1706.

10 CENTRAL VALLEY PROJECT RESTORATION FUND

11 For carrying out the programs, projects, plans, habi-
12 tat restoration, improvement, and acquisition provisions of
13 the Central Valley Project Improvement Act, \$62,008,000
14 (reduced by \$5,000,000) (increased by \$5,000,000), to be
15 derived from such sums as may be collected in the Central
16 Valley Project Restoration Fund pursuant to sections
17 3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575,
18 to remain available until expended: *Provided*, That the Bu-
19 reau of Reclamation is directed to assess and collect the
20 full amount of the additional mitigation and restoration
21 payments authorized by section 3407(d) of Public Law
22 102-575: *Provided further*, That none of the funds made
23 available under this heading may be used for the acqui-
24 sition or leasing of water for in-stream purposes if the water

1 is already committed to in-stream purposes by a court
2 adopted decree or order.

3 CALIFORNIA BAY-DELTA RESTORATION
4 (INCLUDING TRANSFERS OF FUNDS)

5 For carrying out activities authorized by the Water
6 Supply, Reliability, and Environmental Improvement Act,
7 consistent with plans to be approved by the Secretary of
8 the Interior, \$35,000,000, to remain available until ex-
9 pended, of which such amounts as may be necessary to
10 carry out such activities may be transferred to appropriate
11 accounts of other participating Federal agencies to carry
12 out authorized purposes: *Provided*, That funds appro-
13 priated herein may be used for the Federal share of the
14 costs of CALFED Program management: *Provided fur-*
15 *ther*, That CALFED implementation shall be carried out
16 in a balanced manner with clear performance measures
17 demonstrating concurrent progress in achieving the goals
18 and objectives of the Program.

19 POLICY AND ADMINISTRATION

20 For expenses necessary for policy, administration,
21 and related functions in the Office of the Commissioner,
22 the Denver office, and offices in the five regions of the
23 Bureau of Reclamation, to remain available until Sep-
24 tember 30, 2020, \$61,000,000, to be derived from the
25 Reclamation Fund and be nonreimbursable as provided in

1 43 U.S.C. 377: *Provided*, That no part of any other appro-
2 priation in this Act shall be available for activities or func-
3 tions budgeted as policy and administration expenses.

4 ADMINISTRATIVE PROVISION

5 Appropriations for the Bureau of Reclamation shall
6 be available for purchase of not to exceed five passenger
7 motor vehicles, which are for replacement only.

8 GENERAL PROVISIONS—DEPARTMENT OF THE
9 INTERIOR

10 SEC. 201. (a) None of the funds provided in this title
11 shall be available for obligation or expenditure through a
12 reprogramming of funds that—

13 (1) creates or initiates a new program, project,
14 or activity;

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

16 (3) increases funds for any program, project, or
17 activity for which funds have been denied or re-
18 stricted by this Act;

19 (4) restarts or resumes any program, project or
20 activity for which funds are not provided in this Act,
21 unless prior approval is received from the Commit-
22 tees on Appropriations of both Houses of Congress;

23 (5) transfers funds in excess of the following
24 limits—

1 (A) 15 percent for any program, project or
2 activity for which \$2,000,000 or more is avail-
3 able at the beginning of the fiscal year; or

4 (B) \$400,000 for any program, project or
5 activity for which less than \$2,000,000 is avail-
6 able at the beginning of the fiscal year;

7 (6) transfers more than \$500,000 from either
8 the Facilities Operation, Maintenance, and Rehabili-
9 tation category or the Resources Management and
10 Development category to any program, project, or
11 activity in the other category; or

12 (7) transfers, where necessary to discharge legal
13 obligations of the Bureau of Reclamation, more than
14 \$5,000,000 to provide adequate funds for settled
15 contractor claims, increased contractor earnings due
16 to accelerated rates of operations, and real estate de-
17 ficiency judgments.

18 (b) Subsection (a)(5) shall not apply to any transfer
19 of funds within the Facilities Operation, Maintenance, and
20 Rehabilitation category.

21 (c) For purposes of this section, the term “transfer”
22 means any movement of funds into or out of a program,
23 project, or activity.

24 (d) The Bureau of Reclamation shall submit reports
25 on a quarterly basis to the Committees on Appropriations

1 of both Houses of Congress detailing all the funds repro-
2 grammed between programs, projects, activities, or cat-
3 egories of funding. The first quarterly report shall be sub-
4 mitted not later than 60 days after the date of enactment
5 of this Act.

6 SEC. 202. (a) None of the funds appropriated or oth-
7 erwise made available by this Act may be used to deter-
8 mine the final point of discharge for the interceptor drain
9 for the San Luis Unit until development by the Secretary
10 of the Interior and the State of California of a plan, which
11 shall conform to the water quality standards of the State
12 of California as approved by the Administrator of the En-
13 vironmental Protection Agency, to minimize any detri-
14 mental effect of the San Luis drainage waters.

15 (b) The costs of the Kesterson Reservoir Cleanup
16 Program and the costs of the San Joaquin Valley Drain-
17 age Program shall be classified by the Secretary of the
18 Interior as reimbursable or nonreimbursable and collected
19 until fully repaid pursuant to the “Cleanup Program—
20 Alternative Repayment Plan” and the “SJVDP—Alter-
21 native Repayment Plan” described in the report entitled
22 “Repayment Report, Kesterson Reservoir Cleanup Pro-
23 gram and San Joaquin Valley Drainage Program, Feb-
24 ruary 1995”, prepared by the Department of the Interior,
25 Bureau of Reclamation. Any future obligations of funds

1 by the United States relating to, or providing for, drainage
2 service or drainage studies for the San Luis Unit shall
3 be fully reimbursable by San Luis Unit beneficiaries of
4 such service or studies pursuant to Federal reclamation
5 law.

6 SEC. 203. Hereinafter, notwithstanding any other
7 provision of law, during the period from November 1
8 through April 30, water users may use their diversion
9 structures for the purpose of recharging the Eastern
10 Snake Plain Aquifer, when the Secretary, in consultation
11 with the Advisory Committee and Water District 1
12 watermaster, determines there is water available in excess
13 of that needed to satisfy existing Minidoka Project storage
14 and hydropower rights and ensure operational flexibility.

15 SEC. 204. Section 9001(d) of the Omnibus Public
16 Land Management Act of 2009 (Public Law 111–11; 123
17 Stat. 1295) is amended by striking “10” and inserting
18 “20”.

19 SEC. 205. None of the funds in this Act shall be avail-
20 able to implement the Stipulation of Settlement (Natural
21 Resources Defense Council, et al. v. Kirk Rodgers, et al.,
22 Eastern District of California, No. Civ. 9 S–88–1658
23 LKK/GGH) or subtitle A of title X of Public Law 111–
24 11.

1 SEC. 206. None of the funds in this Act shall be avail-
2 able for the purchase of water in the State of California
3 to supplement instream flow within a river basin that has
4 suffered a drought within the last two years.

5 SEC. 207. Section 9(c)(1) of the Reclamation Project
6 Act of 1939 (43 U.S.C. 485h(c)(1)) is amended by insert-
7 ing “and pumped storage hydropower development exclu-
8 sively using Bureau of Reclamation reservoirs” after “in-
9 cluding small conduit hydropower development”.

10 TITLE III

11 DEPARTMENT OF ENERGY

12 ENERGY PROGRAMS

13 ENERGY EFFICIENCY AND RENEWABLE ENERGY

14 For Department of Energy expenses including the
15 purchase, construction, and acquisition of plant and cap-
16 ital equipment, and other expenses necessary for energy
17 efficiency and renewable energy activities in carrying out
18 the purposes of the Department of Energy Organization
19 Act (42 U.S.C. 7101 et seq.), including the acquisition or
20 condemnation of any real property or any facility or for
21 plant or facility acquisition, construction, or expansion,
22 \$2,078,640,000 (increased by \$2,000,000) (increased by
23 \$1,000,000), to remain available until expended: *Provided*,
24 That of such amount, \$153,700,000 shall be available
25 until September 30, 2020, for program direction.

1 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY
2 RESPONSE

3 For Department of Energy expenses including the
4 purchase, construction, and acquisition of plant and cap-
5 ital equipment, and other expenses necessary for energy
6 sector cybersecurity, energy security, and emergency re-
7 sponse activities in carrying out the purposes of the De-
8 partment of Energy Organization Act (42 U.S.C. 7101 et
9 seq.), including the acquisition or condemnation of any
10 real property or any facility or for plant or facility acquisi-
11 tion, construction, or expansion, \$146,000,000 (increased
12 by \$1,000,000), to remain available until expended: *Pro-*
13 *vided*, That of such amount, \$11,500,000 shall be avail-
14 able until September 30, 2020, for program direction.

15 ELECTRICITY DELIVERY

16 For Department of Energy expenses including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment, and other expenses necessary for elec-
19 tricity delivery activities in carrying out the purposes of
20 the Department of Energy Organization Act (42 U.S.C.
21 7101 et seq.), including the acquisition or condemnation
22 of any real property or any facility or for plant or facility
23 acquisition, construction, or expansion, \$175,000,000 (in-
24 creased by \$1,000,000), to remain available until ex-
25 pended: *Provided*, That of such amount, \$17,000,000 shall

1 be available until September 30, 2020, for program direc-
2 tion.

3 NUCLEAR ENERGY

4 For Department of Energy expenses including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment, and other expenses necessary for nuclear
7 energy activities in carrying out the purposes of the De-
8 partment of Energy Organization Act (42 U.S.C. 7101 et
9 seq.), including the acquisition or condemnation of any
10 real property or any facility or for plant or facility acquisi-
11 tion, construction, or expansion, \$1,346,090,000, to re-
12 main available until expended: *Provided*, That of such
13 amount, \$66,500,000 shall be available until September
14 30, 2020, for program direction.

15 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

16 For Department of Energy expenses necessary in car-
17 rying out fossil energy research and development activi-
18 ties, under the authority of the Department of Energy Or-
19 ganization Act (42 U.S.C. 7101 et seq.), including the ac-
20 quisition of interest, including defeasible and equitable in-
21 terests in any real property or any facility or for plant
22 or facility acquisition or expansion, and for conducting in-
23 quiries, technological investigations and research con-
24 cerning the extraction, processing, use, and disposal of
25 mineral substances without objectionable social and envi-

1 ronmental costs (30 U.S.C. 3, 1602, and 1603),
2 \$785,000,000 (reduced by \$20,000,000) (increased by
3 \$20,000,000), to remain available until expended: *Pro-*
4 *vided*, That of such amount \$61,070,000 shall be available
5 until September 30, 2020, for program direction.

6 NAVAL PETROLEUM AND OIL SHALE RESERVES

7 For Department of Energy expenses necessary to
8 carry out naval petroleum and oil shale reserve activities,
9 \$10,000,000, to remain available until expended: *Pro-*
10 *vided*, That notwithstanding any other provision of law,
11 unobligated funds remaining from prior years shall be
12 available for all naval petroleum and oil shale reserve ac-
13 tivities.

14 STRATEGIC PETROLEUM RESERVE

15 For Department of Energy expenses necessary for
16 Strategic Petroleum Reserve facility development and op-
17 erations and program management activities pursuant to
18 the Energy Policy and Conservation Act (42 U.S.C. 6201
19 et seq.), \$252,000,000, to remain available until expended:
20 *Provided*, That, as authorized by section 404 of the Bipar-
21 tisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C.
22 6239 note), the Secretary of Energy shall draw down and
23 sell not to exceed \$300,000,000 of crude oil from the Stra-
24 tegic Petroleum Reserve in fiscal year 2019: *Provided fur-*
25 *ther*, That the proceeds from such drawdown and sale shall

1 be deposited into the “Energy Security and Infrastructure
2 Modernization Fund” during fiscal year 2019: *Provided*
3 *further*, That such amounts shall be made available and
4 shall remain available until expended for necessary ex-
5 penses to carry out the Life Extension II project for the
6 Strategic Petroleum Reserve.

7 SPR PETROLEUM ACCOUNT

8 For the acquisition, transportation, and injection of
9 petroleum products, and for other necessary expenses pur-
10 suant to the Energy Policy and Conservation Act (42
11 U.S.C. 6201 et seq.), sections 403 and 404 of the Bipar-
12 tisan Budget Act of 2015 (42 U.S.C. 6241, 6239 note),
13 and section 5010 of the 21st Century Cures Act (Public
14 Law 114–255), \$10,000,000, to remain available until ex-
15 pended.

16 NORTHEAST HOME HEATING OIL RESERVE

17 For Department of Energy expenses necessary for
18 Northeast Home Heating Oil Reserve storage, operation,
19 and management activities pursuant to the Energy Policy
20 and Conservation Act (42 U.S.C. 6201 et seq.),
21 \$10,000,000, to remain available until expended.

22 ENERGY INFORMATION ADMINISTRATION

23 For Department of Energy expenses necessary in car-
24 rying out the activities of the Energy Information Admin-

1 istration, \$125,000,000, to remain available until ex-
2 pended.

3 NON-DEFENSE ENVIRONMENTAL CLEANUP

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses necessary for non-de-
7 fense environmental cleanup activities in carrying out the
8 purposes of the Department of Energy Organization Act
9 (42 U.S.C. 7101 et seq.), including the acquisition or con-
10 demnation of any real property or any facility or for plant
11 or facility acquisition, construction, or expansion,
12 \$240,000,000, to remain available until expended.

13 URANIUM ENRICHMENT DECONTAMINATION AND
14 DECOMMISSIONING FUND

15 For Department of Energy expenses necessary in car-
16 rying out uranium enrichment facility decontamination
17 and decommissioning, remedial actions, and other activi-
18 ties of title II of the Atomic Energy Act of 1954, and
19 title X, subtitle A, of the Energy Policy Act of 1992,
20 \$870,000,000, to be derived from the Uranium Enrich-
21 ment Decontamination and Decommissioning Fund, to re-
22 main available until expended, of which \$32,959,000 shall
23 be available in accordance with title X, subtitle A, of the
24 Energy Policy Act of 1992, including for the purchase of
25 not to exceed one ambulance for replacement only.

1 SCIENCE

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 science
5 activities in carrying out the purposes of the Department
6 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
7 cluding the acquisition or condemnation of any real prop-
8 erty or any facility or for plant or facility acquisition, con-
9 struction, or expansion, and purchase of not more than
10 16 passenger motor vehicles and one airplane for replace-
11 ment only, including one bus, \$6,600,000,000 (reduced by
12 \$3,000,000) (increased by \$3,000,000), to remain avail-
13 able until expended: *Provided*, That of such amount,
14 \$183,000,000 shall be available until September 30, 2020,
15 for program direction.

16 NUCLEAR WASTE DISPOSAL

17 For Department of Energy expenses necessary for
18 nuclear waste disposal activities to carry out the purposes
19 of the Nuclear Waste Policy Act of 1982 (Public Law 97-
20 425), as amended (hereinafter referred to as the
21 “NWPA”), including the acquisition of any real property
22 or facility construction, or expansion, \$190,000,000 (re-
23 duced by \$5,000,000) (increased by \$5,000,000), to re-
24 main available until expended, and to be derived from the
25 Nuclear Waste Fund: *Provided*, That of the funds made

1 available in this Act for nuclear waste disposal and defense
2 nuclear waste disposal activities, 1.62 percent shall be pro-
3 vided to the Office of the Attorney General of the State
4 of Nevada solely for expenditures, other than salaries and
5 expenses of State employees, to conduct scientific over-
6 sight responsibilities and participate in licensing activities
7 pursuant to the NWPA: *Provided further*, That of the
8 funds made available in this Act for nuclear waste disposal
9 and defense nuclear waste disposal activities, 2.91 percent
10 shall be provided to affected units of local government, as
11 defined in the NWPA, to conduct appropriate activities
12 and participate in licensing activities under Section 116(c)
13 of the NWPA: *Provided further*, That of the amounts pro-
14 vided to affected units of local government, 7.5 percent
15 shall be made available to affected units of local govern-
16 ment in California with the balance made available to af-
17 fected units of local government in Nevada for distribution
18 as determined by the Nevada affected units of local gov-
19 ernment: *Provided further*, That of the funds made avail-
20 able in this Act for nuclear waste disposal and defense
21 nuclear waste disposal activities, 0.16 percent shall be pro-
22 vided to the affected Federally-recognized Indian tribes,
23 as defined in the NWPA, solely for expenditures, other
24 than salaries and expenses of tribal employees, to conduct
25 appropriate activities and participate in licensing activities

1 under section 118(b) of the NWPA: *Provided further*, That
2 of the funds made available in this Act for nuclear waste
3 disposal and defense nuclear waste disposal activities, 3.0
4 percent shall be provided to Nye County, Nevada, 0.05
5 percent shall be provided to Clark County, Nevada, and
6 0.46 percent shall be provided to the State of Nevada as
7 payment equal to taxes under section 116(c)(3) of the
8 NWPA: *Provided further*, That within 90 days of the com-
9 pletion of each Federal fiscal year, the Office of the Attor-
10 ney General of the State of Nevada, each affected Feder-
11 ally-recognized Indian tribe, and each of the affected units
12 of local government shall provide certification to the De-
13 partment of Energy that all funds expended from such
14 payments have been expended for activities authorized by
15 the NWPA and this Act: *Provided further*, That failure
16 to provide such certification shall cause such entity to be
17 prohibited from any further funding provided for similar
18 activities: *Provided further*, That none of the funds herein
19 appropriated may be: (1) used for litigation expenses; (2)
20 used for interim storage activities; or (3) used to support
21 multi-State efforts or other coalition building activities in-
22 consistent with the restrictions contained in this Act: *Pro-*
23 *vided further*, That all proceeds and recoveries realized by
24 the Secretary in carrying out activities authorized by the
25 NWPA, including but not limited to any proceeds from

1 the sale of assets, shall be credited to this account, to re-
2 main available until expended, for carrying out the pur-
3 poses of this account.

4 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

5 For Department of Energy expenses necessary in car-
6 rying out the activities authorized by section 5012 of the
7 America COMPETES Act (Public Law 110–69),
8 \$325,000,000, to remain available until expended: *Pro-*
9 *vided*, That of such amount, \$29,250,000 shall be avail-
10 able until September 30, 2020, for program direction.

11 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
12 PROGRAM

13 Such sums as are derived from amounts received
14 from borrowers pursuant to section 1702(b) of the Energy
15 Policy Act of 2005 under this heading in prior Acts, shall
16 be collected in accordance with section 502(7) of the Con-
17 gressional Budget Act of 1974: *Provided*, That for nec-
18 essary administrative expenses to carry out this Loan
19 Guarantee program, \$32,000,000 is appropriated from
20 fees collected in prior years pursuant to section 1702(h)
21 of the Energy Policy Act of 2005 which are not otherwise
22 appropriated, to remain available until September 30,
23 2020: *Provided further*, That if the amount in the previous
24 proviso is not available from such fees, an amount for such
25 purposes is also appropriated from the general fund so as

1 to result in a total amount appropriated for such purpose
2 of no more than \$32,000,000: *Provided further*, That fees
3 collected pursuant to such section 1702(h) for fiscal year
4 2019 shall be credited as offsetting collections under this
5 heading and shall not be available until appropriated: *Pro-*
6 *vided further*, That the Department of Energy shall not
7 subordinate any loan obligation to other financing in viola-
8 tion of section 1702 of the Energy Policy Act of 2005 or
9 subordinate any Guaranteed Obligation to any loan or
10 other debt obligations in violation of section 609.10 of title
11 10, Code of Federal Regulations.

12 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING

13 LOAN PROGRAM

14 For Department of Energy administrative expenses
15 necessary in carrying out the Advanced Technology Vehi-
16 cles Manufacturing Loan Program, \$5,000,000, to remain
17 available until September 30, 2020.

18 TRIBAL ENERGY LOAN GUARANTEE PROGRAM

19 For Department of Energy administrative expenses
20 necessary in carrying out the Tribal Energy Loan Guar-
21 antee Program, \$1,000,000, to remain available until Sep-
22 tember 30, 2020.

23 DEPARTMENTAL ADMINISTRATION

24 For salaries and expenses of the Department of En-
25 ergy necessary for departmental administration in car-

1 rying out the purposes of the Department of Energy Orga-
2 nization Act (42 U.S.C. 7101 et seq.), \$280,524,000 (re-
3 duced by \$2,000,000) (reduced by \$1,000,000) (reduced
4 by \$1,000,000) (reduced by \$1,000,000) (increased by
5 \$1,000,000) (reduced by \$1,000,000), to remain available
6 until September 30, 2020, including the hire of passenger
7 motor vehicles and official reception and representation
8 expenses not to exceed \$30,000, plus such additional
9 amounts as necessary to cover increases in the estimated
10 amount of cost of work for others notwithstanding the pro-
11 visions of the Anti-Deficiency Act (31 U.S.C. 1511 et
12 seq.): *Provided*, That such increases in cost of work are
13 offset by revenue increases of the same or greater amount:
14 *Provided further*, That moneys received by the Department
15 for miscellaneous revenues estimated to total \$96,000,000
16 in fiscal year 2019 may be retained and used for operating
17 expenses within this account, as authorized by section 201
18 of Public Law 95–238, notwithstanding the provisions of
19 31 U.S.C. 3302: *Provided further*, That the sum herein
20 appropriated shall be reduced as collections are received
21 during the fiscal year so as to result in a final fiscal year
22 2019 appropriation from the general fund estimated at
23 not more than \$184,524,000.

1 OFFICE OF THE INSPECTOR GENERAL

2 For expenses necessary for the Office of the Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, \$51,330,000, to remain available
5 until September 30, 2020.

6 ATOMIC ENERGY DEFENSE ACTIVITIES

7 NATIONAL NUCLEAR SECURITY

8 ADMINISTRATION

9 WEAPONS ACTIVITIES

10 For Department of Energy expenses, including the
11 purchase, construction, and acquisition of plant and cap-
12 ital equipment and other incidental expenses necessary for
13 atomic energy defense weapons activities in carrying out
14 the purposes of the Department of Energy Organization
15 Act (42 U.S.C. 7101 et seq.), including the acquisition or
16 condemnation of any real property or any facility or for
17 plant or facility acquisition, construction, or expansion,
18 and the purchase of not to exceed one ambulance for re-
19 placement only, \$11,200,000,000 (increased by
20 \$24,000,000), to remain available until expended: *Pro-*
21 *vided*, That of such amount, \$102,022,000 shall be avail-
22 able until September 30, 2020, for program direction.

23 DEFENSE NUCLEAR NONPROLIFERATION

24 For Department of Energy expenses, including the
25 purchase, construction, and acquisition of plant and cap-

1 ital equipment and other incidental expenses necessary for
2 defense nuclear nonproliferation activities, in carrying out
3 the purposes of the Department of Energy Organization
4 Act (42 U.S.C. 7101 et seq.), including the acquisition or
5 condemnation of any real property or any facility or for
6 plant or facility acquisition, construction, or expansion,
7 and the purchase of not to exceed three aircraft,
8 \$1,902,000,000, to remain available until expended.

9 NAVAL REACTORS

10 (INCLUDING TRANSFER OF FUNDS)

11 For Department of Energy expenses necessary for
12 naval reactors activities to carry out the Department of
13 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
14 ing the acquisition (by purchase, condemnation, construc-
15 tion, or otherwise) of real property, plant, and capital
16 equipment, facilities, and facility expansion,
17 \$1,788,618,000, to remain available until expended, of
18 which, \$85,500,000 shall be transferred to “Department
19 of Energy—Energy Programs—Nuclear Energy”, for the
20 Advanced Test Reactor: *Provided*, That of such amount,
21 \$48,709,000 shall be available until September 30, 2020,
22 for program direction.

23 FEDERAL SALARIES AND EXPENSES

24 For expenses necessary for Federal Salaries and Ex-
25 penses in the National Nuclear Security Administration,

1 \$422,529,000 (reduced by \$24,000,000), to remain avail-
2 able until September 30, 2020, including official reception
3 and representation expenses not to exceed \$12,000.

4 ENVIRONMENTAL AND OTHER DEFENSE
5 ACTIVITIES

6 DEFENSE ENVIRONMENTAL CLEANUP

7 For Department of Energy expenses, including the
8 purchase, construction, and acquisition of plant and cap-
9 ital equipment and other expenses necessary for atomic
10 energy defense environmental cleanup activities in car-
11 rying out the purposes of the Department of Energy Orga-
12 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
13 sition or condemnation of any real property or any facility
14 or for plant or facility acquisition, construction, or expan-
15 sion, and the purchase of not to exceed one passenger
16 minivan for replacement only, \$5,759,220,000, to remain
17 available until expended: *Provided*, That of such amount,
18 \$295,000,000 shall be available until September 30, 2020,
19 for program direction.

20 OTHER DEFENSE ACTIVITIES

21 For Department of Energy expenses, including the
22 purchase, construction, and acquisition of plant and cap-
23 ital equipment and other expenses, necessary for atomic
24 energy defense, other defense activities, and classified ac-
25 tivities, in carrying out the purposes of the Department

1 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
2 cluding the acquisition or condemnation of any real prop-
3 erty or any facility or for plant or facility acquisition, con-
4 struction, or expansion, \$870,300,000 (reduced by
5 \$1,000,000) (increased by \$1,000,000), to remain avail-
6 able until expended: *Provided*, That of such amount,
7 \$301,085,000 shall be available until September 30, 2020,
8 for program direction.

9 DEFENSE NUCLEAR WASTE DISPOSAL

10 For Department of Energy expenses necessary for
11 nuclear waste disposal activities to carry out the purposes
12 of the Nuclear Waste Policy Act of 1982, as amended,
13 including the acquisition of real property or facility con-
14 struction or expansion, \$30,000,000, to remain available
15 until expended.

16 POWER MARKETING ADMINISTRATIONS

17 BONNEVILLE POWER ADMINISTRATION FUND

18 Expenditures from the Bonneville Power Administra-
19 tion Fund, established pursuant to Public Law 93-454,
20 are approved for official reception and representation ex-
21 penses in an amount not to exceed \$5,000: *Provided*, That
22 during fiscal year 2019, no new direct loan obligations
23 may be made.

1 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
2 ADMINISTRATION

3 For expenses necessary for operation and mainte-
4 nance of power transmission facilities and for marketing
5 electric power and energy, including transmission wheeling
6 and ancillary services, pursuant to section 5 of the Flood
7 Control Act of 1944 (16 U.S.C. 825s), as applied to the
8 southeastern power area, \$6,500,000, including official re-
9 ception and representation expenses in an amount not to
10 exceed \$1,500, to remain available until expended: *Pro-*
11 *vided*, That notwithstanding 31 U.S.C. 3302 and section
12 5 of the Flood Control Act of 1944, up to \$6,500,000 col-
13 lected by the Southeastern Power Administration from the
14 sale of power and related services shall be credited to this
15 account as discretionary offsetting collections, to remain
16 available until expended for the sole purpose of funding
17 the annual expenses of the Southeastern Power Adminis-
18 tration: *Provided further*, That the sum herein appro-
19 priated for annual expenses shall be reduced as collections
20 are received during the fiscal year so as to result in a final
21 fiscal year 2019 appropriation estimated at not more than
22 \$0: *Provided further*, That notwithstanding 31 U.S.C.
23 3302, up to \$55,360,000 collected by the Southeastern
24 Power Administration pursuant to the Flood Control Act
25 of 1944 to recover purchase power and wheeling expenses

1 shall be credited to this account as offsetting collections,
2 to remain available until expended for the sole purpose
3 of making purchase power and wheeling expenditures:
4 *Provided further*, That for purposes of this appropriation,
5 annual expenses means expenditures that are generally re-
6 covered in the same year that they are incurred (excluding
7 purchase power and wheeling expenses).

8 OPERATION AND MAINTENANCE, SOUTHWESTERN
9 POWER ADMINISTRATION

10 For expenses necessary for operation and mainte-
11 nance of power transmission facilities and for marketing
12 electric power and energy, for construction and acquisition
13 of transmission lines, substations and appurtenant facili-
14 ties, and for administrative expenses, including official re-
15 ception and representation expenses in an amount not to
16 exceed \$1,500 in carrying out section 5 of the Flood Con-
17 trol Act of 1944 (16 U.S.C. 825s), as applied to the
18 Southwestern Power Administration, \$45,802,000, to re-
19 main available until expended: *Provided*, That notwith-
20 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
21 trol Act of 1944 (16 U.S.C. 825s), up to \$35,402,000 col-
22 lected by the Southwestern Power Administration from
23 the sale of power and related services shall be credited to
24 this account as discretionary offsetting collections, to re-
25 main available until expended, for the sole purpose of

1 funding the annual expenses of the Southwestern Power
2 Administration: *Provided further*, That the sum herein ap-
3 propriated for annual expenses shall be reduced as collec-
4 tions are received during the fiscal year so as to result
5 in a final fiscal year 2019 appropriation estimated at not
6 more than \$10,400,000: *Provided further*, That notwith-
7 standing 31 U.S.C. 3302, up to \$10,000,000 collected by
8 the Southwestern Power Administration pursuant to the
9 Flood Control Act of 1944 to recover purchase power and
10 wheeling expenses shall be credited to this account as off-
11 setting collections, to remain available until expended for
12 the sole purpose of making purchase power and wheeling
13 expenditures: *Provided further*, That for purposes of this
14 appropriation, annual expenses means expenditures that
15 are generally recovered in the same year that they are in-
16 curred (excluding purchase power and wheeling expenses).

17 CONSTRUCTION, REHABILITATION, OPERATION AND
18 MAINTENANCE, WESTERN AREA POWER ADMINIS-
19 TRATION

20 For carrying out the functions authorized by title III,
21 section 302(a)(1)(E) of the Act of August 4, 1977 (42
22 U.S.C. 7152), and other related activities including con-
23 servation and renewable resources programs as author-
24 ized, \$265,142,000, including official reception and rep-
25 resentation expenses in an amount not to exceed \$1,500,

1 to remain available until expended, of which \$265,142,000
2 shall be derived from the Department of the Interior Rec-
3 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
4 3302, section 5 of the Flood Control Act of 1944 (16
5 U.S.C. 825s), and section 1 of the Interior Department
6 Appropriation Act, 1939 (43 U.S.C. 392a), up to
7 \$175,770,000 collected by the Western Area Power Ad-
8 ministration from the sale of power and related services
9 shall be credited to this account as discretionary offsetting
10 collections, to remain available until expended, for the sole
11 purpose of funding the annual expenses of the Western
12 Area Power Administration: *Provided further*, That the
13 sum herein appropriated for annual expenses shall be re-
14 duced as collections are received during the fiscal year so
15 as to result in a final fiscal year 2019 appropriation esti-
16 mated at not more than \$89,372,000, of which
17 \$89,372,000 is derived from the Reclamation Fund: *Pro-*
18 *vided further*, That notwithstanding 31 U.S.C. 3302, up
19 to \$180,408,000 collected by the Western Area Power Ad-
20 ministration pursuant to the Flood Control Act of 1944
21 and the Reclamation Project Act of 1939 to recover pur-
22 chase power and wheeling expenses shall be credited to
23 this account as offsetting collections, to remain available
24 until expended for the sole purpose of making purchase
25 power and wheeling expenditures: *Provided further*, That

1 for purposes of this appropriation, annual expenses means
2 expenditures that are generally recovered in the same year
3 that they are incurred (excluding purchase power and
4 wheeling expenses).

5 FALCON AND AMISTAD OPERATING AND MAINTENANCE
6 FUND

7 For operation, maintenance, and emergency costs for
8 the hydroelectric facilities at the Falcon and Amistad
9 Dams, \$5,207,000, to remain available until expended,
10 and to be derived from the Falcon and Amistad Operating
11 and Maintenance Fund of the Western Area Power Ad-
12 ministration, as provided in section 2 of the Act of June
13 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
14 the provisions of that Act and of 31 U.S.C. 3302, up to
15 \$4,979,000 collected by the Western Area Power Adminis-
16 tration from the sale of power and related services from
17 the Falcon and Amistad Dams shall be credited to this
18 account as discretionary offsetting collections, to remain
19 available until expended for the sole purpose of funding
20 the annual expenses of the hydroelectric facilities of these
21 Dams and associated Western Area Power Administration
22 activities: *Provided further*, That the sum herein appro-
23 priated for annual expenses shall be reduced as collections
24 are received during the fiscal year so as to result in a final
25 fiscal year 2019 appropriation estimated at not more than

1 \$228,000: *Provided further*, That for purposes of this ap-
2 propriation, annual expenses means expenditures that are
3 generally recovered in the same year that they are in-
4 curred: *Provided further*, That for fiscal year 2019, the
5 Administrator of the Western Area Power Administration
6 may accept up to \$122,000 in funds contributed by United
7 States power customers of the Falcon and Amistad Dams
8 for deposit into the Falcon and Amistad Operating and
9 Maintenance Fund, and such funds shall be available for
10 the purpose for which contributed in like manner as if said
11 sums had been specifically appropriated for such purpose:
12 *Provided further*, That any such funds shall be available
13 without further appropriation and without fiscal year limi-
14 tation for use by the Commissioner of the United States
15 Section of the International Boundary and Water Com-
16 mission for the sole purpose of operating, maintaining, re-
17 pairing, rehabilitating, replacing, or upgrading the hydro-
18 electric facilities at these Dams in accordance with agree-
19 ments reached between the Administrator, Commissioner,
20 and the power customers.

21 FEDERAL ENERGY REGULATORY COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary for the Federal Energy Regu-
24 latory Commission to carry out the provisions of the De-
25 partment of Energy Organization Act (42 U.S.C. 7101 et

1 seq.), including services as authorized by 5 U.S.C. 3109,
2 official reception and representation expenses not to ex-
3 ceed \$3,000, and the hire of passenger motor vehicles,
4 \$369,900,000, to remain available until expended: *Pro-*
5 *vided*, That notwithstanding any other provision of law,
6 not to exceed \$369,900,000 of revenues from fees and an-
7 nual charges, and other services and collections in fiscal
8 year 2019 shall be retained and used for expenses nec-
9 essary in this account, and shall remain available until ex-
10 pended: *Provided further*, That the sum herein appro-
11 priated from the general fund shall be reduced as revenues
12 are received during fiscal year 2019 so as to result in a
13 final fiscal year 2019 appropriation from the general fund
14 estimated at not more than \$0.

15 GENERAL PROVISIONS—DEPARTMENT OF
16 ENERGY

17 (INCLUDING TRANSFERS OF FUNDS)

18 SEC. 301. (a) No appropriation, funds, or authority
19 made available by this title for the Department of Energy
20 shall be used to initiate or resume any program, project,
21 or activity or to prepare or initiate Requests For Proposals
22 or similar arrangements (including Requests for
23 Quotations, Requests for Information, and Funding Op-
24 portunity Announcements) for a program, project, or ac-

1 tivity if the program, project, or activity has not been
2 funded by Congress.

3 (b)(1) Unless the Secretary of Energy notifies the
4 Committees on Appropriations of both Houses of Congress
5 at least 3 full business days in advance, none of the funds
6 made available in this title may be used to—

7 (A) make a grant allocation or discretionary
8 grant award totaling \$1,000,000 or more;

9 (B) make a discretionary contract award or
10 Other Transaction Agreement totaling \$1,000,000
11 or more, including a contract covered by the Federal
12 Acquisition Regulation;

13 (C) issue a letter of intent to make an alloca-
14 tion, award, or Agreement in excess of the limits in
15 subparagraph (A) or (B); or

16 (D) announce publicly the intention to make an
17 allocation, award, or Agreement in excess of the lim-
18 its in subparagraph (A) or (B).

19 (2) The Secretary of Energy shall submit to the Com-
20 mittees on Appropriations of both Houses of Congress
21 within 15 days of the conclusion of each quarter a report
22 detailing each grant allocation or discretionary grant
23 award totaling less than \$1,000,000 provided during the
24 previous quarter.

1 (3) The notification required by paragraph (1) and
2 the report required by paragraph (2) shall include the re-
3 cipient of the award, the amount of the award, the fiscal
4 year for which the funds for the award were appropriated,
5 the account and program, project, or activity from which
6 the funds are being drawn, the title of the award, and
7 a brief description of the activity for which the award is
8 made.

9 (c) The Department of Energy may not, with respect
10 to any program, project, or activity that uses budget au-
11 thority made available in this title under the heading “De-
12 partment of Energy—Energy Programs”, enter into a
13 multiyear contract, award a multiyear grant, or enter into
14 a multiyear cooperative agreement unless—

15 (1) the contract, grant, or cooperative agree-
16 ment is funded for the full period of performance as
17 anticipated at the time of award; or

18 (2) the contract, grant, or cooperative agree-
19 ment includes a clause conditioning the Federal Gov-
20 ernment’s obligation on the availability of future
21 year budget authority and the Secretary notifies the
22 Committees on Appropriations of both Houses of
23 Congress at least 3 days in advance.

24 (d) Except as provided in subsections (e), (f), and (g),
25 the amounts made available by this title shall be expended

1 as authorized by law for the programs, projects, and ac-
2 tivities specified in the “Bill” column in the “Department
3 of Energy” table included under the heading “Title III—
4 Department of Energy” in the report of the Committee
5 on Appropriations accompanying this Act.

6 (e) The amounts made available by this title may be
7 reprogrammed for any program, project, or activity, and
8 the Department shall notify the Committees on Appropria-
9 tions of both Houses of Congress at least 30 days prior
10 to the use of any proposed reprogramming that would
11 cause any program, project, or activity funding level to
12 increase or decrease by more than \$5,000,000 or 10 per-
13 cent, whichever is less, during the time period covered by
14 this Act.

15 (f) None of the funds provided in this title shall be
16 available for obligation or expenditure through a re-
17 programming of funds that—

18 (1) creates, initiates, or eliminates a program,
19 project, or activity;

20 (2) increases funds or personnel for any pro-
21 gram, project, or activity for which funds are denied
22 or restricted by this Act; or

23 (3) reduces funds that are directed to be used
24 for a specific program, project, or activity by this
25 Act.

1 (g)(1) The Secretary of Energy may waive any re-
2 quirement or restriction in this section that applies to the
3 use of funds made available for the Department of Energy
4 if compliance with such requirement or restriction would
5 pose a substantial risk to human health, the environment,
6 welfare, or national security.

7 (2) The Secretary of Energy shall notify the Commit-
8 tees on Appropriations of both Houses of Congress of any
9 waiver under paragraph (1) as soon as practicable, but
10 not later than 3 days after the date of the activity to which
11 a requirement or restriction would otherwise have applied.
12 Such notice shall include an explanation of the substantial
13 risk under paragraph (1) that permitted such waiver.

14 (h) The unexpended balances of prior appropriations
15 provided for activities in this Act may be available to the
16 same appropriation accounts for such activities established
17 pursuant to this title. Available balances may be merged
18 with funds in the applicable established accounts and
19 thereafter may be accounted for as one fund for the same
20 time period as originally enacted.

21 SEC. 302. Funds appropriated by this or any other
22 Act, or made available by the transfer of funds in this
23 Act, for intelligence activities are deemed to be specifically
24 authorized by the Congress for purposes of section 504
25 of the National Security Act of 1947 (50 U.S.C. 3094)

1 during fiscal year 2019 until the enactment of the Intel-
2 ligence Authorization Act for fiscal year 2019.

3 SEC. 303. None of the funds made available in this
4 title shall be used for the construction of facilities classi-
5 fied as high-hazard nuclear facilities under 10 CFR Part
6 830 unless independent oversight is conducted by the Of-
7 fice of Enterprise Assessments to ensure the project is in
8 compliance with nuclear safety requirements.

9 SEC. 304. None of the funds made available in this
10 title may be used to approve critical decision-2 or critical
11 decision-3 under Department of Energy Order 413.3B, or
12 any successive departmental guidance, for construction
13 projects where the total project cost exceeds
14 \$100,000,000, until a separate independent cost estimate
15 has been developed for the project for that critical deci-
16 sion.

17 SEC. 305. The Secretary of Energy may not transfer
18 more than \$274,833,000 from the amounts made available
19 under this title to the working capital fund established
20 under section 653 of the Department of Energy Organiza-
21 tion Act (42 U.S.C. 7263): *Provided*, That the Secretary
22 may transfer additional amounts to the working capital
23 fund after the Secretary provides notification in advance
24 of any such transfer to the Committees on Appropriations
25 of both Houses of Congress: *Provided further*, That any

1 such notification shall identify the sources of funds by pro-
2 gram, project, or activity: *Provided further*, That the Sec-
3 retary shall notify the Committees on Appropriations of
4 both Houses of Congress before adding or removing any
5 activities from the fund.

6 SEC. 306. (a) None of the funds made available in
7 this or any prior Act under the heading “Defense Nuclear
8 Nonproliferation” may be made available to enter into new
9 contracts with, or new agreements for Federal assistance
10 to, the Russian Federation.

11 (b) The Secretary of Energy may waive the prohibi-
12 tion in subsection (a) if the Secretary determines that
13 such activity is in the national security interests of the
14 United States. This waiver authority may not be dele-
15 gated.

16 (c) A waiver under subsection (b) shall not be effec-
17 tive until 15 days after the date on which the Secretary
18 submits to the Committees on Appropriations of both
19 Houses of Congress, in classified form if necessary, a re-
20 port on the justification for the waiver.

21 SEC. 307. (a) NEW REGIONAL RESERVES.—The Sec-
22 retary of Energy may not establish any new regional pe-
23 troleum product reserve unless funding for the proposed
24 regional petroleum product reserve is explicitly requested

1 in advance in an annual budget submission and approved
2 by the Congress in an appropriations Act.

3 (b) The budget request or notification shall include—

4 (1) the justification for the new reserve;

5 (2) a cost estimate for the establishment, oper-
6 ation, and maintenance of the reserve, including
7 funding sources;

8 (3) a detailed plan for operation of the reserve,
9 including the conditions upon which the products
10 may be released;

11 (4) the location of the reserve; and

12 (5) the estimate of the total inventory of the re-
13 serve.

14 SEC. 308. (a) Funds provided by this Act for Project
15 99–D–143, Mixed Oxide Fuel Fabrication Facility, and
16 any funds provided by prior Acts for such Project that
17 remain unobligated, may be made available only for con-
18 struction and project support activities for such Project.

19 (b) The Secretary of Energy may waive the require-
20 ment under subsection (a) if the Secretary concurrently
21 submits to the Committees on Appropriations of both
22 Houses of Congress—

23 (1) the commitment, certification, and details
24 described in section 3121(b) of the National Defense

1 Authorization Act for Fiscal Year 2018 (Public Law
2 115–91; 131 Stat. 1892); and

3 (2) the lifecycle cost estimate used to make
4 such certification.

5 (c) If the Secretary waives the requirements under
6 subsection (a), the Secretary may not use funds provided
7 for the Project described in such subsection to eliminate
8 such Project until the date that is 30 days after the sub-
9 mission of the lifecycle cost estimate required under sub-
10 section (b)(2).

11 SEC. 309. Notwithstanding section 161 of the Energy
12 Policy and Conservation Act (42 U.S.C. 6241), upon a
13 determination by the President in this fiscal year that a
14 regional supply shortage of refined petroleum product of
15 significant scope and duration exists, that a severe in-
16 crease in the price of refined petroleum product will likely
17 result from such shortage, and that a draw down and sale
18 of refined petroleum product would assist directly and sig-
19 nificantly in reducing the adverse impact of such shortage,
20 the Secretary of Energy may draw down and sell refined
21 petroleum product from the Strategic Petroleum Reserve.
22 Proceeds from a sale under this section shall be deposited
23 into the SPR Petroleum Account established in section
24 167 of the Energy Policy and Conservation Act (42 U.S.C.

1 6247), and such amounts shall be available for obligation,
2 without fiscal year limitation, consistent with that section.

3 SEC. 310. (a) REPORT.—The Secretary of Energy
4 shall submit to Congress and the State of Nevada a report
5 on the potential of locating a reprocessing or recycling fa-
6 cility for spent nuclear fuel near the Yucca Mountain site.

7 (b) CONTENTS.—The Secretary shall include in the
8 report required under subsection (a) a description of—

9 (1) the energy technology benefits associated
10 with a reprocessing or recycling facility for spent nu-
11 clear fuel;

12 (2) the potential economic benefits for the host
13 community associated with such a facility, including
14 employment, infrastructure development, and work-
15 force development benefits;

16 (3) the energy and national security implica-
17 tions for the supply and availability of nuclear fuel
18 associated with such a facility; and

19 (4) the potential for locating other nuclear fuel
20 cycle facilities near the Yucca Mountain site, such as
21 an enrichment facility for national defense purposes.

22 (c) CONSULTATION.—In preparing the report re-
23 quired under subsection (a), the Secretary shall consult
24 with institutions in the Nevada System of Higher Edu-

1 cation, as defined by the State of Nevada, with prior re-
2 processing research experience.

3 (d) YUCCA MOUNTAIN SITE DEFINED.—In this sec-
4 tion, the term “Yucca Mountain site” has the meaning
5 given that term in section 2(30) of the Nuclear Waste Pol-
6 icy Act of 1982 (42 U.S.C. 10101(30)).

7 TITLE IV

8 INDEPENDENT AGENCIES

9 APPALACHIAN REGIONAL COMMISSION

10 For expenses necessary to carry out the programs au-
11 thorized by the Appalachian Regional Development Act of
12 1965, and for expenses necessary for the Federal Co-
13 Chairman and the Alternate on the Appalachian Regional
14 Commission, for payment of the Federal share of the ad-
15 ministrative expenses of the Commission, including serv-
16 ices as authorized by 5 U.S.C. 3109, and hire of passenger
17 motor vehicles, \$155,000,000, to remain available until ex-
18 pended.

19 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary for the Defense Nuclear Fa-
22 cilities Safety Board in carrying out activities authorized
23 by the Atomic Energy Act of 1954, as amended by Public
24 Law 100–456, section 1441, \$31,243,000, to remain
25 available until September 30, 2020.

1 DELTA REGIONAL AUTHORITY

2 SALARIES AND EXPENSES

3 For expenses necessary for the Delta Regional Au-
4 thority and to carry out its activities, as authorized by
5 the Delta Regional Authority Act of 2000, notwith-
6 standing sections 382F(d), 382M, and 382N of said Act,
7 \$15,000,000, to remain available until expended.

8 DENALI COMMISSION

9 For expenses necessary for the Denali Commission
10 including the purchase, construction, and acquisition of
11 plant and capital equipment as necessary and other ex-
12 penses, \$15,000,000, to remain available until expended,
13 notwithstanding the limitations contained in section
14 306(g) of the Denali Commission Act of 1998: *Provided*,
15 That funds shall be available for construction projects in
16 an amount not to exceed 80 percent of total project cost
17 for distressed communities, as defined by section 307 of
18 the Denali Commission Act of 1998 (division C, title III,
19 Public Law 105–277), as amended by section 701 of ap-
20 pendix D, title VII, Public Law 106–113 (113 Stat.
21 1501A–280), and an amount not to exceed 50 percent for
22 non-distressed communities: *Provided further*, That not-
23 withstanding any other provision of law regarding pay-
24 ment of a non-Federal share in connection with a grant-
25 in-aid program, amounts under this heading shall be avail-

1 able for the payment of such a non-Federal share for pro-
2 grams undertaken to carry out the purposes of the Com-
3 mission.

4 NORTHERN BORDER REGIONAL COMMISSION

5 For expenses necessary for the Northern Border Re-
6 gional Commission in carrying out activities authorized by
7 subtitle V of title 40, United States Code, \$12,000,000,
8 to remain available until expended: *Provided*, That such
9 amounts shall be available for administrative expenses,
10 notwithstanding section 15751(b) of title 40, United
11 States Code.

12 SOUTHEAST CRESCENT REGIONAL COMMISSION

13 For expenses necessary for the Southeast Crescent
14 Regional Commission in carrying out activities authorized
15 by subtitle V of title 40, United States Code, \$250,000,
16 to remain available until expended.

17 NUCLEAR REGULATORY COMMISSION

18 SALARIES AND EXPENSES

19 For expenses necessary for the Commission in car-
20 rying out the purposes of the Energy Reorganization Act
21 of 1974 and the Atomic Energy Act of 1954,
22 \$953,050,000 (reduced by \$1,000,000) (increased by
23 \$1,000,000), including official representation expenses not
24 to exceed \$25,000, to remain available until expended, of
25 which \$47,700,000 shall be derived from the Nuclear

1 Waste Fund: *Provided*, That of the amount appropriated
2 herein, not more than \$9,500,000 may be made available
3 for salaries, travel, and other support costs for the Office
4 of the Commission, to remain available until September
5 30, 2020, of which, notwithstanding section 201(a)(2)(c)
6 of the Energy Reorganization Act of 1974 (42 U.S.C.
7 5841(a)(2)(c)), the use and expenditure shall only be ap-
8 proved by a majority vote of the Commission: *Provided*
9 *further*, That revenues from licensing fees, inspection serv-
10 ices, and other services and collections estimated at
11 \$763,640,000 in fiscal year 2019 shall be retained and
12 used for necessary salaries and expenses in this account,
13 notwithstanding 31 U.S.C. 3302, and shall remain avail-
14 able until expended: *Provided further*, That of the amounts
15 appropriated under this heading, not less than \$9,896,000
16 shall be for activities related to the development of regu-
17 latory infrastructure for advanced nuclear technologies,
18 and \$16,080,000 shall be for international activities, ex-
19 cept that the amounts provided under this proviso shall
20 not be derived from fee revenues, notwithstanding 42
21 U.S.C. 2214: *Provided further*, That the sum herein ap-
22 propriated shall be reduced by the amount of revenues re-
23 ceived during fiscal year 2019 so as to result in a final
24 fiscal year 2019 appropriation estimated at not more than
25 \$189,410,000: *Provided further*, That of the amounts ap-

1 appropriated under this heading, \$10,000,000 shall be for
2 university research and development in areas relevant to
3 the Commission's mission, and \$5,000,000 shall be for a
4 Nuclear Science and Engineering Grant Program that will
5 support multiyear projects that do not align with pro-
6 grammatic missions but are critical to maintaining the
7 discipline of nuclear science and engineering, except that
8 the amounts provided under this proviso shall not be de-
9 rived from fee revenues, notwithstanding 42 U.S.C. 2214.

10 OFFICE OF INSPECTOR GENERAL

11 For expenses necessary for the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, \$12,609,000, to remain available
14 until September 30, 2020: *Provided*, That revenues from
15 licensing fees, inspection services, and other services and
16 collections estimated at \$10,355,000 in fiscal year 2019
17 shall be retained and be available until September 30,
18 2020, for necessary salaries and expenses in this account,
19 notwithstanding section 3302 of title 31, United States
20 Code: *Provided further*, That the sum herein appropriated
21 shall be reduced by the amount of revenues received dur-
22 ing fiscal year 2019 so as to result in a final fiscal year
23 2019 appropriation estimated at not more than
24 \$2,254,000: *Provided further*, That of the amounts appro-
25 priated under this heading, \$1,103,000 shall be for In-

1 spector General services for the Defense Nuclear Facilities
2 Safety Board, which shall not be available from fee reve-
3 nues.

4 NUCLEAR WASTE TECHNICAL REVIEW BOARD
5 SALARIES AND EXPENSES

6 For expenses necessary for the Nuclear Waste Tech-
7 nical Review Board, as authorized by Public Law 100-
8 203, section 5051, \$3,600,000, to be derived from the Nu-
9 clear Waste Fund, to remain available until September 30,
10 2020.

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
15 its Internal Commission Procedures when responding to
16 Congressional requests for information, consistent with
17 Department of Justice guidance for all federal agencies.

18 SEC. 402. (a) The amounts made available by this
19 title for the Nuclear Regulatory Commission may be re-
20 programmed for any program, project, or activity, and the
21 Commission shall notify the Committees on Appropria-
22 tions of both Houses of Congress at least 30 days prior
23 to the use of any proposed reprogramming that would
24 cause any program funding level to increase or decrease

1 by more than \$500,000 or 10 percent, whichever is less,
2 during the time period covered by this Act.

3 (b)(1) The Nuclear Regulatory Commission may
4 waive the notification requirement in subsection (a) if
5 compliance with such requirement would pose a substan-
6 tial risk to human health, the environment, welfare, or na-
7 tional security.

8 (2) The Nuclear Regulatory Commission shall notify
9 the Committees on Appropriations of both Houses of Con-
10 gress of any waiver under paragraph (1) as soon as prac-
11 ticable, but not later than 3 days after the date of the
12 activity to which a requirement or restriction would other-
13 wise have applied. Such notice shall include an explanation
14 of the substantial risk under paragraph (1) that permitted
15 such waiver and shall provide a detailed report to the
16 Committees of such waiver and changes to funding levels
17 to programs, projects, or activities.

18 (c) Except as provided in subsections (a), (b), and
19 (d), the amounts made available by this title for “Nuclear
20 Regulatory Commission—Salaries and Expenses” shall be
21 expended as directed in the report of the Committee on
22 Appropriations accompanying this Act.

23 (d) None of the funds provided for the Nuclear Regu-
24 latory Commission shall be available for obligation or ex-
25 penditure through a reprogramming of funds that in-

1 creases funds or personnel for any program, project, or
2 activity for which funds are denied or restricted by this
3 Act.

4 (e) The Commission shall provide a monthly report
5 to the Committees on Appropriations of both Houses of
6 Congress, which includes the following for each program,
7 project, or activity, including any prior year appropria-
8 tions—

- 9 (1) total budget authority;
10 (2) total unobligated balances; and
11 (3) total unliquidated obligations.

12 TITLE V

13 GENERAL PROVISIONS

14 SEC. 501. None of the funds appropriated by this Act
15 may be used in any way, directly or indirectly, to influence
16 congressional action on any legislation or appropriation
17 matters pending before Congress, other than to commu-
18 nicate to Members of Congress as described in 18 U.S.C.
19 1913.

20 SEC. 502. (a) None of the funds made available in
21 title III of this Act may be transferred to any department,
22 agency, or instrumentality of the United States Govern-
23 ment, except pursuant to a transfer made by or transfer
24 authority provided in this Act or any other appropriations
25 Act for any fiscal year, transfer authority referenced in

1 the report of the Committee on Appropriations accom-
2 panying this Act, or any authority whereby a department,
3 agency, or instrumentality of the United States Govern-
4 ment may provide goods or services to another depart-
5 ment, agency, or instrumentality.

6 (b) None of the funds made available for any depart-
7 ment, agency, or instrumentality of the United States
8 Government may be transferred to accounts funded in title
9 III of this Act, except pursuant to a transfer made by or
10 transfer authority provided in this Act or any other appro-
11 priations Act for any fiscal year, transfer authority ref-
12 erenced in the report of the Committee on Appropriations
13 accompanying this Act, or any authority whereby a de-
14 partment, agency, or instrumentality of the United States
15 Government may provide goods or services to another de-
16 partment, agency, or instrumentality.

17 (c) The head of any relevant department or agency
18 funded in this Act utilizing any transfer authority shall
19 submit to the Committees on Appropriations of both
20 Houses of Congress a semiannual report detailing the
21 transfer authorities, except for any authority whereby a
22 department, agency, or instrumentality of the United
23 States Government may provide goods or services to an-
24 other department, agency, or instrumentality, used in the
25 previous 6 months and in the year-to-date. This report

1 shall include the amounts transferred and the purposes
2 for which they were transferred, and shall not replace or
3 modify existing notification requirements for each author-
4 ity.

5 SEC. 503. None of the funds made available by this
6 Act may be used in contravention of Executive Order No.
7 12898 of February 11, 1994 (Federal Actions to Address
8 Environmental Justice in Minority Populations and Low-
9 Income Populations).

10 SEC. 504. (a) None of the funds made available in
11 this Act may be used to maintain or establish a computer
12 network unless such network blocks the viewing,
13 downloading, 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. 505. None of the funds made available by this
19 Act may be used to further implementation of the coastal
20 and marine spatial planning and ecosystem-based manage-
21 ment components of the National Ocean Policy developed
22 under Executive Order No. 13547 of July 19, 2010.

23 SEC. 506. None of the funds made available in this
24 Act, or federal funds provided from any other source, may
25 be used to operate the Federal Columbia River Power Sys-

1 tem hydroelectric dams in a manner that is inconsistent
2 with the Army Corps of Engineers' 2017 Fish Operations
3 Plan.

4 SEC. 507. None of the funds made available by this
5 Act may be used for the removal of any federally owned
6 or operated dam unless the removal was previously author-
7 ized by Congress.

8 SEC. 508. None of the funds made available by this
9 Act may be used to conduct closure of adjudicatory func-
10 tions, technical review, or support activities associated
11 with the Yucca Mountain geologic repository license appli-
12 cation, or for actions that irrevocably remove the possi-
13 bility that Yucca Mountain may be a repository option in
14 the future.

15 REFERENCES TO ACT

16 SEC. 509. Except as expressly provided otherwise,
17 any reference to “this Act” contained in this division shall
18 be treated as referring only to the provisions of this divi-
19 sion.

20 REFERENCES TO REPORT

21 SEC. 510. Any reference to a “report accompanying
22 this Act” contained in this division shall be treated as a
23 reference to House Report 115–697. The effect of such
24 Report shall be limited to this division and shall apply for

1 purposes of determining the allocation of funds provided
2 by, and the implementation of, this division.

3 SPENDING REDUCTION ACCOUNT

4 SEC. 511. The amount by which the applicable alloca-
5 tion of new budget authority made by the Committee on
6 Appropriations of the House of Representatives under sec-
7 tion 302(b) of the Congressional Budget Act of 1974 ex-
8 ceeds the amount of proposed new budget authority is \$0.

9 SEC. 512. None of the funds made available by this
10 Act may be used to sell the transmission assets of the
11 Bonneville Power Administration, the Southwestern
12 Power Administration, the Western Area Power Adminis-
13 tration, or the Tennessee Valley Authority.

14 SEC. 513. The amounts otherwise provided by this
15 Act are revised by reducing the amount made available
16 for “Corps of Engineers-Civil—Investigations”, and in-
17 creasing the amount made available for the same account,
18 by \$3,000,000.

19 SEC. 514. None of the funds made available by this
20 Act for “Department of Energy—Energy Programs—
21 Science” may be used in contravention of the Department
22 of Energy Organization Act (42 U.S.C. 7101 et seq.).

23 SEC. 515. None of the funds made available by this
24 Act may be used to purchase heavy water from Iran.

1 SEC. 516. The amounts otherwise provided by this
2 Act are revised by reducing the amount made available
3 for “Corps of Engineers-Civil—Construction”, and in-
4 creasing the amount made available for the same account,
5 by \$100,000,000.

6 SEC. 517. None of the funds made available by this
7 Act may be used to enforce the criteria of abandonment
8 described in provision G of provision V of the rule pub-
9 lished in the Federal Register at 58 Fed. Reg. 45008 (re-
10 lating to Clean Water Act Regulatory Programs).

11 SEC. 518. None of the funds made available by this
12 Act may be used to prepare, propose, or promulgate any
13 regulation or guidance that references or relies on the
14 analysis contained in—

15 (1) “Technical Support Document: Social Cost
16 of Carbon for Regulatory Impact Analysis Under
17 Executive Order 12866”, published by the Inter-
18 agency Working Group on Social Cost of Carbon,
19 United States Government, in February 2010;

20 (2) “Technical Support Document: Technical
21 Update of the Social Cost of Carbon for Regulatory
22 Impact Analysis Under Executive Order 12866”,
23 published by the Interagency Working Group on So-
24 cial Cost of Carbon, United States Government, in
25 May 2013 and revised in November 2013;

1 (3) “Revised Draft Guidance for Federal De-
2 partments and Agencies on Consideration of Green-
3 house Gas Emissions and the Effects of Climate
4 Change in NEPA Reviews”, published by the Coun-
5 cil on Environmental Quality on December 24, 2014
6 (79 Fed. Reg. 77801);

7 (4) “Technical Support Document: Technical
8 Update of the Social Cost of Carbon for Regulatory
9 Impact Analysis Under Executive Order 12866”,
10 published by the Interagency Working Group on So-
11 cial Cost of Carbon, United States Government, in
12 July 2015;

13 (5) “Addendum to the Technical Support Docu-
14 ment on Social Cost of Carbon for Regulatory Im-
15 pact Analysis Under Executive Order 12866: Appli-
16 cation of the Methodology to Estimate the Social
17 Cost of Methane and the Social Cost of Nitrous
18 Oxide”, published by the Interagency Working
19 Group on Social Cost of Greenhouse Gases, United
20 States Government, in August 2016; or

21 (6) “Technical Support Document: Technical
22 Update of the Social Cost of Carbon for Regulatory
23 Impact Analysis Under Executive Order 12866”,
24 published by the Interagency Working Group on So-

1 cial Cost of Greenhouse Gases, United States Gov-
2 ernment, in August 2016.

3 This division may be cited as the “Energy and Water
4 Development and Related Agencies Appropriations Act,
5 2019”.

6 **DIVISION B—LEGISLATIVE BRANCH**
7 **APPROPRIATIONS ACT, 2019**

8 The following sums are appropriated, out of any
9 money in the Treasury not otherwise appropriated, for the
10 Legislative Branch for the fiscal year ending September
11 30, 2019, and for other purposes, namely:

12 **TITLE I**

13 **LEGISLATIVE BRANCH**

14 **HOUSE OF REPRESENTATIVES**

15 **SALARIES AND EXPENSES**

16 For salaries and expenses of the House of Represent-
17 atives, \$1,232,143,035 (increased by \$250,000) (increased
18 by \$500,000), as follows:

19 **HOUSE LEADERSHIP OFFICES**

20 For salaries and expenses, as authorized by law,
21 \$25,378,875, including: Office of the Speaker,
22 \$7,123,634, including \$25,000 for official expenses of the
23 Speaker; Office of the Majority Floor Leader, \$2,642,739,
24 including \$10,000 for official expenses of the Majority
25 Leader; Office of the Minority Floor Leader, \$7,751,946,

1 including \$10,000 for official expenses of the Minority
2 Leader; Office of the Majority Whip, including the Chief
3 Deputy Majority Whip, \$2,197,163, including \$5,000 for
4 official expenses of the Majority Whip; Office of the Mi-
5 nority Whip, including the Chief Deputy Minority Whip,
6 \$1,700,079, including \$5,000 for official expenses of the
7 Minority Whip; Republican Conference, \$2,186,819;
8 Democratic Caucus, \$1,776,495: *Provided*, That such
9 amount for salaries and expenses shall remain available
10 from January 3, 2019 until January 2, 2020.

11 MEMBERS' REPRESENTATIONAL ALLOWANCES
12 INCLUDING MEMBERS' CLERK HIRE, OFFICIAL
13 EXPENSES OF MEMBERS, AND OFFICIAL MAIL

14 For Members' representational allowances, including
15 Members' clerk hire, official expenses, and official mail,
16 \$573,630,000.

17 COMMITTEE EMPLOYEES

18 STANDING COMMITTEES, SPECIAL AND SELECT

19 For salaries and expenses of standing committees,
20 special and select, authorized by House resolutions,
21 \$127,903,173: *Provided*, That such amount shall remain
22 available for such salaries and expenses until December
23 31, 2020, except that \$4,000,000 of such amount shall
24 remain available until expended for committee room up-
25 grading.

1 COMMITTEE ON APPROPRIATIONS

2 For salaries and expenses of the Committee on Ap-
3 propriations, \$23,112,971, including studies and examina-
4 tions of executive agencies and temporary personal serv-
5 ices for such committee, to be expended in accordance with
6 section 202(b) of the Legislative Reorganization Act of
7 1946 and to be available for reimbursement to agencies
8 for services performed: *Provided*, That such amount shall
9 remain available for such salaries and expenses until De-
10 cember 31, 2020.

11 SALARIES, OFFICERS AND EMPLOYEES

12 For compensation and expenses of officers and em-
13 ployees, as authorized by law, \$217,845,000 (increased by
14 \$500,000), including: for salaries and expenses of the Of-
15 fice of the Clerk, including the positions of the Chaplain
16 and the Historian, and including not more than \$25,000
17 for official representation and reception expenses, of which
18 not more than \$20,000 is for the Family Room and not
19 more than \$2,000 is for the Office of the Chaplain,
20 \$28,305,000; for salaries and expenses of the Office of the
21 Sergeant at Arms, including the position of Super-
22 intendent of Garages and the Office of Emergency Man-
23 agement, and including not more than \$3,000 for official
24 representation and reception expenses, \$18,773,000 of
25 which \$5,524,000 shall remain available until expended;

1 for salaries and expenses of the Office of the Chief Admin-
2 istrative Officer including not more than \$3,000 for offi-
3 cial representation and reception expenses, \$147,558,000
4 (increased by \$500,000), of which \$11,631,000 shall re-
5 main available until expended; for salaries and expenses
6 of the Office of the Inspector General, \$5,019,000; for sal-
7 aries and expenses of the Office of General Counsel,
8 \$1,502,000; for salaries and expenses of the Office of the
9 Parliamentarian, including the Parliamentarian, \$2,000
10 for preparing the Digest of Rules, and not more than
11 \$1,000 for official representation and reception expenses,
12 \$2,026,000; for salaries and expenses of the Office of the
13 Law Revision Counsel of the House, \$3,327,000; for sala-
14 ries and expenses of the Office of the Legislative Counsel
15 of the House, \$9,937,000; for salaries and expenses of the
16 Office of Interparliamentary Affairs, \$814,000; for other
17 authorized employees, \$584,000.

18 ALLOWANCES AND EXPENSES

19 For allowances and expenses as authorized by House
20 resolution or law, \$264,043,016 (increased by \$250,000),
21 including: supplies, materials, administrative costs and
22 Federal tort claims, \$525,016; official mail for commit-
23 tees, leadership offices, and administrative offices of the
24 House, \$190,000; Government contributions for health,
25 retirement, Social Security, and other applicable employee

1 benefits, \$239,000,000, to remain available until March
2 31, 2020; Business Continuity and Disaster Recovery,
3 \$16,186,000 of which \$5,000,000 shall remain available
4 until expended; transition activities for new members and
5 staff, \$3,000,000, to remain available until expended;
6 Wounded Warrior Program \$2,750,000 (increased by
7 \$250,000), to remain available until expended; Office of
8 Congressional Ethics, \$1,670,000; and miscellaneous
9 items including purchase, exchange, maintenance, repair
10 and operation of House motor vehicles, interparliamentary
11 receptions, and gratuities to heirs of deceased employees
12 of the House, \$722,000.

13 ADMINISTRATIVE PROVISIONS
14 REQUIRING AMOUNTS REMAINING IN MEMBERS' REP-
15 RESENTATIONAL ALLOWANCES TO BE USED FOR
16 DEFICIT REDUCTION OR TO REDUCE THE FEDERAL
17 DEBT

18 SEC. 110. (a) Notwithstanding any other provision
19 of law, any amounts appropriated under this Act for
20 "HOUSE OF REPRESENTATIVES—SALARIES AND
21 EXPENSES—MEMBERS' REPRESENTATIONAL ALLOW-
22 ANCES" shall be available only for fiscal year 2019. Any
23 amount remaining after all payments are made under such
24 allowances for fiscal year 2019 shall be deposited in the
25 Treasury and used for deficit reduction (or, if there is no

1 Federal budget deficit after all such payments have been
2 made, for reducing the Federal debt, in such manner as
3 the Secretary of the Treasury considers appropriate).

4 (b) REGULATIONS.—The Committee on House Ad-
5 ministration of the House of Representatives shall have
6 authority to prescribe regulations to carry out this section.

7 (c) DEFINITION.—As used in this section, the term
8 “Member of the House of Representatives” means a Rep-
9 resentative in, or a Delegate or Resident Commissioner
10 to, the Congress.

11 DELIVERY OF BILLS AND RESOLUTIONS

12 SEC. 111. (a) None of the funds made available in
13 any fiscal year may be used to deliver a printed copy of
14 a bill, joint resolution, or resolution to the office of a Mem-
15 ber of the House of Representatives (including a Delegate
16 or Resident Commissioner to the Congress) unless the
17 Member requests a copy.

18 (b) This section shall apply with respect to fiscal year
19 2019 and each succeeding fiscal year.

20 DELIVERY OF CONGRESSIONAL RECORD

21 SEC. 112. (a) None of the funds made available in
22 any fiscal year may be used to deliver a printed copy of
23 any version of the Congressional Record to the office of
24 a Member of the House of Representatives (including a
25 Delegate or Resident Commissioner to the Congress).

1 (b) This section shall apply with respect to fiscal year
2 2019 and each succeeding fiscal year.

3 LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

4 SEC. 113. None of the funds made available in this
5 Act may be used by the Chief Administrative Officer of
6 the House of Representatives to make any payments from
7 any Members' Representational Allowance for the leasing
8 of a vehicle, excluding mobile district offices, in an aggre-
9 gate amount that exceeds \$1,000 for the vehicle in any
10 month.

11 LIMITATION ON PRINTED COPIES OF U.S. CODE TO

12 HOUSE

13 SEC. 114. (a) None of the funds made available in
14 any fiscal year may be to provide an aggregate number
15 of more than 50 printed copies of any edition of the
16 United States Code to all offices of the House of Rep-
17 resentatives.

18 (b) This section shall apply with respect to fiscal year
19 2019 and each succeeding fiscal year.

20 DELIVERY OF REPORTS OF DISBURSEMENTS

21 SEC. 115. (a) None of the funds made available in
22 any fiscal year may be used to deliver a printed copy of
23 the report of disbursements for the operations of the
24 House of Representatives under section 106 of the House
25 of Representatives Administration Reform Technical Cor-

1 rections Act (2 U.S.C. 5535) to the office of a Member
2 of the House of Representatives (including a Delegate or
3 Resident Commissioner to the Congress).

4 (b) This section shall apply with respect to fiscal year
5 2019 and each succeeding fiscal year.

6 DELIVERY OF DAILY CALENDAR

7 SEC. 116. (a) None of the funds made available in
8 any fiscal year may be used to deliver to the office of a
9 Member of the House of Representatives (including a Del-
10 egate or Resident Commissioner to the Congress) a print-
11 ed copy of the Daily Calendar of the House of Representa-
12 tives which is prepared by the Clerk of the House of Rep-
13 resentatives.

14 (b) This section shall apply with respect to fiscal year
15 2019 and each succeeding fiscal year.

16 DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

17 SEC. 117. (a) None of the funds made available in
18 any fiscal year may be used to deliver a printed copy of
19 the Congressional Pictorial Directory to the office of a
20 Member of the House of Representatives (including a Del-
21 egate or Resident Commissioner to the Congress).

22 (b) This section shall apply with respect to fiscal year
23 2019 and each succeeding fiscal year.

1 REPEAL OF AUTHORIZATIONS FOR FORMER SPEAKERS

2 SEC. 118. (a) REPEAL OF AUTHORIZATIONS FOR OF-
3 FICE SPACE, OFFICE EXPENSES, FRANKING AND PRINT-
4 ING PRIVILEGES, AND STAFF.—The first section and sec-
5 tions 2, 4, 5, and 8 of House Resolution 1238, Ninety-
6 first Congress, agreed to December 22, 1970 (as enacted
7 into permanent law by chapter VIII of the Supplemental
8 Appropriations Act, 1971) (2 U.S.C. 5125(a), 5126, 5127,
9 5128, and 5129) are repealed.

10 (b) CONFORMING AMENDMENT.—Subsection (b) of
11 the first section of Public Law 93–532 (2 U.S.C. 5125(b))
12 is repealed.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall apply with respect to any individual who
15 serves as a Representative in Congress during the One
16 Hundred Fifteenth Congress or any succeeding Congress.

17 ADJUSTMENTS TO COMPENSATION

18 SEC. 119. Notwithstanding any other provision of
19 law, no adjustment shall be made under section 601(a)
20 of the Legislative Reorganization Act of 1946 (2 U.S.C.
21 4501) (relating to cost of living adjustments for Members
22 of Congress) during fiscal year 2019.

23 TRANSFER AUTHORITY

24 SEC. 120. (a) AUTHORITY TO MAKE TRANSFERS
25 AMONG HOUSE LEADERSHIP OFFICES.—Section 101 of

1 the Legislative Branch Appropriations Act, 1993 (2
2 U.S.C. 5507) is amended by adding at the end the fol-
3 lowing new subsection:

4 “(f) Amounts appropriated for any fiscal year for the
5 House of Representatives under the heading ‘House Lead-
6 ership Offices’ may be transferred among and merged with
7 the various offices and activities under such heading, ef-
8 fective upon the expiration of the 21-day period (or such
9 alternative period that may be imposed by the Committee
10 on Appropriations of the House of Representatives) which
11 begins on the date such Committee has been notified of
12 the transfer.”.

13 (b) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall apply with respect to fiscal year 2019
15 and each succeeding fiscal year.

16 JOINT ITEMS

17 For Joint Committees, as follows:

18 JOINT ECONOMIC COMMITTEE

19 For salaries and expenses of the Joint Economic
20 Committee, \$4,203,000, to be disbursed by the Secretary
21 of the Senate.

22 JOINT COMMITTEE ON TAXATION

23 For salaries and expenses of the Joint Committee on
24 Taxation, \$11,169,000, to be disbursed by the Chief Ad-
25 ministrative Officer of the House of Representatives.

1 For other joint items, as follows:

2 OFFICE OF THE ATTENDING PHYSICIAN

3 For medical supplies, equipment, and contingent ex-
4 penses of the emergency rooms, and for the Attending
5 Physician and his assistants, including:

6 (1) an allowance of \$2,175 per month to the
7 Attending Physician;

8 (2) an allowance of \$1,300 per month to the
9 Senior Medical Officer;

10 (3) an allowance of \$725 per month each to
11 three medical officers while on duty in the Office of
12 the Attending Physician;

13 (4) an allowance of \$725 per month to 2 assist-
14 ants and \$580 per month each not to exceed 11 as-
15 sistants on the basis heretofore provided for such as-
16 sistants; and

17 (5) \$2,740,000 for reimbursement to the De-
18 partment of the Navy for expenses incurred for staff
19 and equipment assigned to the Office of the Attend-
20 ing Physician, which shall be advanced and credited
21 to the applicable appropriation or appropriations
22 from which such salaries, allowances, and other ex-
23 penses are payable and shall be available for all the
24 purposes thereof, \$3,798,000, to be disbursed by the

1 Chief Administrative Officer of the House of Rep-
2 resentatives.

3 OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

4 SALARIES AND EXPENSES

5 For salaries and expenses of the Office of Congres-
6 sional Accessibility Services, \$1,486,000, to be disbursed
7 by the Secretary of the Senate.

8 CAPITOL POLICE

9 SALARIES

10 For salaries of employees of the Capitol Police, in-
11 cluding overtime, hazardous duty pay, and Government
12 contributions for health, retirement, social security, pro-
13 fessional liability insurance, and other applicable employee
14 benefits, \$374,804,000 of which overtime shall not exceed
15 \$47,000,000 unless the Committee on Appropriations of
16 the House and Senate are notified, to be disbursed by the
17 Chief of the Capitol Police or his designee.

18 GENERAL EXPENSES

19 For necessary expenses of the Capitol Police, includ-
20 ing motor vehicles, communications and other equipment,
21 security equipment and installation, uniforms, weapons,
22 supplies, materials, training, medical services, forensic
23 services, stenographic services, personal and professional
24 services, the employee assistance program, the awards pro-
25 gram, postage, communication services, travel advances,

1 relocation of instructor and liaison personnel for the Fed-
2 eral Law Enforcement Training Center, and not more
3 than \$5,000 to be expended on the certification of the
4 Chief of the Capitol Police in connection with official rep-
5 resentation and reception expenses, \$81,554,000, to be
6 disbursed by the Chief of the Capitol Police or his des-
7 ignee: *Provided*, That, notwithstanding any other provi-
8 sion of law, the cost of basic training for the Capitol Police
9 at the Federal Law Enforcement Training Center for fis-
10 cal year 2019 shall be paid by the Secretary of Homeland
11 Security from funds available to the Department of Home-
12 land Security.

13 OFFICE OF COMPLIANCE

14 SALARIES AND EXPENSES

15 For salaries and expenses of the Office of Compli-
16 ance, as authorized by section 305 of the Congressional
17 Accountability Act of 1995 (2 U.S.C. 1385), \$5,410,000,
18 of which \$550,000 shall remain available until September
19 30, 2019: *Provided*, That not more than \$500 may be ex-
20 pended on the certification of the Executive Director of
21 the Office of Compliance in connection with official rep-
22 resentation and reception expenses.

1 CONGRESSIONAL BUDGET OFFICE

2 SALARIES AND EXPENSES

3 For salaries and expenses necessary for operation of
4 the Congressional Budget Office, including not more than
5 \$6,000 to be expended on the certification of the Director
6 of the Congressional Budget Office in connection with offi-
7 cial representation and reception expenses, \$50,737,000.

8 ADMINISTRATIVE PROVISION

9 RELOCATION EXPENSES

10 SEC. 130. (a) AUTHORIZING PAYMENT OF RELOCA-
11 TION EXPENSES.—Amounts made available for salaries
12 and expenses of the Congressional Budget Office for a fis-
13 cal year may be used to reimburse new employees of the
14 Office for relocation expenses if the Director of the Office
15 determines that reimbursing such expenses is of sufficient
16 benefit or value to the Office.

17 (b) EFFECTIVE DATE.—This section shall apply with
18 respect to fiscal year 2019 and each succeeding fiscal year.

19 ARCHITECT OF THE CAPITOL

20 CAPITAL CONSTRUCTION AND OPERATIONS

21 For salaries for the Architect of the Capitol, and
22 other personal services, at rates of pay provided by law;
23 for all necessary expenses for surveys and studies, con-
24 struction, operation, and general and administrative sup-
25 port in connection with facilities and activities under the

1 care of the Architect of the Capitol including the Botanic
2 Garden; electrical substations of the Capitol, Senate and
3 House office buildings, and other facilities under the juris-
4 diction of the Architect of the Capitol; including fur-
5 nishings and office equipment; including not more than
6 \$5,000 for official reception and representation expenses,
7 to be expended as the Architect of the Capitol may ap-
8 prove; for purchase or exchange, maintenance, and oper-
9 ation of a passenger motor vehicle, \$103,962,000 (reduced
10 by \$250,000).

11 CAPITOL BUILDING

12 For all necessary expenses for the maintenance, care
13 and operation of the Capitol, \$44,379,000, of which
14 \$17,731,000 shall remain available until September 30,
15 2023.

16 CAPITOL GROUNDS

17 For all necessary expenses for care and improvement
18 of grounds surrounding the Capitol, the Senate and House
19 office buildings, and the Capitol Power Plant,
20 \$16,761,000 (reduced by \$500,000), of which \$5,519,000
21 shall remain available until September 30, 2023.

22 HOUSE OFFICE BUILDINGS

23 For all necessary expenses for the maintenance, care
24 and operation of the House office buildings,
25 \$187,098,000, of which \$127,552,000 shall remain avail-

1 able until September 30, 2023, and of which \$62,000,000
2 shall remain available until expended for the restoration
3 and renovation of the Cannon House Office Building; *Pro-*
4 *vided*, That of the amount made available under this head-
5 ing, \$7,000,000 shall be derived by transfer from the
6 House Office Building Fund established under section
7 176(d) of the Continuing Appropriations Act, 2017, as
8 added by section 101(3) of the Further Continuing Appro-
9 priation Act, 2017 (Public Law 114–254; 2 U.S.C. 2001
10 note).

11 In addition, for a payment to the House Historic
12 Buildings Revitalization Trust Fund, \$10,000,000, to re-
13 main available until expended.

14 CAPITOL POWER PLANT

15 For all necessary expenses for the maintenance, care
16 and operation of the Capitol Power Plant; lighting, heat-
17 ing, power (including the purchase of electrical energy)
18 and water and sewer services for the Capitol, Senate and
19 House office buildings, Library of Congress buildings, and
20 the grounds about the same, Botanic Garden, Senate ga-
21 rage, and air conditioning refrigeration not supplied from
22 plants in any of such buildings; heating the Government
23 Publishing Office and Washington City Post Office, and
24 heating and chilled water for air conditioning for the Su-
25 preme Court Building, the Union Station complex, the

1 Thurgood Marshall Federal Judiciary Building and the
2 Folger Shakespeare Library, expenses for which shall be
3 advanced or reimbursed upon request of the Architect of
4 the Capitol and amounts so received shall be deposited
5 into the Treasury to the credit of this appropriation,
6 \$118,980,000, of which \$36,292,000 shall remain avail-
7 able until September 30, 2023: *Provided*, That not more
8 than \$9,000,000 of the funds credited or to be reimbursed
9 to this appropriation as herein provided shall be available
10 for obligation during fiscal year 2019.

11 LIBRARY BUILDINGS AND GROUNDS

12 For all necessary expenses for the mechanical and
13 structural maintenance, care and operation of the Library
14 buildings and grounds, \$70,201,000, of which
15 \$42,079,000 shall remain available until September 30,
16 2023.

17 CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

18 For all necessary expenses for the maintenance, care
19 and operation of buildings, grounds and security enhance-
20 ments of the United States Capitol Police, wherever lo-
21 cated, the Alternate Computing Facility, and Architect of
22 the Capitol security operations, \$52,542,000, of which
23 \$26,605,000 shall remain available until September 30,
24 2023.

1 BOTANIC GARDEN

2 For all necessary expenses for the maintenance, care
3 and operation of the Botanic Garden and the nurseries,
4 buildings, grounds, and collections; and purchase and ex-
5 change, maintenance, repair, and operation of a passenger
6 motor vehicle; all under the direction of the Joint Com-
7 mittee on the Library, \$14,759,000, of which \$3,559,000
8 shall remain available until September 30, 2023: *Provided*,
9 That, of the amount made available under this heading,
10 the Architect of the Capitol may obligate and expend such
11 sums as may be necessary for the maintenance, care and
12 operation of the National Garden established under sec-
13 tion 307E of the Legislative Branch Appropriations Act,
14 1989 (2 U.S.C. 2146), upon vouchers approved by the Ar-
15 chitect of the Capitol or a duly authorized designee.

16 CAPITOL VISITOR CENTER

17 For all necessary expenses for the operation of the
18 Capitol Visitor Center, \$23,322,000.

19 ADMINISTRATIVE PROVISIONS

20 NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR
21 OVER BUDGET

22 SEC. 140. None of the funds made available in this
23 Act for the Architect of the Capitol may be used to make
24 incentive or award payments to contractors for work on
25 contracts or programs for which the contractor is behind

1 schedule or over budget, unless the Architect of the Cap-
2 itol, or agency-employed designee, determines that any
3 such deviations are due to unforeseeable events, govern-
4 ment-driven scope changes, or are not significant within
5 the overall scope of the project and/or program.

6 SCRIMS

7 SEC. 141. (a) None of the funds made available in
8 any fiscal year may be used for scrims containing photo-
9 graphs of building facades during restoration or construc-
10 tion projects performed by the Architect of the Capitol.

11 (b) This section shall apply with respect to fiscal year
12 2019 and each succeeding fiscal year.

13 SECURITY PROGRAMS

14 SEC. 142. (a) PURPOSE OF PROGRAMS.—Section
15 906(b) of the 2002 Supplemental Appropriations Act for
16 Further Recovery From and Response To Terrorist At-
17 tacks on the United States (2 U.S.C. 1865(b)) is amended
18 to read as follows:

19 “(b) Funds in the account shall be used by the Archi-
20 tect of the Capitol for all necessary expenses for—

21 “(1) resilience and security programs of the Ar-
22 chitect of the Capitol; and

23 “(2) the maintenance, care, and operation of
24 buildings, grounds, and security enhancements for
25 facilities of the United States Capitol Police and for

1 other facilities associated with such resilience and
2 security programs at any location.”.

3 (b) TRANSFERS OF FUNDS.—Section 906 of such Act
4 (2 U.S.C. 1865) is amended—

5 (1) by redesignating subsection (c) as sub-
6 section (d); and

7 (2) by inserting after subsection (b) the fol-
8 lowing new subsection:

9 “(c)(1) For carrying out the purposes of the account,
10 the Architect of the Capitol may receive transfers of ap-
11 propriations from any agency or instrumentality of the
12 United States Government upon the approval of—

13 “(A) the Committee on Appropriations of the
14 House of Representatives, in the case of a transfer
15 from an office of the House of Representatives;

16 “(B) the Committee on Appropriations of the
17 Senate, in the case of a transfer from an office of
18 the Senate; or

19 “(C) the Committees on Appropriations of the
20 House of Representatives and the Senate, in the
21 case of a transfer from any other office of the Gov-
22 ernment.

23 “(2) Amounts transferred under this subsection shall
24 be merged with the account and made available under this
25 section.

1 “(3) This subsection shall apply with respect to fiscal
2 year 2019 and each succeeding fiscal year.”.

3 INCREASE IN THRESHOLD FOR SMALL PURCHASE

4 CONTRACTING AUTHORITY

5 SEC. 143. (a) INCREASE.—Section 1201(a)(1) of the
6 Legislative Branch Appropriations Act, 2003 (2 U.S.C.
7 1821(a)(1)) is amended by striking “\$100,000” and in-
8 serting “\$250,000”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) shall apply with respect to fiscal year 2019
11 and each succeeding fiscal year.

12 INTERAGENCY DETAILS

13 SEC. 144. (a) AUTHORIZING DETAILS OF EMPLOY-
14 EES UNDER JOINT AGENCY AGREEMENTS.—In addition
15 to any other authority relating to the detail of employees,
16 the Architect of the Capitol and the head of any other
17 department, agency, or instrumentality of the United
18 States Government may enter into a joint agency agree-
19 ment under which—

20 (1) employees of the Office of the Architect of
21 the Capitol (including employees of the United
22 States Botanic Garden) may be detailed to such de-
23 partment, agency, or instrumentality on a reimburs-
24 able or non-reimbursable basis; and

1 (2) employees of such department, agency, or
2 instrumentality may be detailed to the Office of the
3 Architect of the Capitol on a reimbursable or non-
4 reimbursable basis.

5 (b) DURATION.—The detail of an employee under a
6 joint agency agreement under this section shall be for such
7 duration as may be provided in the agreement, except that
8 in the case of a detail made on a non-reimbursable basis,
9 the duration of the detail may not exceed one year unless
10 the Architect of the Capitol and the head of the depart-
11 ment, agency, or instrumentality involved each determine
12 that an extension of the detail of the employee is in the
13 public interest.

14 (c) NO EFFECT ON APPROPRIATIONS OF RECIPIENT
15 OF NON-REIMBURSABLE DETAIL.—For purposes of any
16 law, rule, or regulation, the detail of an employee on a
17 non-reimbursable basis under a joint agency agreement
18 under this section for a fiscal year shall not be treated
19 as an increase or modification of the appropriation for the
20 fiscal year of the office to whom the employee is detailed.

21 (d) EFFECTIVE DATE.—This section shall apply with
22 respect to fiscal year 2019 and each succeeding fiscal year.

1 ACCEPTANCE OF TRAVEL EXPENSES FROM NON-FEDERAL
2 SOURCES

3 SEC. 145. (a) PERMITTING ACCEPTANCE OF EX-
4 PENSES.—Notwithstanding any other provision of law, the
5 Architect of the Capitol may accept payment or authorize
6 an employee of the Office of the Architect of the Capitol
7 to accept payment on the Office’s behalf from non-Federal
8 sources for travel, subsistence, and related expenses with
9 respect to attendance of the employee (or the spouse of
10 such employee) at any meeting or similar function relating
11 to the employee’s official duties. Any cash payment so ac-
12 cepted shall be credited to the appropriation applicable to
13 such expenses. In the case of a payment in kind so accept-
14 ed, a pro rata reduction shall be made in any entitlement
15 of the employee to payment from the Government for such
16 expenses.

17 (b) PROHIBITING ACCEPTANCE FROM OTHER
18 SOURCES.—Except as provided in this section or section
19 7342 of title 5, United States Code, the Office or an em-
20 ployee of the Office may not accept payment for expenses
21 referred to in subsection (a). An employee who accepts any
22 payment in violation of the preceding sentence—

23 (1) may be required, in addition to any penalty
24 provided by law, to repay, for deposit in the general

1 fund of the Treasury, an amount equal to the
2 amount of the payment so accepted; and

3 (2) in the case of a repayment under paragraph
4 (1), shall not be entitled to any payment from the
5 Government for such expenses.

6 (c) EFFECTIVE DATE.—This section shall apply with
7 respect to fiscal year 2019 and each succeeding fiscal year.

8 LIBRARY OF CONGRESS

9 SALARIES AND EXPENSES

10 For all necessary expenses of the Library of Congress
11 not otherwise provided for, including development and
12 maintenance of the Library's catalogs; custody and custo-
13 dial care of the Library buildings; special clothing; clean-
14 ing, laundering and repair of uniforms; preservation of
15 motion pictures in the custody of the Library; operation
16 and maintenance of the American Folklife Center in the
17 Library; preparation and distribution of catalog records
18 and other publications of the Library; hire or purchase
19 of one passenger motor vehicle; and expenses of the Li-
20 brary of Congress Trust Fund Board not properly charge-
21 able to the income of any trust fund held by the Board,
22 \$493,818,272, of which not more than \$6,000,000 shall
23 be derived from collections credited to this appropriation
24 during fiscal year 2019, and shall remain available until
25 expended, under the Act of June 28, 1902 (chapter 1301;

1 32 Stat. 480; 2 U.S.C. 150): *Provided*, That the Library
2 of Congress may not obligate or expend any funds derived
3 from collections under the Act of June 28, 1902, in excess
4 of the amount authorized for obligation or expenditure in
5 appropriations Acts: *Provided further*, That the total
6 amount available for obligation shall be reduced by the
7 amount by which collections are less than \$6,350,000:
8 *Provided further*, That of the total amount appropriated,
9 not more than \$12,000 may be expended, on the certifi-
10 cation of the Librarian of Congress, in connection with
11 official representation and reception expenses for the
12 Overseas Field Offices: *Provided further*, That of the total
13 amount appropriated, \$8,589,000 shall remain available
14 until expended for the digital collections and educational
15 curricula program: *Provided further*, That of the total
16 amount appropriated, \$1,133,000 shall remain available
17 until expended for upgrade of the Legislative Branch Fi-
18 nancial Management System: *Provided further*, That of
19 the total amount appropriated, \$20,000,000 is provided
20 to enhance public exhibits and visitor services at the Li-
21 brary to remain available until expended, may be obligated
22 and expended only upon written approval by the Com-
23 mittee on Appropriations of the House of Representatives
24 and the Senate, following review of a project plan.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

1 For all necessary expenses of the Copyright Office,
 2 \$93,407,000, of which not more than \$39,218,000, to re-
 3 main available until expended, shall be derived from collec-
 4 tions credited to this appropriation during fiscal year 2019
 5 under section 708(d) of title 17, United States Code: *Pro-*
 6 *vided*, That the Copyright Office may not obligate or ex-
 7 pend any funds derived from collections under such sec-
 8 tion, in excess of the amount authorized for obligation or
 9 expenditure in appropriations Acts: *Provided further*, That
 10 not more than \$6,272,000 shall be derived from collections
 11 during fiscal year 2019 under sections 111(d)(2),
 12 119(b)(3), 803(e), 1005, and 1316 of such title: *Provided*
 13 *further*, That the total amount available for obligation
 14 shall be reduced by the amount by which collections are
 15 less than \$45,490,000: *Provided further*, That \$4,328,000
 16 shall be derived from prior year unobligated balances: *Pro-*
 17 *vided further*, That not more than \$100,000 of the amount
 18 appropriated is available for the maintenance of an “Inter-
 19 national Copyright Institute” in the Copyright Office of
 20 the Library of Congress for the purpose of training nation-
 21 als of developing countries in intellectual property laws
 22 and policies: *Provided further*, That not more than \$6,500
 23 may be expended, on the certification of the Librarian of

1 Congress, in connection with official representation and
2 reception expenses for activities of the International Copy-
3 right Institute and for copyright delegations, visitors, and
4 seminars: *Provided further*, That, notwithstanding any
5 provision of chapter 8 of title 17, United States Code, any
6 amounts made available under this heading which are at-
7 tributable to royalty fees and payments received by the
8 Copyright Office pursuant to sections 111, 119, and chap-
9 ter 10 of such title may be used for the costs incurred
10 in the administration of the Copyright Royalty Judges
11 program, with the exception of the costs of salaries and
12 benefits for the Copyright Royalty Judges and staff under
13 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
18 1946 (2 U.S.C. 166) and to revise and extend the Anno-
19 tated Constitution of the United States of America,
20 \$125,688,000: *Provided*, That no part of such amount
21 may be used to pay any salary or expense in connection
22 with any publication, or preparation of material therefor
23 (except the Digest of Public General Bills), to be issued
24 by the Library of Congress unless such publication has
25 obtained prior approval of either the Committee on House

1 Administration of the House of Representatives or the
2 Committee on Rules and Administration of the Senate:
3 *Provided further*, That this prohibition does not apply to
4 publication of non-confidential Congressional Research
5 Service (CRS) products: *Provided further*, That a non-con-
6 fidential CRS product includes any written product con-
7 taining research or analysis that is currently available for
8 general congressional access on the CRS Congressional
9 Intranet, or that would be made available on the CRS
10 Congressional Intranet in the normal course of business
11 and does not include material prepared in response to
12 Congressional requests for confidential analysis or re-
13 search.

14 BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED
15 SALARIES AND EXPENSES

16 For all necessary expenses to carry out the Act of
17 March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C.
18 135a), \$52,783,000: *Provided*, That of the total amount
19 appropriated, \$650,000 shall be available to contract to
20 provide newspapers to blind and physically handicapped
21 residents at no cost to the individual.

22 ADMINISTRATIVE PROVISIONS

23 REIMBURSABLE AND REVOLVING FUND ACTIVITIES

24 SEC. 150. (a) IN GENERAL.—For fiscal year 2019,
25 the obligational authority of the Library of Congress for

1 the activities described in subsection (b) may not exceed
2 \$194,608,000.

3 (b) ACTIVITIES.—The activities referred to in sub-
4 section (a) are reimbursable and revolving fund activities
5 that are funded from sources other than appropriations
6 to the Library in appropriations Acts for the legislative
7 branch.

8 GOVERNMENT PUBLISHING OFFICE

9 CONGRESSIONAL PUBLISHING

10 (INCLUDING TRANSFER OF FUNDS)

11 For authorized publishing of congressional informa-
12 tion and the distribution of congressional information in
13 any format; publishing of Government publications au-
14 thorized by law to be distributed to Members of Congress;
15 and publishing, and distribution of Government publica-
16 tions authorized by law to be distributed without charge
17 to the recipient, \$79,000,000: *Provided*, That this appro-
18 priation shall not be available for paper copies of the per-
19 manent edition of the Congressional Record for individual
20 Representatives, Resident Commissioners or Delegates au-
21 thorized under section 906 of title 44, United States Code:
22 *Provided further*, That this appropriation shall be available
23 for the payment of obligations incurred under the appro-
24 priations for similar purposes for fiscal year 2019: *Pro-*
25 *vided further*, That notwithstanding the 2-year limitation

1 under section 718 of title 44, United States Code, none
2 of the funds appropriated or made available under this Act
3 or any other Act for printing and binding and related serv-
4 ices provided to Congress under chapter 7 of title 44,
5 United States Code, may be expended to print a docu-
6 ment, report, or publication after the 27-month period be-
7 ginning on the date that such document, report, or publi-
8 cation is authorized by Congress to be printed, unless Con-
9 gress reauthorizes such printing in accordance with sec-
10 tion 718 of title 44, United States Code: *Provided further*,
11 That any unobligated or unexpended balances in this ac-
12 count or accounts for similar purposes for fiscal year 2019
13 and each succeeding fiscal year may be transferred to the
14 Government Publishing Office Business Operations Re-
15 volving Fund for carrying out the purposes of this head-
16 ing, subject to the approval of the Committees on Appro-
17 priations of the House of Representatives and Senate:
18 *Provided further*, That notwithstanding sections 901, 902,
19 and 906 of title 44, United States Code, this appropriation
20 may be used to prepare indexes to the Congressional
21 Record on only a monthly and session basis.

1 PUBLIC INFORMATION PROGRAMS OF THE
2 SUPERINTENDENT OF DOCUMENTS
3 SALARIES AND EXPENSES
4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses of the public information programs of
6 the Office of Superintendent of Documents necessary to
7 provide for the cataloging and indexing of Government
8 publications and their distribution to the public, Members
9 of Congress, other Government agencies, and designated
10 depository and international exchange libraries as author-
11 ized by law, \$32,000,000: *Provided*, That amounts of not
12 more than \$2,000,000 from current year appropriations
13 are authorized for producing and disseminating Congres-
14 sional serial sets and other related publications for fiscal
15 years 2017 and 2018 to depository and other designated
16 libraries: *Provided further*, That any unobligated or unex-
17 pended balances in this account or accounts for similar
18 purposes for fiscal year 2019 and each succeeding fiscal
19 year may be transferred to the Government Publishing Of-
20 fice Business Operations Revolving Fund for carrying out
21 the purposes of this heading, subject to the approval of
22 the Committees on Appropriations of the House of Rep-
23 resentatives and Senate.

1 GOVERNMENT PUBLISHING OFFICE BUSINESS
2 OPERATIONS REVOLVING FUND

3 For payment to the Government Publishing Office
4 Business Operations Revolving Fund, \$6,000,000, 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
13 purposes set forth in the budget for the current fiscal year
14 for the Government Publishing Office Business Operations
15 Revolving Fund: *Provided further*, That not more than
16 \$7,500 may be expended on the certification of the Direc-
17 tor of the Government Publishing Office in connection
18 with official representation and reception expenses: *Pro-*
19 *vided further*, That the Business Operations Revolving
20 Fund shall be available for the hire or purchase of not
21 more than 12 passenger motor vehicles: *Provided further*,
22 That expenditures in connection with travel expenses of
23 the advisory councils to the Director of the Government
24 Publishing Office shall be deemed necessary to carry out
25 the provisions of title 44, United States Code: *Provided*

1 *further*, That the Business Operations Revolving Fund
2 shall be available for temporary or intermittent services
3 under section 3109(b) of title 5, United States Code, but
4 at rates for individuals not more than the daily equivalent
5 of the annual rate of basic pay for level V of the Executive
6 Schedule under section 5316 of such title: *Provided fur-*
7 *ther*, That activities financed through the Business Oper-
8 ations Revolving Fund may provide information in any
9 format: *Provided further*, That the Business Operations
10 Revolving Fund and the funds provided under the heading
11 “Public Information Programs of the Superintendent of
12 Documents” may not be used for contracted security serv-
13 ices at Government Publishing Office’s passport facility in
14 the District of Columbia.

15 GOVERNMENT ACCOUNTABILITY OFFICE

16 SALARIES AND EXPENSES

17 For necessary expenses of the Government Account-
18 ability Office, including not more than \$12,500 to be ex-
19 pended on the certification of the Comptroller General of
20 the United States in connection with official representa-
21 tion and reception expenses; temporary or intermittent
22 services under section 3109(b) of title 5, United States
23 Code, but at rates for individuals not more than the daily
24 equivalent of the annual rate of basic pay for level IV of
25 the Executive Schedule under section 5315 of such title;

1 hire of one passenger motor vehicle; advance payments in
2 foreign countries in accordance with section 3324 of title
3 31, United States Code; benefits comparable to those pay-
4 able under sections 901(5), (6), and (8) of the Foreign
5 Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8));
6 and under regulations prescribed by the Comptroller Gen-
7 eral of the United States, rental of living quarters in for-
8 eign countries, \$578,916,653: *Provided*, That, in addition,
9 \$23,800,000 of payments received under sections 782,
10 791, 3521, and 9105 of title 31, United States Code, shall
11 be available without fiscal year limitation: *Provided fur-*
12 *ther*, That this appropriation and appropriations for ad-
13 ministrative expenses of any other department or agency
14 which is a member of the National Intergovernmental
15 Audit Forum or a Regional Intergovernmental Audit
16 Forum shall be available to finance an appropriate share
17 of either Forum's costs as determined by the respective
18 Forum, including necessary travel expenses of non-Federal
19 participants: *Provided further*, That payments hereunder
20 to the Forum may be credited as reimbursements to any
21 appropriation from which costs involved are initially fi-
22 nanced: *Provided further*, That this appropriation shall be
23 available to transfer amounts to the Department of the
24 Army for the construction of an Army facility at Redstone
25 Arsenal for the sole, unlimited use of GAO: *Provided fur-*

1 *ther*, That hereafter, amounts appropriated for the salaries
2 and expenses of the Government Accountability Office
3 shall be available to transfer to the Department of the
4 Army for the maintenance of such facility.

5 OPEN WORLD LEADERSHIP CENTER TRUST
6 FUND

7 For a payment to the Open World Leadership Center
8 Trust Fund for financing activities of the Open World
9 Leadership Center under section 313 of the Legislative
10 Branch Appropriations Act, 2001 (2 U.S.C. 1151),
11 \$5,600,000: *Provided*, That funds made available to sup-
12 port Russian participants shall only be used for those en-
13 gaging in free market development, humanitarian activi-
14 ties, and civic engagement, and shall not be used for offi-
15 cials of the central government of Russia.

16 JOHN C. STENNIS CENTER FOR PUBLIC SERVICE
17 TRAINING AND DEVELOPMENT

18 For payment to the John C. Stennis Center for Pub-
19 lic Service Development Trust Fund established under
20 section 116 of the John C. Stennis Center for Public Serv-
21 ice Training and Development Act (2 U.S.C. 1105),
22 \$430,000.

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TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2019 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Rep-

1 representatives, and clerk hire for Senators and Members of
2 the House of Representatives shall be the permanent law
3 with respect thereto.

4 CONSULTING SERVICES

5 SEC. 204. The expenditure of any appropriation
6 under this Act for any consulting service through procure-
7 ment contract, under section 3109 of title 5, United States
8 Code, shall be limited to those contracts where such ex-
9 penditures are a matter of public record and available for
10 public inspection, except where otherwise provided under
11 existing law, or under existing Executive order issued
12 under existing law.

13 COSTS OF LBFMC

14 SEC. 205. Amounts available for administrative ex-
15 penses of any legislative branch entity which participates
16 in the Legislative Branch Financial Managers Council
17 (LBFMC) established by charter on March 26, 1996, shall
18 be available to finance an appropriate share of LBFMC
19 costs as determined by the LBFMC, except that the total
20 LBFMC costs to be shared among all participating legisla-
21 tive branch entities (in such allocations among the entities
22 as the entities may determine) may not exceed \$2,000.

23 LIMITATION ON TRANSFERS

24 SEC. 206. None of the funds made available in this
25 Act may be transferred to any department, agency, or in-

1 strumentality of the United States Government, except
2 pursuant to a transfer made by, or transfer authority pro-
3 vided in, this Act or any other appropriation Act.

4 GUIDED TOURS OF THE CAPITOL

5 SEC. 207. (a) Except as provided in subsection (b),
6 none of the funds made available to the Architect of the
7 Capitol in this Act may be used to eliminate or restrict
8 guided tours of the United States Capitol which are led
9 by employees and interns of offices of Members of Con-
10 gress and other offices of the House of Representatives
11 and Senate, unless through regulations as authorized by
12 section 402(b)(8) of the Capitol Visitor Center Act of
13 2008 (2 U.S.C. 2242(b)(8)).

14 (b) At the direction of the Capitol Police Board, or
15 at the direction of the Architect of the Capitol with the
16 approval of the Capitol Police Board, guided tours of the
17 United States Capitol which are led by employees and in-
18 terns described in subsection (a) may be suspended tempo-
19 rarily or otherwise subject to restriction for security or re-
20 lated reasons to the same extent as guided tours of the
21 United States Capitol which are led by the Architect of
22 the Capitol.

23 REFERENCES TO ACT

24 SEC. 208. Except as expressly provided otherwise,
25 any reference to “this Act” contained in this division shall

1 be treated as referring only to the provisions of this divi-
2 sion.

3 REFERENCES TO REPORT

4 SEC. 209. Any reference to a “report accompanying
5 this Act” contained in this division shall be treated as a
6 reference to House Report 115–696. The effect of such
7 Report shall be limited to this division and shall apply for
8 purposes of determining the allocation of funds provided
9 by, and the implementation of, this division.

10 SPENDING REDUCTION ACCOUNT

11 SEC. 210. The amount by which the applicable alloca-
12 tion of new budget authority made by the Committee on
13 Appropriations of the House of Representatives under sec-
14 tion 302(b) of the Congressional Budget Act of 1974 ex-
15 ceeds the amount of proposed new budget authority is \$0.

16 SEC. 211. None of the funds made available by this
17 Act may be used to purchase plastic drinking straws.

18 SEC. 212. None of the funds made available by this
19 Act may be used to enforce the amendment made by sec-
20 tion 1501(d) of the Legislative Branch Appropriations
21 Act, 2010 (Public Law 111–68; 123 Stat. 2041).

22 This division may be cited as the “Legislative Branch
23 Appropriations Act, 2019”.

1 **DIVISION C—MILITARY CONSTRUCTION,**
2 **VETERANS AFFAIRS, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2019**

4 The following sums are appropriated, out of any
5 money in the Treasury not otherwise appropriated, for
6 military construction, the Department of Veterans Affairs,
7 and related agencies for the fiscal year ending September
8 30, 2019, and for other purposes, namely:

9 **TITLE I**

10 **DEPARTMENT OF DEFENSE**

11 **MILITARY CONSTRUCTION, ARMY**

12 For acquisition, construction, installation, and equip-
13 ment of temporary or permanent public works, military
14 installations, facilities, and real property for the Army as
15 currently authorized by law, including personnel in the
16 Army Corps of Engineers and other personal services nec-
17 essary for the purposes of this appropriation, and for con-
18 struction and operation of facilities in support of the func-
19 tions of the Commander in Chief, \$1,001,768,000, to re-
20 main available until September 30, 2023: *Provided*, That,
21 of this amount, not to exceed \$110,068,000 shall be avail-
22 able for study, planning, design, architect and engineer
23 services, and host nation support, as authorized by law,
24 unless the Secretary of the Army determines that addi-
25 tional obligations are necessary for such purposes and no-

1 tifies the Committees on Appropriations of both Houses
2 of Congress of the determination and the reasons therefor.

3 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

4 For acquisition, construction, installation, and equip-
5 ment of temporary or permanent public works, naval in-
6 stallations, facilities, and real property for the Navy and
7 Marine Corps as currently authorized by law, including
8 personnel in the Naval Facilities Engineering Command
9 and other personal services necessary for the purposes of
10 this appropriation, \$2,100,298,000, to remain available
11 until September 30, 2023: *Provided*, That, of this amount,
12 not to exceed \$185,542,000 shall be available for study,
13 planning, design, and architect and engineer services, as
14 authorized by law, unless the Secretary of the Navy deter-
15 mines that additional obligations are necessary for such
16 purposes and notifies the Committees on Appropriations
17 of both Houses of Congress of the determination and the
18 reasons therefor.

19 MILITARY CONSTRUCTION, AIR FORCE

20 For acquisition, construction, installation, and equip-
21 ment of temporary or permanent public works, military
22 installations, facilities, and real property for the Air Force
23 as currently authorized by law, \$1,454,723,000, to remain
24 available until September 30, 2023: *Provided*, That, of
25 this amount, not to exceed \$206,577,000 shall be available

1 for study, planning, design, and architect and engineer
2 services, as authorized by law, unless the Secretary of the
3 Air Force determines that additional obligations are nec-
4 essary for such purposes and notifies the Committees on
5 Appropriations of both Houses of Congress of the deter-
6 mination and the reasons therefor.

7 MILITARY CONSTRUCTION, DEFENSE-WIDE

8 (INCLUDING TRANSFER OF FUNDS)

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, installa-
11 tions, facilities, and real property for activities and agen-
12 cies of the Department of Defense (other than the military
13 departments), as currently authorized by law,
14 \$2,465,738,000, to remain available until September 30,
15 2023: *Provided*, That such amounts of this appropriation
16 as may be determined by the Secretary of Defense may
17 be transferred to such appropriations of the Department
18 of Defense available for military construction or family
19 housing as the Secretary may designate, to be merged with
20 and to be available for the same purposes, and for the
21 same time period, as the appropriation or fund to which
22 transferred: *Provided further*, That, of the amount, not to
23 exceed \$195,345,000 shall be available for study, plan-
24 ning, design, and architect and engineer services, as au-
25 thorized by law, unless the Secretary of Defense deter-

1 mines that additional obligations are necessary for such
2 purposes and notifies the Committees on Appropriations
3 of both Houses of Congress of the determination and the
4 reasons therefor: *Provided further*, That the Director of
5 the Missile Defense Agency shall provide quarterly reports
6 to the congressional defense committees on the construc-
7 tion timeline and obligations for the Poland Aegis Ashore
8 complex.

9 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the Army National Guard, and contribu-
13 tions therefor, as authorized by chapter 1803 of title 10,
14 United States Code, and Military Construction Authoriza-
15 tion Acts, \$180,122,000, to remain available until Sep-
16 tember 30, 2023: *Provided*, That, of the amount, not to
17 exceed \$16,622,000 shall be available for study, planning,
18 design, and architect and engineer services, as authorized
19 by law, unless the Director of the Army National Guard
20 determines that additional obligations are necessary for
21 such purposes and notifies the Committees on Appropria-
22 tions of both Houses of Congress of the determination and
23 the reasons therefor.

1 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Air National Guard, and contributions
5 therefor, as authorized by chapter 1803 of title 10, United
6 States Code, and Military Construction Authorization
7 Acts, \$129,126,000, to remain available until September
8 30, 2023: *Provided*, That, of the amount, not to exceed
9 \$18,500,000 shall be available for study, planning, design,
10 and architect and engineer services, as authorized by law,
11 unless the Director of the Air National Guard determines
12 that additional obligations are necessary for such purposes
13 and notifies the Committees on Appropriations of both
14 Houses of Congress of the determination and the reasons
15 therefor.

16 MILITARY CONSTRUCTION, ARMY RESERVE

17 For construction, acquisition, expansion, rehabilita-
18 tion, and conversion of facilities for the training and ad-
19 ministration of the Army Reserve as authorized by chapter
20 1803 of title 10, United States Code, and Military Con-
21 struction Authorization Acts, \$64,919,000, to remain
22 available until September 30, 2023: *Provided*, That, of the
23 amount, not to exceed \$5,855,000 shall be available for
24 study, planning, design, and architect and engineer serv-
25 ices, as authorized by law, unless the Chief of the Army

1 Reserve determines that additional obligations are nec-
2 essary for such purposes and notifies the Committees on
3 Appropriations of both Houses of Congress of the deter-
4 mination and the reasons therefor.

5 MILITARY CONSTRUCTION, NAVY RESERVE

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the reserve components of the Navy and
9 Marine Corps as authorized by chapter 1803 of title 10,
10 United States Code, and Military Construction Authoriza-
11 tion Acts, \$43,065,000, to remain available until Sep-
12 tember 30, 2023: *Provided*, That, of the amount, not to
13 exceed \$4,695,000 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 MILITARY CONSTRUCTION, AIR FORCE RESERVE

20 For construction, acquisition, expansion, rehabilita-
21 tion, and conversion of facilities for the training and ad-
22 ministration of the Air Force Reserve as authorized by
23 chapter 1803 of title 10, United States Code, and Military
24 Construction Authorization Acts, \$50,163,000, to remain
25 available until September 30, 2023: *Provided*, That, of the

1 amount, not to exceed \$4,055,000 shall be available for
2 study, planning, design, and architect and engineer serv-
3 ices, as authorized by law, unless the Chief of the Air
4 Force Reserve determines that additional obligations are
5 necessary for such purposes and notifies the Committees
6 on Appropriations of both Houses of Congress of the de-
7 termination and the reasons therefor: *Provided further,*
8 That, the Chief of the Air Force Reserve shall take imme-
9 diate action to address unfunded military construction re-
10 quirements for access control points and security issues
11 at Air Force Reserve facilities.

12 NORTH ATLANTIC TREATY ORGANIZATION

13 SECURITY INVESTMENT PROGRAM

14 For the United States share of the cost of the North
15 Atlantic Treaty Organization Security Investment Pro-
16 gram for the acquisition and construction of military fa-
17 cilities and installations (including international military
18 headquarters) and for related expenses for the collective
19 defense of the North Atlantic Treaty Area as authorized
20 by section 2806 of title 10, United States Code, and Mili-
21 tary Construction Authorization Acts, \$171,064,000, to
22 remain available until expended.

23 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

24 For deposit into the Department of Defense Base
25 Closure Account, established by section 2906(a) of the De-

1 fense Base Closure and Realignment Act of 1990 (10
2 U.S.C. 2687 note), \$322,390,000 (reduced by
3 \$5,000,000) (increased by \$5,000,000), to remain avail-
4 able until expended.

5 FAMILY HOUSING CONSTRUCTION, ARMY

6 For expenses of family housing for the Army for con-
7 struction, including acquisition, replacement, addition, ex-
8 pansion, extension, and alteration, as authorized by law,
9 \$330,660,000, to remain available until September 30,
10 2023: *Provided*, That none of the funds provided under
11 this heading for family housing construction may be ex-
12 pended for family housing improvements on Kwajalein
13 Atoll until the Secretary of the Army certifies to the con-
14 gressional defense committees that the new housing units
15 represent the best value to the taxpayer and that no rea-
16 sonable alternatives exist at a lower cost.

17 FAMILY HOUSING OPERATION AND MAINTENANCE,
18 ARMY

19 For expenses of family housing for the Army for op-
20 eration and maintenance, including debt payment, leasing,
21 minor construction, principal and interest charges, and in-
22 surance premiums, as authorized by law, \$376,509,000.

1 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
2 CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for construction, including acquisition, replace-
5 ment, addition, expansion, extension, and alteration, as
6 authorized by law, \$104,581,000, to remain available until
7 September 30, 2023.

8 FAMILY HOUSING OPERATION AND MAINTENANCE,
9 NAVY AND MARINE CORPS

10 For expenses of family housing for the Navy and Ma-
11 rine Corps for operation and maintenance, including debt
12 payment, leasing, minor construction, principal and inter-
13 est charges, and insurance premiums, as authorized by
14 law, \$314,536,000.

15 FAMILY HOUSING CONSTRUCTION, AIR FORCE

16 For expenses of family housing for the Air Force for
17 construction, including acquisition, replacement, addition,
18 expansion, extension, and alteration, as authorized by law,
19 \$78,446,000, to remain available until September 30,
20 2023.

21 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
22 FORCE

23 For expenses of family housing for the Air Force for
24 operation and maintenance, including debt payment, leas-
25 ing, minor construction, principal and interest charges,

1 and insurance premiums, as authorized by law,
2 \$317,274,000.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,
4 DEFENSE-WIDE

5 For expenses of family housing for the activities and
6 agencies of the Department of Defense (other than the
7 military departments) for operation and maintenance,
8 leasing, and minor construction, as authorized by law,
9 \$58,373,000.

10 DEPARTMENT OF DEFENSE FAMILY HOUSING
11 IMPROVEMENT FUND

12 For the Department of Defense Family Housing Im-
13 provement Fund, \$1,653,000, to remain available until ex-
14 pended, for family housing initiatives undertaken pursu-
15 ant to section 2883 of title 10, United States Code, pro-
16 viding alternative means of acquiring and improving mili-
17 tary family housing and supporting facilities.

18 DEPARTMENT OF DEFENSE MILITARY UNACCOMPANIED
19 HOUSING IMPROVEMENT FUND

20 For the Department of Defense Military Unaccom-
21 panied Housing Improvement Fund, \$600,000, to remain
22 available until expended, for unaccompanied housing ini-
23 tiatives undertaken pursuant to section 2883 of title 10,
24 United States Code, providing alternative means of acquir-

1 ing and improving military unaccompanied housing and
2 supporting facilities.

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
7 exceed \$25,000, to be performed within the United States,
8 except Alaska, without the specific approval in writing of
9 the Secretary of Defense setting forth the reasons there-
10 for.

11 SEC. 102. Funds made available in this title for con-
12 struction shall be available for hire of passenger motor ve-
13 hicles.

14 SEC. 103. Funds made available in this title for con-
15 struction may be used for advances to the Federal High-
16 way Administration, Department of Transportation, for
17 the construction of access roads as authorized by section
18 210 of title 23, United States Code, when projects author-
19 ized therein are certified as important to the national de-
20 fense by the Secretary of Defense.

21 SEC. 104. None of the funds made available in this
22 title may be used to begin construction of new bases in
23 the United States for which specific appropriations have
24 not been made.

1 SEC. 105. None of the funds made available in this
2 title shall be used for purchase of land or land easements
3 in excess of 100 percent of the value as determined by
4 the Army Corps of Engineers or the Naval Facilities Engi-
5 neering Command, except: (1) where there is a determina-
6 tion of value by a Federal court; (2) purchases negotiated
7 by the Attorney General or the designee of the Attorney
8 General; (3) where the estimated value is less than
9 \$25,000; or (4) as otherwise determined by the Secretary
10 of Defense to be in the public interest.

11 SEC. 106. None of the funds made available in this
12 title shall be used to: (1) acquire land; (2) provide for site
13 preparation; or (3) install utilities for any family housing,
14 except housing for which funds have been made available
15 in annual Acts making appropriations for military con-
16 struction.

17 SEC. 107. None of the funds made available in this
18 title for minor construction may be used to transfer or
19 relocate any activity from one base or installation to an-
20 other, without prior notification to the Committees on Ap-
21 propriations of both Houses of Congress.

22 SEC. 108. None of the funds made available in this
23 title may be used for the procurement of steel for any con-
24 struction project or activity for which American steel pro-

1 ducers, fabricators, and manufacturers have been denied
2 the opportunity to compete for such steel procurement.

3 SEC. 109. None of the funds available to the Depart-
4 ment of Defense for military construction or family hous-
5 ing during the current fiscal year may be used to pay real
6 property taxes in any foreign nation.

7 SEC. 110. None of the funds made available in this
8 title may be used to initiate a new installation overseas
9 without prior notification to the Committees on Appro-
10 priations of both Houses of Congress.

11 SEC. 111. None of the funds made available in this
12 title may be obligated for architect and engineer contracts
13 estimated by the Government to exceed \$500,000 for
14 projects to be accomplished in Japan, in any North Atlan-
15 tic Treaty Organization member country, or in countries
16 bordering the Arabian Gulf, unless such contracts are
17 awarded to United States firms or United States firms
18 in joint venture with host nation firms.

19 SEC. 112. None of the funds made available in this
20 title for military construction in the United States terri-
21 tories and possessions in the Pacific and on Kwajalein
22 Atoll, or in countries bordering the Arabian Gulf, may be
23 used to award any contract estimated by the Government
24 to exceed \$1,000,000 to a foreign contractor: *Provided*,
25 That this section shall not be applicable to contract

1 awards for which the lowest responsive and responsible bid
2 of a United States contractor exceeds the lowest respon-
3 sive and responsible bid of a foreign contractor by greater
4 than 20 percent: *Provided further*, That this section shall
5 not apply to contract awards for military construction on
6 Kwajalein Atoll for which the lowest responsive and re-
7 sponsible bid is submitted by a Marshallese contractor.

8 SEC. 113. The Secretary of Defense shall inform the
9 appropriate committees of both Houses of Congress, in-
10 cluding the Committees on Appropriations, of plans and
11 scope of any proposed military exercise involving United
12 States personnel 30 days prior to its occurring, if amounts
13 expended for construction, either temporary or permanent,
14 are anticipated to exceed \$100,000.

15 SEC. 114. Funds appropriated to the Department of
16 Defense for construction in prior years shall be available
17 for construction authorized for each such military depart-
18 ment by the authorizations enacted into law during the
19 current session of Congress.

20 SEC. 115. For military construction or family housing
21 projects that are being completed with funds otherwise ex-
22 pired or lapsed for obligation, expired or lapsed funds may
23 be used to pay the cost of associated supervision, inspec-
24 tion, overhead, engineering and design on those projects
25 and on subsequent claims, if any.

1 SEC. 116. Notwithstanding any other provision of
2 law, any funds made available to a military department
3 or defense agency for the construction of military projects
4 may be obligated for a military construction project or
5 contract, or for any portion of such a project or contract,
6 at any time before the end of the fourth fiscal year after
7 the fiscal year for which funds for such project were made
8 available, if the funds obligated for such project: (1) are
9 obligated from funds available for military construction
10 projects; and (2) do not exceed the amount appropriated
11 for such project, plus any amount by which the cost of
12 such project is increased pursuant to law.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 117. Subject to 30 days prior notification, or
15 14 days for a notification provided in an electronic me-
16 dium pursuant to sections 480 and 2883 of title 10,
17 United States Code, to the Committees on Appropriations
18 of both Houses of Congress, such additional amounts as
19 may be determined by the Secretary of Defense may be
20 transferred to: (1) the Department of Defense Family
21 Housing Improvement Fund from amounts appropriated
22 for construction in “Family Housing” accounts, to be
23 merged with and to be available for the same purposes
24 and for the same period of time as amounts appropriated
25 directly to the Fund; or (2) the Department of Defense

1 Military Unaccompanied Housing Improvement Fund
2 from amounts appropriated for construction of military
3 unaccompanied housing in “Military Construction” ac-
4 counts, to be merged with and to be available for the same
5 purposes and for the same period of time as amounts ap-
6 propriated directly to the Fund: *Provided*, That appropria-
7 tions made available to the Funds shall be available to
8 cover the costs, as defined in section 502(5) of the Con-
9 gressional Budget Act of 1974, of direct loans or loan
10 guarantees issued by the Department of Defense pursuant
11 to the provisions of subchapter IV of chapter 169 of title
12 10, United States Code, pertaining to alternative means
13 of acquiring and improving military family housing, mili-
14 tary unaccompanied housing, and supporting facilities.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 118. In addition to any other transfer authority
17 available to the Department of Defense, amounts may be
18 transferred from the Department of Defense Base Closure
19 Account to the fund established by section 1013(d) of the
20 Demonstration Cities and Metropolitan Development Act
21 of 1966 (42 U.S.C. 3374) to pay for expenses associated
22 with the Homeowners Assistance Program incurred under
23 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
24 be merged with and be available for the same purposes

1 and for the same time period as the fund to which trans-
2 ferred.

3 SEC. 119. Notwithstanding any other provision of
4 law, funds made available in this title for operation and
5 maintenance of family housing shall be the exclusive
6 source of funds for repair and maintenance of all family
7 housing units, including general or flag officer quarters:
8 *Provided*, That not more than \$15,000 per unit may be
9 spent annually for the maintenance and repair of any gen-
10 eral or flag officer quarters without 30 days prior notifica-
11 tion, or 14 days for a notification provided in an electronic
12 medium pursuant to sections 480 and 2883 of title 10,
13 United States Code, to the Committees on Appropriations
14 of both Houses of Congress, except that an after-the-fact
15 notification shall be submitted if the limitation is exceeded
16 solely due to costs associated with environmental remedi-
17 ation that could not be reasonably anticipated at the time
18 of the budget submission: *Provided further*, That the
19 Under Secretary of Defense (Comptroller) is to report an-
20 nually to the Committees on Appropriations of both
21 Houses of Congress all operation and maintenance ex-
22 penditures for each individual general or flag officer quar-
23 ters for the prior fiscal year.

24 SEC. 120. Amounts contained in the Ford Island Im-
25 provement Account established by subsection (h) of sec-

1 tion 2814 of title 10, United States Code, are appro-
2 priated and shall be available until expended for the pur-
3 poses specified in subsection (i)(1) of such section or until
4 transferred pursuant to subsection (i)(3) of such section.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 121. During the 5-year period after appropria-
7 tions available in this Act to the Department of Defense
8 for military construction and family housing operation and
9 maintenance and construction have expired for obligation,
10 upon a determination that such appropriations will not be
11 necessary for the liquidation of obligations or for making
12 authorized adjustments to such appropriations for obliga-
13 tions incurred during the period of availability of such ap-
14 propriations, unobligated balances of such appropriations
15 may be transferred into the appropriation “Foreign Cur-
16 rency Fluctuations, Construction, Defense”, to be merged
17 with and to be available for the same time period and for
18 the same purposes as the appropriation to which trans-
19 ferred.

20 SEC. 122. (a) Except as provided in subsection (b),
21 none of the funds made available in this Act may be used
22 by the Secretary of the Army to relocate a unit in the
23 Army that—

24 (1) performs a testing mission or function that
25 is not performed by any other unit in the Army and

1 is specifically stipulated in title 10, United States
2 Code; and

3 (2) is located at a military installation at which
4 the total number of civilian employees of the Depart-
5 ment of the Army and Army contractor personnel
6 employed exceeds 10 percent of the total number of
7 members of the regular and reserve components of
8 the Army assigned to the installation.

9 (b) EXCEPTION.—Subsection (a) shall not apply if
10 the Secretary of the Army certifies to the congressional
11 defense committees that in proposing the relocation of the
12 unit of the Army, the Secretary complied with Army Regu-
13 lation 5–10 relating to the policy, procedures, and respon-
14 sibilities for Army stationing actions.

15 SEC. 123. Amounts appropriated or otherwise made
16 available in an account funded under the headings in this
17 title may be transferred among projects and activities
18 within the account in accordance with the reprogramming
19 guidelines for military construction and family housing
20 construction contained in Department of Defense Finan-
21 cial Management Regulation 7000.14–R, Volume 3, Chap-
22 ter 7, of March 2011, as in effect on the date of enactment
23 of this Act.

24 SEC. 124. None of the funds made available in this
25 title may be obligated or expended for planning and design

1 and construction of projects at Arlington National Ceme-
2 tery.

3 SEC. 125. For an additional amount for the accounts
4 and in the amounts specified, to remain available until
5 September 30, 2023:

6 “Military Construction, Army”, \$44,100,000;

7 “Military Construction, Navy and Marine
8 Corps”, \$317,800,000;

9 “Military Construction, Air Force”,
10 \$144,450,000;

11 “Military Construction, Army National Guard”,
12 \$11,000,000;

13 “Military Construction, Air National Guard”,
14 \$62,000,000;

15 “Military Construction, Army Reserve”,
16 \$23,000,000; and

17 “Military Construction, Air Force Reserve”,
18 \$84,800,000:

19 *Provided*, That such funds may only be obligated to carry
20 out construction projects identified in the respective mili-
21 tary department’s unfunded priority list for fiscal year
22 2019 submitted to Congress: *Provided further*, That such
23 projects are subject to authorization prior to obligation
24 and expenditure of funds to carry out construction: *Pro-*
25 *vided further*, That not later than 30 days after enactment

1 of this Act, the Secretary of the military department con-
2 cerned, or his or her designee, shall submit to the Commit-
3 tees on Appropriations of both Houses of Congress an ex-
4 penditure plan for funds provided under this section.

5 (RESCISSIONS OF FUNDS)

6 SEC. 126. Of the unobligated balances available to
7 the Department of Defense from prior appropriation Acts,
8 the following funds are hereby rescinded from the fol-
9 lowing accounts in the amounts specified:

10 “NATO Security Investment Program”,
11 \$25,000,000;

12 “Military Construction, Air Force”,
13 \$31,158,000; and

14 “The fund established in section 1013(d) of the
15 Demonstration Cities and Metropolitan Development
16 Act of 1966 (42 U.S.C. 3374)”, \$15,000,000:

17 *Provided*, That no amounts may be rescinded from
18 amounts that were designated by the Congress for Over-
19 seas Contingency Operations/Global War on Terrorism or
20 as an emergency requirement pursuant to a concurrent
21 resolution on the budget or the Balanced Budget and
22 Emergency Deficit Control Act of 1985, as amended.

23 SEC. 127. For the purposes of this Act, the term
24 “congressional defense committees” means the Commit-
25 tees on Armed Services of the House of Representatives

1 and the Senate, the Subcommittee on Military Construc-
2 tion and Veterans Affairs of the Committee on Appropria-
3 tions of the Senate, and the Subcommittee on Military
4 Construction and Veterans Affairs of the Committee on
5 Appropriations of the House of Representatives.

6 SEC. 128. None of the funds made available by this
7 Act may be used to carry out the closure or realignment
8 of the United States Naval Station, Guantánamo Bay,
9 Cuba.

10 SEC. 129. Notwithstanding any other provision of
11 law, none of the funds appropriated or otherwise made
12 available by this or any other Act may be used to consoli-
13 date or relocate any element of a United States Air Force
14 Rapid Engineer Deployable Heavy Operational Repair
15 Squadron Engineer (RED HORSE) outside of the United
16 States until the Secretary of the Air Force: (1) completes
17 an analysis and comparison of the cost and infrastructure
18 investment required to consolidate or relocate a RED
19 HORSE squadron outside of the United States versus
20 within the United States; (2) provides to the Committees
21 on Appropriations of both Houses of Congress (“the Com-
22 mittees”) a report detailing the findings of the cost anal-
23 ysis; and (3) certifies in writing to the Committees that
24 the preferred site for the consolidation or relocation yields
25 the greatest savings for the Air Force: *Provided*, That the

1 term “United States” in this section does not include any
2 territory or possession of the United States.

3 SEC. 130. All amounts appropriated to “Department
4 of Defense—Military Construction accounts for Army,
5 Navy and Marine Corps, Air Force and Defense-Wide”
6 pursuant to the authorization of appropriations in the Na-
7 tional Defense Authorization Act specified for fiscal year
8 2019 in the funding table in section 4601 of that Act,
9 shall be immediately available and allotted to contract for
10 the full scope of authorized projects.

11 SEC. 131. For an additional amount for the accounts
12 and in the amounts specified, for enhancing force protec-
13 tion and safety at military installations, to remain avail-
14 able until September 30, 2023:

15 “Military Construction, Army”, \$50,000,000;

16 “Military Construction, Navy and Marine
17 Corps”, \$50,000,000;

18 “Military Construction, Air Force”,
19 \$50,000,000:

20 *Provided*, That such projects are subject to authorization
21 prior to obligation and expenditure of funds to carry out
22 construction: *Provided further*, That not later than 30
23 days after enactment of this Act, the Secretary of the mili-
24 tary department concerned, or his or her designee, shall
25 submit to the Committees on Appropriations of both

1 Houses of Congress an expenditure plan for funds pro-
2 vided under this section.

3 TITLE II

4 DEPARTMENT OF VETERANS AFFAIRS

5 VETERANS BENEFITS ADMINISTRATION

6 COMPENSATION AND PENSIONS

7 (INCLUDING TRANSFER OF FUNDS)

8 For the payment of compensation benefits to or on
9 behalf of veterans and a pilot program for disability ex-
10 aminations as authorized by section 107 and chapters 11,
11 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
12 pension benefits to or on behalf of veterans as authorized
13 by chapters 15, 51, 53, 55, and 61 of title 38, United
14 States Code; and burial benefits, the Reinstated Entitle-
15 ment Program for Survivors, emergency and other offi-
16 cers' retirement pay, adjusted-service credits and certifi-
17 cates, payment of premiums due on commercial life insur-
18 ance policies guaranteed under the provisions of title IV
19 of the Servicemembers Civil Relief Act (50 U.S.C. App.
20 541 et seq.) and for other benefits as authorized by sec-
21 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
22 53, 55, and 61 of title 38, United States Code,
23 \$108,530,139,000, to remain available until expended, of
24 which \$107,119,807,000 shall become available on Octo-
25 ber 1, 2019: *Provided*, That not to exceed \$18,047,000

1 of the amount made available for fiscal year 2020 under
2 this heading shall be reimbursed to “General Operating
3 Expenses, Veterans Benefits Administration”, and “Infor-
4 mation Technology Systems” for necessary expenses in
5 implementing the provisions of chapters 51, 53, and 55
6 of title 38, United States Code, the funding source for
7 which is specifically provided as the “Compensation and
8 Pensions” appropriation: *Provided further*, That such
9 sums as may be earned on an actual qualifying patient
10 basis, shall be reimbursed to “Medical Care Collections
11 Fund” to augment the funding of individual medical facili-
12 ties for nursing home care provided to pensioners as au-
13 thorized.

14 READJUSTMENT BENEFITS

15 For the payment of readjustment and rehabilitation
16 benefits to or on behalf of veterans as authorized by chap-
17 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
18 61 of title 38, United States Code, \$14,065,282,000, to
19 remain available until expended and to become available
20 on October 1, 2019: *Provided*, That expenses for rehabili-
21 tation program services and assistance which the Sec-
22 retary is authorized to provide under subsection (a) of sec-
23 tion 3104 of title 38, United States Code, other than
24 under paragraphs (1), (2), (5), and (11) of that sub-
25 section, shall be charged to this account.

1 VETERANS INSURANCE AND INDEMNITIES

2 For military and naval insurance, national service life
3 insurance, servicemen's indemnities, service-disabled vet-
4 erans insurance, and veterans mortgage life insurance as
5 authorized by chapters 19 and 21, title 38, United States
6 Code, \$111,340,000, which shall become available on Oc-
7 tober 1, 2019, and shall remain available until expended.

8 VETERANS HOUSING BENEFIT PROGRAM FUND

9 For the cost of direct and guaranteed loans, such
10 sums as may be necessary to carry out the program, as
11 authorized by subchapters I through III of chapter 37 of
12 title 38, United States Code: *Provided*, That such costs,
13 including the cost of modifying such loans, shall be as de-
14 fined in section 502 of the Congressional Budget Act of
15 1974: *Provided further*, That, during fiscal year 2019,
16 within the resources available, not to exceed \$500,000 in
17 gross obligations for direct loans are authorized for spe-
18 cially adapted housing loans.

19 In addition, for administrative expenses to carry out
20 the direct and guaranteed loan programs, \$200,612,000.

21 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

22 For the cost of direct loans, \$39,000, as authorized
23 by chapter 31 of title 38, United States Code: *Provided*,
24 That such costs, including the cost of modifying such
25 loans, shall be as defined in section 502 of the Congres-

1 sional Budget Act of 1974: *Provided further*, That funds
 2 made available under this heading are available to sub-
 3 sidize gross obligations for the principal amount of direct
 4 loans not to exceed \$2,037,000.

5 In addition, for administrative expenses necessary to
 6 carry out the direct loan program, \$396,000, which may
 7 be paid to the appropriation for “General Operating Ex-
 8 penses, Veterans Benefits Administration”.

9 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

10 ACCOUNT

11 For administrative expenses to carry out the direct
 12 loan program authorized by subchapter V of chapter 37
 13 of title 38, United States Code, \$1,149,000.

14 GENERAL OPERATING EXPENSES, VETERANS BENEFITS

15 ADMINISTRATION

16 For necessary operating expenses of the Veterans
 17 Benefits Administration, not otherwise provided for, in-
 18 cluding hire of passenger motor vehicles, reimbursement
 19 of the General Services Administration for security guard
 20 services, and reimbursement of the Department of De-
 21 fense for the cost of overseas employee mail,
 22 \$2,922,000,000: *Provided*, That expenses for services and
 23 assistance authorized under paragraphs (1), (2), (5), and
 24 (11) of section 3104(a) of title 38, United States Code,
 25 that the Secretary of Veterans Affairs determines are nec-

1 essary to enable entitled veterans: (1) to the maximum ex-
2 tent feasible, to become employable and to obtain and
3 maintain suitable employment; or (2) to achieve maximum
4 independence in daily living, shall be charged to this ac-
5 count: *Provided further*, That, of the funds made available
6 under this heading, not to exceed 5 percent shall remain
7 available until September 30, 2020.

8 VETERANS HEALTH ADMINISTRATION

9 MEDICAL SERVICES

10 For necessary expenses for furnishing, as authorized
11 by law, inpatient and outpatient care and treatment to
12 beneficiaries of the Department of Veterans Affairs and
13 veterans described in section 1705(a) of title 38, United
14 States Code, including care and treatment in facilities not
15 under the jurisdiction of the Department, and including
16 medical supplies and equipment, bioengineering services,
17 food services, and salaries and expenses of healthcare em-
18 ployees hired under title 38, United States Code, aid to
19 State homes as authorized by section 1741 of title 38,
20 United States Code, assistance and support services for
21 caregivers as authorized by section 1720G of title 38,
22 United States Code, loan repayments authorized by sec-
23 tion 604 of the Caregivers and Veterans Omnibus Health
24 Services Act of 2010 (Public Law 111–163; 124 Stat.
25 1174; 38 U.S.C. 7681 note), monthly assistance allow-

1 ances authorized by section 322(d) of title 38, United
2 States Code, grants authorized by section 521A of title
3 38, United States Code, and administrative expenses nec-
4 essary to carry out sections 322(d) and 521A of title 38,
5 United States Code, and hospital care and medical serv-
6 ices authorized by section 1787 of title 38, United States
7 Code, \$48,747,988,000 (reduced by \$1,000,000) (in-
8 creased by \$1,000,000) (reduced by \$1,000,000) (in-
9 creased by \$1,000,000) (reduced by \$5,000,000) (in-
10 creased by \$5,000,000) (reduced by \$28,872,000) (in-
11 creased by \$28,872,000) (increased by \$5,000,000) (in-
12 creased by \$5,000,000) (increased by \$8,000,000), plus
13 reimbursements, shall become available on October 1,
14 2019, and shall remain available until September 30,
15 2020: *Provided*, That, of the amount made available on
16 October 1, 2018, under this heading, \$1,400,000,000 shall
17 remain available until September 30, 2021: *Provided fur-*
18 *ther*, That, notwithstanding any other provision of law, the
19 Secretary of Veterans Affairs shall establish a priority for
20 the provision of medical treatment for veterans who have
21 service-connected disabilities, lower income, or have special
22 needs: *Provided further*, That, notwithstanding any other
23 provision of law, the Secretary of Veterans Affairs shall
24 give priority funding for the provision of basic medical
25 benefits to veterans in enrollment priority groups 1

1 through 6: *Provided further*, That, notwithstanding any
2 other provision of law, the Secretary of Veterans Affairs
3 may authorize the dispensing of prescription drugs from
4 Veterans Health Administration facilities to enrolled vet-
5 erans with privately written prescriptions based on re-
6 quirements established by the Secretary: *Provided further*,
7 That the implementation of the program described in the
8 previous proviso shall incur no additional cost to the De-
9 partment of Veterans Affairs.

10 MEDICAL COMMUNITY CARE

11 For necessary expenses for furnishing health care to
12 individuals pursuant to chapter 17 of title 38, United
13 States Code, at non-Department facilities, \$500,000,000
14 which shall be in addition to funds previously appropriated
15 under this heading that become available on October 1,
16 2018: and, in addition, \$14,419,786,000 (reduced by
17 \$5,000,000) (reduced by \$5,000,000) (reduced by
18 \$8,000,000), plus reimbursements, shall become available
19 on October 1, 2019, and shall remain available until Sep-
20 tember 30, 2020: *Provided*, That, of the amount made
21 available on October 1, 2019, under this heading,
22 \$2,000,000,000 shall remain available until September 30,
23 2021.

1 MEDICAL SUPPORT AND COMPLIANCE

2 For necessary expenses in the administration of the
3 medical, hospital, nursing home, domiciliary, construction,
4 supply, and research activities, as authorized by law; ad-
5 ministrative expenses in support of capital policy activi-
6 ties; and administrative and legal expenses of the Depart-
7 ment for collecting and recovering amounts owed the De-
8 partment as authorized under chapter 17 of title 38,
9 United States Code, and the Federal Medical Care Recov-
10 ery Act (42 U.S.C. 2651 et seq.), \$7,106,150,000 (re-
11 duced by \$5,000,000) (increased by \$5,000,000) (reduced
12 by \$1,500,000) (increased by \$1,500,000), plus reim-
13 bursements, shall become available on October 1, 2019,
14 and shall remain available until September 30, 2020: *Pro-*
15 *vided*, That, of the amount made available on October 1,
16 2019, under this heading, \$100,000,000 shall remain
17 available until September 30, 2021.

18 MEDICAL FACILITIES

19 For necessary expenses for the maintenance and op-
20 eration of hospitals, nursing homes, domiciliary facilities,
21 and other necessary facilities of the Veterans Health Ad-
22 ministration; for administrative expenses in support of
23 planning, design, project management, real property ac-
24 quisition and disposition, construction, and renovation of
25 any facility under the jurisdiction or for the use of the

1 Department; for oversight, engineering, and architectural
2 activities not charged to project costs; for repairing, alter-
3 ing, improving, or providing facilities in the several hos-
4 pitals and homes under the jurisdiction of the Depart-
5 ment, not otherwise provided for, either by contract or by
6 the hire of temporary employees and purchase of mate-
7 rials; for leases of facilities; and for laundry services,
8 \$5,276,676,000, plus reimbursements, shall become avail-
9 able on October 1, 2019, and shall remain available until
10 September 30, 2020: *Provided*, That, of the amount made
11 available on October 1, 2019, under this heading,
12 \$250,000,000 shall remain available until September 30,
13 2021.

14 MEDICAL AND PROSTHETIC RESEARCH

15 For necessary expenses in carrying out programs of
16 medical and prosthetic research and development as au-
17 thorized by chapter 73 of title 38, United States Code,
18 \$732,262,000, plus reimbursements, shall remain avail-
19 able until September 30, 2020: *Provided*, That of the
20 amount made available under this heading, \$27,000,000
21 shall remain available until September 30, 2023.

22 NATIONAL CEMETERY ADMINISTRATION

23 For necessary expenses of the National Cemetery Ad-
24 ministration for operations and maintenance, not other-
25 wise provided for, including uniforms or allowances there-

1 for; cemeterial expenses as authorized by law; purchase
2 of one passenger motor vehicle for use in cemeterial oper-
3 ations; hire of passenger motor vehicles; and repair, alter-
4 ation or improvement of facilities under the jurisdiction
5 of the National Cemetery Administration, \$315,836,000,
6 of which not to exceed 10 percent shall remain available
7 until September 30, 2020.

8 DEPARTMENTAL ADMINISTRATION

9 GENERAL ADMINISTRATION

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary operating expenses of the Department
12 of Veterans Affairs, not otherwise provided for, including
13 administrative expenses in support of Department-wide
14 capital planning, management and policy activities, uni-
15 forms, or allowances therefor; not to exceed \$25,000 for
16 official reception and representation expenses; hire of pas-
17 senger motor vehicles; and reimbursement of the General
18 Services Administration for security guard services,
19 \$346,091,000 (reduced by \$1,000,000) (increased by
20 \$1,000,000), of which not to exceed 5 percent shall remain
21 available until September 30, 2020: *Provided*, That funds
22 provided under this heading may be transferred to “Gen-
23 eral Operating Expenses, Veterans Benefits Administra-
24 tion”.

1 BOARD OF VETERANS APPEALS

2 For necessary operating expenses of the Board of
3 Veterans Appeals, \$174,748,000, of which not to exceed
4 10 percent shall remain available until September 30,
5 2020.

6 INFORMATION TECHNOLOGY SYSTEMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses for information technology
9 systems and telecommunications support, including devel-
10 opmental information systems and operational information
11 systems; for pay and associated costs; and for the capital
12 asset acquisition of information technology systems, in-
13 cluding management and related contractual costs of said
14 acquisitions, including contractual costs associated with
15 operations authorized by section 3109 of title 5, United
16 States Code, \$4,105,500,000, plus reimbursements: *Pro-*
17 *vided*, That \$1,235,320,000 shall be for pay and associ-
18 ated costs, of which not to exceed 5 percent shall remain
19 available until September 30, 2020: *Provided further*, That
20 \$2,521,650,000 shall be for operations and maintenance,
21 of which not to exceed 5 percent shall remain available
22 until September 30, 2020: *Provided further*, That
23 \$348,530,000 shall be for information technology systems
24 development, and shall remain available until September
25 30, 2020: *Provided further*, That amounts made available

1 for information technology systems development may not
2 be obligated or expended until the Secretary of Veterans
3 Affairs or the Chief Information Officer of the Depart-
4 ment of Veterans Affairs submits to the Committees on
5 Appropriations of both Houses of Congress a certification
6 of the amounts, in parts or in full, to be obligated and
7 expended for each development project: *Provided further*,
8 That amounts made available for salaries and expenses,
9 operations and maintenance, and information technology
10 systems development may be transferred among the three
11 subaccounts after the Secretary of Veterans Affairs re-
12 quests from the Committees on Appropriations of both
13 Houses of Congress the authority to make the transfer
14 and an approval is issued: *Provided further*, That amounts
15 made available for the “Information Technology Systems”
16 account for development may be transferred among
17 projects or to newly defined projects: *Provided further*,
18 That no project may be increased or decreased by more
19 than \$1,000,000 of cost prior to submitting a request to
20 the Committees on Appropriations of both Houses of Con-
21 gress to make the transfer and an approval is issued, or
22 absent a response, a period of 30 days has elapsed: *Pro-*
23 *vided further*, That the funds made available under this
24 heading for information technology systems development

1 shall be for the projects, and in the amounts, specified
2 under this heading in the report accompanying this Act.

3 VETERANS ELECTRONIC HEALTH RECORD

4 For activities related to implementation, preparation,
5 development, interface, management, rollout, and mainte-
6 nance of a Veterans Electronic Health Record system, in-
7 cluding contractual costs associated with operations au-
8 thorized by section 3109 of title 5, United States Code,
9 and salaries and expenses of employees hired under titles
10 5 and 38, United States Code, \$1,207,000,000, to remain
11 available until September 30, 2021: *Provided*, That the
12 Secretary of Veterans Affairs shall submit to the Commit-
13 tees on Appropriations of both Houses of Congress quar-
14 terly reports detailing obligations, expenditures, and de-
15 ployment implementation by facility: *Provided further*,
16 That the funds provided in this account shall only be avail-
17 able to the Office of the Deputy Secretary, to be adminis-
18 tered by that Office.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General, to include information technology, in carrying out
22 the provisions of the Inspector General Act of 1978 (5
23 U.S.C. App.), \$172,054,000 (reduced by \$1,000,000) (in-
24 creased by \$1,000,000), of which not to exceed 10 percent
25 shall remain available until September 30, 2020.

1 CONSTRUCTION, MAJOR PROJECTS

2 For constructing, altering, extending, and improving
3 any of the facilities, including parking projects, under the
4 jurisdiction or for the use of the Department of Veterans
5 Affairs, or for any of the purposes set forth in sections
6 316, 2404, 2406 and chapter 81 of title 38, United States
7 Code, not otherwise provided for, including planning, ar-
8 chitectural and engineering services, construction manage-
9 ment services, maintenance or guarantee period services
10 costs associated with equipment guarantees provided
11 under the project, services of claims analysts, offsite utility
12 and storm drainage system construction costs, and site ac-
13 quisition, where the estimated cost of a project is more
14 than the amount set forth in section 8104(a)(3)(A) of title
15 38, United States Code, or where funds for a project were
16 made available in a previous major project appropriation,
17 \$1,127,486,000, of which \$647,486,000 shall remain
18 available until September 30, 2023; and of which
19 \$480,000,000 shall remain available until expended, of
20 which \$400,000,000 shall be available for seismic improve-
21 ment projects and seismic program management activities,
22 including for projects that would otherwise be funded by
23 the Construction, Minor Projects, Medical Facilities or
24 National Cemetery Administration accounts: *Provided*,
25 That except for advance planning activities, including

1 needs assessments which may or may not lead to capital
2 investments, and other capital asset management related
3 activities, including portfolio development and manage-
4 ment activities, and investment strategy studies funded
5 through the advance planning fund and the planning and
6 design activities funded through the design fund, including
7 needs assessments which may or may not lead to capital
8 investments, and salaries and associated costs of the resi-
9 dent engineers who oversee those capital investments
10 funded through this account and contracting officers who
11 manage specific major construction projects, and funds
12 provided for the purchase, security, and maintenance of
13 land for the National Cemetery Administration through
14 the land acquisition line item, none of the funds made
15 available under this heading shall be used for any project
16 that has not been notified to Congress through the budg-
17 etary process or that has not been approved by the Con-
18 gress through statute, joint resolution, or in the explana-
19 tory statement accompanying such Act and presented to
20 the President at the time of enrollment: *Provided further,*
21 That funds made available under this heading for fiscal
22 year 2019, for each approved project shall be obligated:
23 (1) by the awarding of a construction documents contract
24 by September 30, 2019; and (2) by the awarding of a con-
25 struction contract by September 30, 2020: *Provided fur-*

1 *ther*, That the Secretary of Veterans Affairs shall prompt-
2 ly submit to the Committees on Appropriations of both
3 Houses of Congress a written report on any approved
4 major construction project for which obligations are not
5 incurred within the time limitations established above:
6 *Provided further* , That notwithstanding the requirements
7 of section 8104(a) of title 38, United States Code,
8 amounts made available under this heading for seismic im-
9 provement projects and seismic program management ac-
10 tivities shall be available for the completion of both new
11 and existing seismic projects of the Department.

12 CONSTRUCTION, MINOR PROJECTS

13 For constructing, altering, extending, and improving
14 any of the facilities, including parking projects, under the
15 jurisdiction or for the use of the Department of Veterans
16 Affairs, including planning and assessments of needs
17 which may lead to capital investments, architectural and
18 engineering services, maintenance or guarantee period
19 services costs associated with equipment guarantees pro-
20 vided under the project, services of claims analysts, offsite
21 utility and storm drainage system construction costs, and
22 site acquisition, or for any of the purposes set forth in
23 sections 316, 2404, 2406 and chapter 81 of title 38,
24 United States Code, not otherwise provided for, where the
25 estimated cost of a project is equal to or less than the

1 amount set forth in section 8104(a)(3)(A) of title 38,
2 United States Code, \$649,514,000, to remain available
3 until September 30, 2023, along with unobligated balances
4 of previous “Construction, Minor Projects” appropriations
5 which are hereby made available for any project where the
6 estimated cost is equal to or less than the amount set forth
7 in such section: *Provided*, That funds made available
8 under this heading shall be for: (1) repairs to any of the
9 nonmedical facilities under the jurisdiction or for the use
10 of the Department which are necessary because of loss or
11 damage caused by any natural disaster or catastrophe;
12 and (2) temporary measures necessary to prevent or to
13 minimize further loss by such causes.

14 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
15 FACILITIES

16 For grants to assist States to acquire or construct
17 State nursing home and domiciliary facilities and to re-
18 model, modify, or alter existing hospital, nursing home,
19 and domiciliary facilities in State homes, for furnishing
20 care to veterans as authorized by sections 8131 through
21 8137 of title 38, United States Code, \$150,000,000, to
22 remain available until expended.

23 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

24 For grants to assist States and tribal organizations
25 in establishing, expanding, or improving veterans ceme-

1 teries as authorized by section 2408 of title 38, United
2 States Code, \$45,000,000, to remain available until ex-
3 pended.

4 ADMINISTRATIVE PROVISIONS

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 201. Any appropriation for fiscal year 2019 for
7 “Compensation and Pensions”, “Readjustment Benefits”,
8 and “Veterans Insurance and Indemnities” may be trans-
9 ferred as necessary to any other of the mentioned appro-
10 priations: *Provided*, That, before a transfer may take
11 place, the Secretary of Veterans Affairs shall request from
12 the Committees on Appropriations of both Houses of Con-
13 gress the authority to make the transfer and such Com-
14 mittees issue an approval, or absent a response, a period
15 of 30 days has elapsed.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 202. Amounts made available for the Depart-
18 ment of Veterans Affairs for fiscal year 2019, in this or
19 any other Act, under the “Medical Services”, “Medical
20 Community Care”, “Medical Support and Compliance”,
21 and “Medical Facilities” accounts may be transferred
22 among the accounts: *Provided*, That any transfers among
23 the “Medical Services”, “Medical Community Care”, and
24 “Medical Support and Compliance” accounts of 1 percent
25 or less of the total amount appropriated to the account

1 in this or any other Act may take place subject to notifica-
2 tion from the Secretary of Veterans Affairs to the Com-
3 mittees on Appropriations of both Houses of Congress of
4 the amount and purpose of the transfer: *Provided further*,
5 That any transfers among the “Medical Services”, “Med-
6 ical Community Care”, and “Medical Support and Compli-
7 ance” accounts in excess of 1 percent, or exceeding the
8 cumulative 1 percent for the fiscal year, may take place
9 only after the Secretary requests from the Committees on
10 Appropriations of both Houses of Congress the authority
11 to make the transfer and an approval is issued: *Provided*
12 *further*, That any transfers to or from the “Medical Facili-
13 ties” account may take place only after the Secretary re-
14 quests from the Committees on Appropriations of both
15 Houses of Congress the authority to make the transfer
16 and an approval is issued.

17 SEC. 203. Appropriations available in this title for
18 salaries and expenses shall be available for services au-
19 thorized by section 3109 of title 5, United States Code;
20 hire of passenger motor vehicles; lease of a facility or land
21 or both; and uniforms or allowances therefore, as author-
22 ized by sections 5901 through 5902 of title 5, United
23 States Code.

24 SEC. 204. No appropriations in this title (except the
25 appropriations for “Construction, Major Projects”, and

1 “Construction, Minor Projects”) shall be available for the
2 purchase of any site for or toward the construction of any
3 new hospital or home.

4 SEC. 205. No appropriations in this title shall be
5 available for hospitalization or examination of any persons
6 (except beneficiaries entitled to such hospitalization or ex-
7 amination under the laws providing such benefits to vet-
8 erans, and persons receiving such treatment under sec-
9 tions 7901 through 7904 of title 5, United States Code,
10 or the Robert T. Stafford Disaster Relief and Emergency
11 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
12 bursement of the cost of such hospitalization or examina-
13 tion is made to the “Medical Services” account at such
14 rates as may be fixed by the Secretary of Veterans Affairs.

15 SEC. 206. Appropriations available in this title for
16 “Compensation and Pensions”, “Readjustment Benefits”,
17 and “Veterans Insurance and Indemnities” shall be avail-
18 able for payment of prior year accrued obligations re-
19 quired to be recorded by law against the corresponding
20 prior year accounts within the last quarter of fiscal year
21 2018.

22 SEC. 207. Appropriations available in this title shall
23 be available to pay prior year obligations of corresponding
24 prior year appropriations accounts resulting from sections
25 3328(a), 3334, and 3712(a) of title 31, United States

1 Code, except that if such obligations are from trust fund
2 accounts they shall be payable only from “Compensation
3 and Pensions”.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 208. Notwithstanding any other provision of
6 law, during fiscal year 2019, the Secretary of Veterans
7 Affairs shall, from the National Service Life Insurance
8 Fund under section 1920 of title 38, United States Code,
9 the Veterans’ Special Life Insurance Fund under section
10 1923 of title 38, United States Code, and the United
11 States Government Life Insurance Fund under section
12 1955 of title 38, United States Code, reimburse the “Gen-
13 eral Operating Expenses, Veterans Benefits Administra-
14 tion” and “Information Technology Systems” accounts for
15 the cost of administration of the insurance programs fi-
16 nanced through those accounts: *Provided*, That reimburse-
17 ment shall be made only from the surplus earnings accu-
18 mulated in such an insurance program during fiscal year
19 2019 that are available for dividends in that program after
20 claims have been paid and actuarially determined reserves
21 have been set aside: *Provided further*, That if the cost of
22 administration of such an insurance program exceeds the
23 amount of surplus earnings accumulated in that program,
24 reimbursement shall be made only to the extent of such
25 surplus earnings: *Provided further*, That the Secretary

1 shall determine the cost of administration for fiscal year
2 2019 which is properly allocable to the provision of each
3 such insurance program and to the provision of any total
4 disability income insurance included in that insurance pro-
5 gram.

6 SEC. 209. Amounts deducted from enhanced-use
7 lease proceeds to reimburse an account for expenses in-
8 curred by that account during a prior fiscal year for pro-
9 viding enhanced-use lease services, may be obligated dur-
10 ing the fiscal year in which the proceeds are received.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 210. Funds available in this title or funds for
13 salaries and other administrative expenses shall also be
14 available to reimburse the Office of Resolution Manage-
15 ment, the Office of Employment Discrimination Complaint
16 Adjudication, the Office of Accountability and Whistle-
17 blower Protection, and the Office of Diversity and Inclu-
18 sion for all services provided at rates which will recover
19 actual costs but not to exceed \$48,431,000 for the Office
20 of Resolution Management, \$4,333,000 for the Office of
21 Employment Discrimination Complaint Adjudication,
22 \$17,700,000 for the Office of Accountability and Whistle-
23 blower Protection, and \$3,230,000 for the Office of Diver-
24 sity and Inclusion: *Provided*, That payments may be made
25 in advance for services to be furnished based on estimated

1 costs: *Provided further*, That amounts received shall be
2 credited to the “General Administration” and “Informa-
3 tion Technology Systems” accounts for use by the office
4 that provided the service.

5 SEC. 211. No funds of the Department of Veterans
6 Affairs shall be available for hospital care, nursing home
7 care, or medical services provided to any person under
8 chapter 17 of title 38, United States Code, for a non-serv-
9 ice-connected disability described in section 1729(a)(2) of
10 such title, unless that person has disclosed to the Sec-
11 retary of Veterans Affairs, in such form as the Secretary
12 may require, current, accurate third-party reimbursement
13 information for purposes of section 1729 of such title: *Pro-*
14 *vided*, That the Secretary may recover, in the same man-
15 ner as any other debt due the United States, the reason-
16 able charges for such care or services from any person who
17 does not make such disclosure as required: *Provided fur-*
18 *ther*, That any amounts so recovered for care or services
19 provided in a prior fiscal year may be obligated by the
20 Secretary during the fiscal year in which amounts are re-
21 ceived.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 212. Notwithstanding any other provision of
24 law, proceeds or revenues derived from enhanced-use leas-
25 ing activities (including disposal) may be deposited into

1 the “Construction, Major Projects” and “Construction,
2 Minor Projects” accounts and be used for construction
3 (including site acquisition and disposition), alterations,
4 and improvements of any medical facility under the juris-
5 diction or for the use of the Department of Veterans Af-
6 fairs. Such sums as realized are in addition to the amount
7 provided for in “Construction, Major Projects” and “Con-
8 struction, Minor Projects”.

9 SEC. 213. Amounts made available under “Medical
10 Services” are available—

11 (1) for furnishing recreational facilities, sup-
12 plies, and equipment; and

13 (2) for funeral expenses, burial expenses, and
14 other expenses incidental to funerals and burials for
15 beneficiaries receiving care in the Department.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 214. Such sums as may be deposited to the
18 Medical Care Collections Fund pursuant to section 1729A
19 of title 38, United States Code, may be transferred to the
20 “Medical Services” and “Medical Community Care” ac-
21 counts to remain available until expended for the purposes
22 of these accounts.

23 SEC. 215. The Secretary of Veterans Affairs may
24 enter into agreements with Federally Qualified Health
25 Centers in the State of Alaska and Indian tribes and tribal

1 organizations which are party to the Alaska Native Health
2 Compact with the Indian Health Service, to provide
3 healthcare, including behavioral health and dental care, to
4 veterans in rural Alaska. The Secretary shall require par-
5 ticipating veterans and facilities to comply with all appro-
6 priate rules and regulations, as established by the Sec-
7 retary. The term “rural Alaska” shall mean those lands
8 which are not within the boundaries of the municipality
9 of Anchorage or the Fairbanks North Star Borough.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 216. Such sums as may be deposited to the De-
12 partment of Veterans Affairs Capital Asset Fund pursu-
13 ant to section 8118 of title 38, United States Code, may
14 be transferred to the “Construction, Major Projects” and
15 “Construction, Minor Projects” accounts, to remain avail-
16 able until expended for the purposes of these accounts.

17 SEC. 217. Not later than 30 days after the end of
18 each fiscal quarter, the Secretary of Veterans Affairs shall
19 submit to the Committees on Appropriations of both
20 Houses of Congress a report on the financial status of the
21 Department of Veterans Affairs for the preceding quarter:
22 *Provided*, That, at a minimum, the report shall include
23 the direction contained in the paragraph entitled “Quar-
24 terly reporting”, under the heading “General Administra-

1 tion” in the joint explanatory statement accompanying
2 Public Law 114–223.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 218. Amounts made available under the “Med-
5 ical Services”, “Medical Community Care”, “Medical Sup-
6 port and Compliance”, “Medical Facilities”, “General Op-
7 erating Expenses, Veterans Benefits Administration”,
8 “Board of Veterans Appeals”, “General Administration”,
9 and “National Cemetery Administration” accounts for fis-
10 cal year 2019 may be transferred to or from the “Informa-
11 tion Technology Systems” account: *Provided*, That such
12 transfers may not result in a more than 10 percent aggre-
13 gate increase in the total amount made available by this
14 Act for the “Information Technology Systems” account:
15 *Provided further*, That, before a transfer may take place,
16 the Secretary of Veterans Affairs shall request from the
17 Committees on Appropriations of both Houses of Congress
18 the authority to make the transfer and an approval is
19 issued.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 219. Of the amounts appropriated to the De-
22 partment of Veterans Affairs which become available on
23 October 1, 2019, for “Medical Services”, “Medical Com-
24 munity Care”, “Medical Support and Compliance”, and
25 “Medical Facilities”, up to \$307,609,000, plus reimburse-

1 ments, may be transferred to the Joint Department of De-
2 fense—Department of Veterans Affairs Medical Facility
3 Demonstration Fund, established by section 1704 of the
4 National Defense Authorization Act for Fiscal Year 2010
5 (Public Law 111–84; 123 Stat. 3571) and may be used
6 for operation of the facilities designated as combined Fed-
7 eral medical facilities as described by section 706 of the
8 Duncan Hunter National Defense Authorization Act for
9 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
10 *Provided*, That additional funds may be transferred from
11 accounts designated in this section to the Joint Depart-
12 ment of Defense—Department of Veterans Affairs Med-
13 ical Facility Demonstration Fund upon written notifica-
14 tion by the Secretary of Veterans Affairs to the Commit-
15 tees on Appropriations of both Houses of Congress.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 220. Such sums as may be deposited to the
18 Medical Care Collections Fund pursuant to section 1729A
19 of title 38, United States Code, for healthcare provided
20 at facilities designated as combined Federal medical facili-
21 ties as described by section 706 of the Duncan Hunter
22 National Defense Authorization Act for Fiscal Year 2009
23 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
24 able: (1) for transfer to the Joint Department of De-
25 fense—Department of Veterans Affairs Medical Facility

1 Demonstration Fund, established by section 1704 of the
2 National Defense Authorization Act for Fiscal Year 2010
3 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
4 ations of the facilities designated as combined Federal
5 medical facilities as described by section 706 of the Dun-
6 can Hunter National Defense Authorization Act for Fiscal
7 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
8 *vided*, That, notwithstanding section 1704(b)(3) of the
9 National Defense Authorization Act for Fiscal Year 2010
10 (Public Law 111–84; 123 Stat. 2573), amounts trans-
11 ferred to the Joint Department of Defense—Department
12 of Veterans Affairs Medical Facility Demonstration Fund
13 shall remain available until expended.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 221. Of the amounts available in this title for
16 “Medical Services”, “Medical Community Care”, “Medical
17 Support and Compliance”, and “Medical Facilities”, a
18 minimum of \$15,000,000 shall be transferred to the
19 DOD–VA Health Care Sharing Incentive Fund, as au-
20 thorized by section 8111(d) of title 38, United States
21 Code, to remain available until expended, for any purpose
22 authorized by section 8111 of title 38, United States Code.

23 SEC. 222. None of the funds available to the Depart-
24 ment of Veterans Affairs, in this or any other Act, may
25 be used to replace the current system by which the Vet-

1 erans Integrated Service Networks select and contract for
2 diabetes monitoring supplies and equipment.

3 SEC. 223. The Secretary of Veterans Affairs shall no-
4 tify the Committees on Appropriations of both Houses of
5 Congress of all bid savings in a major construction project
6 that total at least \$5,000,000, or 5 percent of the pro-
7 grammed amount of the project, whichever is less: *Pro-*
8 *vided*, That such notification shall occur within 14 days
9 of a contract identifying the programmed amount: *Pro-*
10 *vided further*, That the Secretary shall notify the Commit-
11 tees on Appropriations of both Houses of Congress 14
12 days prior to the obligation of such bid savings and shall
13 describe the anticipated use of such savings.

14 SEC. 224. None of the funds made available for
15 “Construction, Major Projects” may be used for a project
16 in excess of the scope specified for that project in the origi-
17 nal justification data provided to the Congress as part of
18 the request for appropriations unless the Secretary of Vet-
19 erans Affairs receives approval from the Committees on
20 Appropriations of both Houses of Congress.

21 SEC. 225. Not later than 30 days after the end of
22 each fiscal quarter, the Secretary of Veterans Affairs shall
23 submit to the Committees on Appropriations of both
24 Houses of Congress a quarterly report containing perform-
25 ance measures and data from each Veterans Benefits Ad-

1 ministration Regional Office: *Provided*, That, at a min-
2 imum, the report shall include the direction contained in
3 the section entitled “Disability claims backlog”, under the
4 heading “General Operating Expenses, Veterans Benefits
5 Administration” in the joint explanatory statement accom-
6 panying Public Law 114–223: *Provided further*, That the
7 report shall also include information on the number of ap-
8 peals pending at the Veterans Benefits Administration as
9 well as the Board of Veterans Appeals on a quarterly
10 basis.

11 SEC. 226. The Secretary of Veterans Affairs shall
12 provide written notification to the Committees on Appro-
13 priations of both Houses of Congress 15 days prior to or-
14 ganizational changes which result in the transfer of 25 or
15 more full-time equivalents from one organizational unit of
16 the Department of Veterans Affairs to another.

17 SEC. 227. The Secretary of Veterans Affairs shall
18 provide on a quarterly basis to the Committees on Appro-
19 priations of both Houses of Congress notification of any
20 single national outreach and awareness marketing cam-
21 paign in which obligations exceed \$2,000,000.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 228. The Secretary of Veterans Affairs, upon
24 determination that such action is necessary to address
25 needs of the Veterans Health Administration, may trans-

1 fer to the “Medical Services” account any discretionary
2 appropriations made available for fiscal year 2019 in this
3 title (except appropriations made to the “General Oper-
4 ating Expenses, Veterans Benefits Administration” ac-
5 count) or any discretionary unobligated balances within
6 the Department of Veterans Affairs, including those ap-
7 propriated for fiscal year 2019, that were provided in ad-
8 vance by appropriations Acts: *Provided*, That transfers
9 shall be made only with the approval of the Office of Man-
10 agement and Budget: *Provided further*, That the transfer
11 authority provided in this section is in addition to any
12 other transfer authority provided by law: *Provided further*,
13 That no amounts may be transferred from amounts that
14 were designated by Congress as an emergency requirement
15 pursuant to a concurrent resolution on the budget or the
16 Balanced Budget and Emergency Deficit Control Act of
17 1985: *Provided further*, That such authority to transfer
18 may not be used unless for higher priority items, based
19 on emergent healthcare requirements, than those for
20 which originally appropriated and in no case where the
21 item for which funds are requested has been denied by
22 Congress: *Provided further*, That, upon determination that
23 all or part of the funds transferred from an appropriation
24 are not necessary, such amounts may be transferred back
25 to that appropriation and shall be available for the same

1 purposes as originally appropriated: *Provided further*,
2 That before a transfer may take place, the Secretary of
3 Veterans Affairs shall request from the Committees on
4 Appropriations of both Houses of Congress the authority
5 to make the transfer and receive approval of that request.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 229. Amounts made available for the Depart-
8 ment of Veterans Affairs for fiscal year 2019, under the
9 “Board of Veterans Appeals” and the “General Operating
10 Expenses, Veterans Benefits Administration” accounts
11 may be transferred between such accounts: *Provided*, That
12 before a transfer may take place, the Secretary of Vet-
13 erans Affairs shall request from the Committees on Appro-
14 priations of both Houses of Congress the authority to
15 make the transfer and receive approval of that request.

16 SEC. 230. The Secretary of Veterans Affairs may not
17 reprogram funds among major construction projects or
18 programs if such instance of reprogramming will exceed
19 \$7,000,000, unless such reprogramming is approved by
20 the Committees on Appropriations of both Houses of Con-
21 gress.

22 SEC. 231. (a) The Secretary of Veterans Affairs shall
23 ensure that the toll-free suicide hotline under section
24 1720F(h) of title 38, United States Code—

1 (1) provides to individuals who contact the hot-
2 line immediate assistance from a trained profes-
3 sional; and

4 (2) adheres to all requirements of the American
5 Association of Suicidology.

6 (b)(1) None of the funds made available by this Act
7 may be used to enforce or otherwise carry out any Execu-
8 tive action that prohibits the Secretary of Veterans Affairs
9 from appointing an individual to occupy a vacant civil
10 service position, or establishing a new civil service position,
11 at the Department of Veterans Affairs with respect to
12 such a position relating to the hotline specified in sub-
13 section (a).

14 (2) In this subsection—

15 (A) the term “civil service” has the meaning
16 given such term in section 2101(1) of title 5, United
17 States Code; and

18 (B) the term “Executive action” includes—

19 (i) any Executive order, presidential memo-
20 randum, or other action by the President; and

21 (ii) any agency policy, order, or other di-
22 rective.

23 SEC. 232. None of the funds in this or any other Act
24 may be used to close Department of Veterans Affairs (VA)
25 hospitals, domiciliaries, or clinics, conduct an environ-

1 mental assessment, or to diminish healthcare services at
2 existing Veterans Health Administration medical facilities
3 located in Veterans Integrated Service Network 23 as part
4 of a planned realignment of VA services until the Sec-
5 retary provides to the Committees on Appropriations of
6 both Houses of Congress a report including the following
7 elements:

8 (1) a national realignment strategy that in-
9 cludes a detailed description of realignment plans
10 within each Veterans Integrated Services Network
11 (VISN), including an updated Long Range Capital
12 Plan to implement realignment requirements;

13 (2) an explanation of the process by which
14 those plans were developed and coordinated within
15 each VISN;

16 (3) a cost versus benefit analysis of each
17 planned realignment, including the cost of replacing
18 Veterans Health Administration services with con-
19 tract care or other outsourced services;

20 (4) an analysis of how any such planned re-
21 alignment of services will impact access to care for
22 veterans living in rural or highly rural areas, includ-
23 ing travel distances and transportation costs to ac-
24 cess a VA medical facility and availability of local
25 specialty and primary care;

1 (5) an inventory of VA buildings with historic
2 designation and the methodology used to determine
3 the buildings' condition and utilization;

4 (6) a description of how any realignment will be
5 consistent with requirements under the National
6 Historic Preservation Act; and

7 (7) consideration given for reuse of historic
8 buildings within newly identified realignment re-
9 quirements: *Provided*, That, this provision shall not
10 apply to capital projects in VISN 23, or any other
11 VISN, which have been authorized or approved by
12 Congress.

13 SEC. 233. Effective during the period beginning on
14 October 1, 2018 and ending on January 1, 2024, none
15 of the funds made available to the Secretary of Veterans
16 Affairs by this or any other Act may be obligated or ex-
17 pended in contravention of the "Veterans Health Adminis-
18 tration Clinical Preventive Services Guidance Statement
19 on the Veterans Health Administration's Screening for
20 Breast Cancer Guidance" published on May 10, 2017, as
21 issued by the Veterans Health Administration National
22 Center for Health Promotion and Disease Prevention.

23 SEC. 234. (a) Notwithstanding any other provision
24 of law, the amounts appropriated or otherwise made avail-

1 able to the Department of Veterans Affairs for the “Med-
2 ical Services” account may be used to provide—

3 (1) fertility counseling and treatment using as-
4 sisted reproductive technology to a covered veteran
5 or the spouse of a covered veteran; or

6 (2) adoption reimbursement to a covered vet-
7 eran.

8 (b) In this section:

9 (1) The term “service-connected” has the
10 meaning given such term in section 101 of title 38,
11 United States Code.

12 (2) The term “covered veteran” means a vet-
13 eran, as such term is defined in section 101 of title
14 38, United States Code, who has a service-connected
15 disability that results in the inability of the veteran
16 to procreate without the use of fertility treatment.

17 (3) The term “assisted reproductive tech-
18 nology” means benefits relating to reproductive as-
19 sistance provided to a member of the Armed Forces
20 who incurs a serious injury or illness on active duty
21 pursuant to section 1074(c)(4)(A) of title 10, United
22 States Code, as described in the memorandum on
23 the subject of “Policy for Assisted Reproductive
24 Services for the Benefit of Seriously or Severely Ill/
25 Injured (Category II or III) Active Duty Service

1 Members” issued by the Assistant Secretary of De-
2 fense for Health Affairs on April 3, 2012, and the
3 guidance issued to implement such policy, including
4 any limitations on the amount of such benefits avail-
5 able to such a member except that—

6 (A) the time periods regarding embryo
7 cryopreservation and storage set forth in part
8 III(G) and in part IV(H) of such memorandum
9 shall not apply; and

10 (B) such term includes embryo
11 cryopreservation and storage without limitation
12 on the duration of such cryopreservation and
13 storage.

14 (4) The term “adoption reimbursement” means
15 reimbursement for the adoption-related expenses for
16 an adoption that is finalized after the date of the en-
17 actment of this Act under the same terms as apply
18 under the adoption reimbursement program of the
19 Department of Defense, as authorized in Depart-
20 ment of Defense Instruction 1341.09, including the
21 reimbursement limits and requirements set forth in
22 such instruction.

23 (c) Amounts made available for the purposes speci-
24 fied in subsection (a) of this section are subject to the
25 requirements for funds contained in section 508 of division

1 H of the Consolidated Appropriations Act, 2018 (Public
2 Law 115–141).

3 SEC. 235. None of the funds appropriated or other-
4 wise made available by this Act or any other Act for the
5 Department of Veterans Affairs may be used in a manner
6 that is inconsistent with: (1) section 842 of the Transpor-
7 tation, Treasury, Housing and Urban Development, the
8 Judiciary, the District of Columbia, and Independent
9 Agencies Appropriations Act, 2006 (Public Law 109–115;
10 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
11 United States Code.

12 SEC. 236. None of the funds appropriated in this or
13 prior appropriations Acts or otherwise made available to
14 the Department of Veterans Affairs may be used to trans-
15 fer any amounts from the Filipino Veterans Equity Com-
16 pensation Fund to any other account within the Depart-
17 ment of Veterans Affairs.

18 SEC. 237. None of the funds appropriated or other-
19 wise made available by this Act may be used to conduct
20 research using canines unless: the scientific objectives of
21 the study can only be met by research with canines; the
22 study has been directly approved by the Secretary; and
23 the study is consistent with the revised Department of
24 Veterans Affairs canine research policy document released
25 on December 18, 2017: *Provided*, That not later than 180

1 days after enactment of this Act, the Secretary shall sub-
2 mit to the Committees on Appropriations of both Houses
3 of Congress a detailed report outlining under what cir-
4 cumstances canine research may be needed if there are
5 no other alternatives, how often it was used during that
6 time period, and what protocols are in place to determine
7 both the safety and efficacy of the research.

8 SEC. 238. For an additional amount for the Depart-
9 ment of Veterans Affairs, \$2,000,000,000 to remain avail-
10 able until expended, for infrastructure improvements, in-
11 cluding new construction, and in addition to amounts oth-
12 erwise made available in this Act for such purpose, of
13 which:

14 (1) \$750,000,000 shall be available for seismic
15 improvement projects and seismic program manage-
16 ment activities, including projects that would other-
17 wise be funded by the Construction, Major Projects,
18 the Construction, Minor Projects, Medical Facilities,
19 or National Cemetery Administration accounts;

20 (2) \$100,000,000 shall be for National Ceme-
21 tery Administration projects within “Department
22 Administration - Construction, Major Projects”;

23 (3) \$800,000,000 shall be for “Veterans Health
24 Administration—Medical Facilities” to be used for
25 non-recurring maintenance; and

1 (4) \$350,000,000 shall be for “Departmental
2 Administration—Construction, Minor Projects”:
3 *Provided*, That the additional amounts appropriated for
4 the purposes of non-recurring maintenance and minor con-
5 struction may be used to carry out critical life-safety
6 projects identified in the Department’s annual facility con-
7 dition assessments; sustainment projects; modernization
8 projects; infrastructure repair; renovations at existing Vet-
9 erans Health Administration medical centers and out-
10 patient clinics; and projects included in the Strategic Cap-
11 ital Investment Process plan: *Provided further*, That not-
12 withstanding the requirements of section 8104(a) of title
13 38, United States Code, amounts made available under
14 this heading for seismic improvement projects and seismic
15 program management activities shall be available for the
16 completion of both new and existing projects of the De-
17 partment: *Provided further*, That the additional amounts
18 appropriated under this section may not be obligated or
19 expended until the Secretary of Veterans Affairs submits
20 to the Committees on Appropriations of both Houses of
21 Congress, and such Committees approve, a detailed ex-
22 penditure plan, including project descriptions and costs,
23 for any non-recurring maintenance, major construction or
24 minor construction project being funded with the addi-
25 tional amounts made available in this section.

1 SEC. 239. For an additional amount for the Depart-
2 ment of Veterans Affairs, \$1,138,000,000 for the pro-
3 grams and activities authorized in the VA MISSION Act
4 of 2018 and the amendments made by such Act, which
5 shall be in addition to amounts otherwise made available
6 in this Act for such purpose, of which—

7 (1) \$600,000,000 shall become available for the
8 Veterans Community Care Program under section
9 1703 of title 38, United States Code, as amended by
10 the VA MISSION Act of 2018, on the effective date
11 specified in section 101(b) of such Act; and

12 (2) \$253,000,000 shall be available for the
13 Family Caregivers Program under section 1720G of
14 title 38, United States Code, as amended by such
15 Act:

16 *Provided*, That amounts made available under this section
17 shall remain available until September 30, 2020.

18 TITLE III

19 RELATED AGENCIES

20 AMERICAN BATTLE MONUMENTS COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses, not otherwise provided for,
23 of the American Battle Monuments Commission, including
24 the acquisition of land or interest in land in foreign coun-
25 tries; purchases and repair of uniforms for caretakers of

1 national cemeteries and monuments outside of the United
2 States and its territories and possessions; rent of office
3 and garage space in foreign countries; purchase (one-for-
4 one replacement basis only) and hire of passenger motor
5 vehicles; not to exceed \$42,000 for official reception and
6 representation expenses; and insurance of official motor
7 vehicles in foreign countries, when required by law of such
8 countries, \$75,100,000, to remain available until ex-
9 pended.

10 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

11 For necessary expenses, not otherwise provided for,
12 of the American Battle Monuments Commission, such
13 sums as may be necessary, to remain available until ex-
14 pended, for purposes authorized by section 2109 of title
15 36, United States Code.

16 UNITED STATES COURT OF APPEALS FOR VETERANS

17 CLAIMS

18 SALARIES AND EXPENSES

19 For necessary expenses for the operation of the
20 United States Court of Appeals for Veterans Claims as
21 authorized by sections 7251 through 7298 of title 38,
22 United States Code, \$33,600,000: *Provided* , That
23 \$2,580,000 shall be available for the purpose of providing
24 financial assistance as described and in accordance with

1 the process and reporting procedures set forth under this
2 heading in Public Law 102–229.

3 DEPARTMENT OF DEFENSE—CIVIL

4 CEMETERIAL EXPENSES, ARMY

5 SALARIES AND EXPENSES

6 For necessary expenses for maintenance, operation,
7 and improvement of Arlington National Cemetery and Sol-
8 diers’ and Airmen’s Home National Cemetery, including
9 the purchase or lease of passenger motor vehicles for re-
10 placement on a one-for-one basis only, and not to exceed
11 \$1,000 for official reception and representation expenses,
12 \$70,800,000, of which not to exceed \$15,000,000 shall re-
13 main available until September 30, 2021. In addition,
14 such sums as may be necessary for parking maintenance,
15 repairs and replacement, to be derived from the “Lease
16 of Department of Defense Real Property for Defense
17 Agencies” account.

18 CONSTRUCTION

19 For necessary expenses for planning and design and
20 construction at Arlington National Cemetery and Soldiers’
21 and Airmen’s Home National Cemetery, \$73,855,000, to
22 remain available until expended, for planning and design
23 and construction associated with the Southern Expansion
24 project at Arlington National Cemetery.

1 ARMED FORCES RETIREMENT HOME
2 TRUST FUND

3 For expenses necessary for the Armed Forces Retire-
4 ment Home to operate and maintain the Armed Forces
5 Retirement Home—Washington, District of Columbia,
6 and the Armed Forces Retirement Home—Gulfport, Mis-
7 sissippi, to be paid from funds available in the Armed
8 Forces Retirement Home Trust Fund, \$64,300,000, of
9 which \$1,000,000 shall remain available until expended
10 for construction and renovation of the physical plants at
11 the Armed Forces Retirement Home—Washington, Dis-
12 trict of Columbia, and the Armed Forces Retirement
13 Home—Gulfport, Mississippi: *Provided*, That of the
14 amounts made available under this heading from funds
15 available in the Armed Forces Retirement Home Trust
16 Fund, \$22,000,000 shall be paid from the general fund
17 of the Treasury to the Trust Fund.

18 ADMINISTRATIVE PROVISION

19 SEC. 301. Amounts deposited into the special account
20 established under 10 U.S.C. 4727 are appropriated and
21 shall be available until expended to support activities at
22 the Army National Military Cemeteries.

1 TITLE IV
2 OVERSEAS CONTINGENCY OPERATIONS
3 DEPARTMENT OF DEFENSE
4 MILITARY CONSTRUCTION, ARMY

5 For an additional amount for “Military Construction,
6 Army”, \$261,250,000, to remain available until Sep-
7 tember 30, 2023, for projects outside of the United States:
8 *Provided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985:
12 *Provided further*, That none of the funds made available
13 under this heading shall be for construction of the High
14 Value Detention Facility, Guantanamo Bay, Cuba, unless
15 authorized in an Act authorizing appropriations for fiscal
16 year 2019 for military construction.

17 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

18 For an additional amount for “Military Construction,
19 Navy and Marine Corps”, \$227,320,000, to remain avail-
20 able until September 30, 2023, for projects outside of the
21 United States: *Provided*, That such amount is designated
22 by the Congress for Overseas Contingency Operations/
23 Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 MILITARY CONSTRUCTION, AIR FORCE

2 For an additional amount for “Military Construction,
3 Air Force” \$345,800,000, to remain available until Sep-
4 tember 30, 2023, for projects outside of the United States:
5 *Provided*, That such amount is designated by the Congress
6 for Overseas Contingency Operations/Global War on Ter-
7 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 MILITARY CONSTRUCTION, DEFENSE-WIDE

10 For an additional amount for “Military Construction,
11 Defense-Wide”, \$87,050,000, to remain available until
12 September 30, 2023, for projects outside of the United
13 States: *Provided*, That such amount is designated by the
14 Congress for Overseas Contingency Operations/Global
15 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
16 the Balanced Budget and Emergency Deficit Control Act
17 of 1985.

18 ADMINISTRATIVE PROVISIONS

19 SEC. 401. Each amount designated in this Act by the
20 Congress for Overseas Contingency Operations/Global
21 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
22 the Balanced Budget and Emergency Deficit Control Act
23 of 1985 shall be available only if the President subse-
24 quently so designates all such amounts and transmits such
25 designations to the Congress.

1 SEC. 402. None of the funds appropriated for mili-
2 tary construction projects outside the United States under
3 this title may be obligated or expended for planning and
4 design of any project associated with the European Deter-
5 rence Initiative until the Secretary of Defense submits to
6 the congressional defense committees a list of all of the
7 military construction projects associated with the Euro-
8 pean Deterrence Initiative which the Secretary anticipates
9 will be carried out during each of the fiscal years 2019
10 through 2023.

11 TITLE V

12 GENERAL PROVISIONS

13 SEC. 501. No part of any appropriation contained in
14 this Act shall remain available for obligation beyond the
15 current fiscal year unless expressly so provided herein.

16 SEC. 502. None of the funds made available in this
17 Act may be used for any program, project, or activity,
18 when it is made known to the Federal entity or official
19 to which the funds are made available that the program,
20 project, or activity is not in compliance with any Federal
21 law relating to risk assessment, the protection of private
22 property rights, or unfunded mandates.

23 SEC. 503. All departments and agencies funded under
24 this Act are encouraged, within the limits of the existing
25 statutory authorities and funding, to expand their use of

1 “E–Commerce” technologies and procedures in the con-
2 duct of their business practices and public service activi-
3 ties.

4 SEC. 504. Unless stated otherwise, all reports and no-
5 tifications required by this Act shall be submitted to the
6 Subcommittee on Military Construction and Veterans Af-
7 fairs, and Related Agencies of the Committee on Appro-
8 priations of the House of Representatives and the Sub-
9 committee on Military Construction and Veterans Affairs,
10 and Related Agencies of the Committee on Appropriations
11 of the Senate.

12 SEC. 505. None of the funds made available in this
13 Act may be transferred to any department, agency, or in-
14 strumentality of the United States Government except
15 pursuant to a transfer made by, or transfer authority pro-
16 vided in, this or any other appropriations Act.

17 SEC. 506. None of the funds made available in this
18 Act may be used for a project or program named for an
19 individual serving as a Member, Delegate, or Resident
20 Commissioner of the United States House of Representa-
21 tives.

22 SEC. 507. (a) Any agency receiving funds made avail-
23 able in this Act, shall, subject to subsections (b) and (c),
24 post on the public Web site of that agency any report re-
25 quired to be submitted by the Congress in this or any

1 other Act, upon the determination by the head of the agen-
2 cy that 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 com-
5 promises national security; or

6 (2) the report contains confidential or propri-
7 etary information.

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

12 SEC. 508. (a) None of the funds made available in
13 this Act may be used to maintain or establish a computer
14 network unless such network blocks the viewing,
15 downloading, and exchanging of pornography.

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

20 SEC. 509. None of the funds made available in this
21 Act may be used by an agency of the executive branch
22 to pay for first-class travel by an employee of the agency
23 in contravention of sections 301–10.122 through 301–
24 10.124 of title 41, Code of Federal Regulations.

1 SEC. 510. None of the funds made available in this
2 Act may be used to execute a contract for goods or serv-
3 ices, including construction services, where the contractor
4 has not complied with Executive Order No. 12989.

5 SEC. 511. None of the funds made available by this
6 Act may be used by the Department of Defense or the
7 Department of Veterans Affairs to lease or purchase new
8 light duty vehicles for any executive fleet, or for an agen-
9 cy's fleet inventory, except in accordance with Presidential
10 Memorandum—Federal Fleet Performance, dated May
11 24, 2011.

12 SEC. 512. (a) IN GENERAL.—None of the funds ap-
13 propriated or otherwise made available to the Department
14 of Defense in this Act may be used to construct, renovate,
15 or expand any facility in the United States, its territories,
16 or possessions to house any individual detained at United
17 States Naval Station, Guantánamo Bay, Cuba, for the
18 purposes of detention or imprisonment in the custody or
19 under the control of the Department of Defense.

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

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

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

4 (2) is—

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

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

9 REFERENCES TO ACT

10 SEC. 513. Except as expressly provided otherwise,
11 any reference to “this Act” contained in this division shall
12 be treated as referring only to the provisions of this divi-
13 sion.

14 REFERENCES TO REPORT

15 SEC. 514. Any reference to a “report accompanying
16 this Act” contained in this division shall be treated as a
17 reference to House Report 115–673. The effect of such
18 Report shall be limited to this division and shall apply for
19 purposes of determining the allocation of funds provided
20 by, and the implementation of, this division.

21 SPENDING REDUCTION ACCOUNT

22 SEC. 515. The amount by which the applicable alloca-
23 tion of new budget authority made by the Committee on
24 Appropriations of the House of Representatives under sec-

1 tion 302(b) of the Congressional Budget Act of 1974 ex-
2 ceeds the amount of proposed new budget authority is \$0.

3 SEC. 516. None of the funds made available by this
4 Act may be used by the Secretary of Veterans Affairs in
5 contravention of subchapter III of chapter 20 of title 38,
6 United States Code.

7 SEC. 517. The amounts otherwise provided by this
8 Act are revised by reducing the amount made available
9 for “Department of Veterans Affairs—Departmental Ad-
10 ministration—Information Technology Systems” (and the
11 amount specified under such heading for operations and
12 maintenance), and by increasing the amount made avail-
13 able in fiscal year 2019 for “Veterans Health Administra-
14 tion—Medical Services”, by \$2,500,000 and \$2,000,000,
15 respectively.

16 SEC. 518. None of the funds made available by this
17 Act may be used by the Secretary of Veterans Affairs to
18 implement, administer, or enforce section 17.3240 of title
19 38, Code of Federal Regulations, as proposed in 82 Fed.
20 Reg. 48018 (October 16, 2017).

21 SEC. 519. None of the funds appropriated or other-
22 wise made available by this division may be used to convey
23 the 17.1 acres of land and the 126 existing housing units
24 known as Shenandoah Square and located in Mountain
25 View, California.

1 SEC. 520. None of the funds made available by this
2 Act may be used by the Secretary of Veterans Affairs to
3 transfer funds made available for the following programs:

4 (1) The Homeless Providers Grant and Per
5 Diem program.

6 (2) The Domiciliary Care for Homeless Vet-
7 erans program.

8 (3) The Supportive Services for Veteran Fami-
9 lies program.

10 (4) The Department of Housing and Urban De-
11 velopment Department of Veterans Affairs Sup-
12 ported Housing (HUD–VASH) programs.

13 SEC. 521. None of the funds made available by this
14 Act may be used to propose, plan for, or execute a new
15 or additional Base Realignment and Closure (BRAC)
16 round.

17 This division may be cited as the “Military Construc-
18 tion, Veterans Affairs, and Related Agencies Appropria-
19 tions Act, 2019”.

Passed the House of Representatives June 8, 2018.

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

H. R. 5895

AN ACT

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes.