

In the Senate of the United States,

August 23, 2018.

Resolved, That the bill from the House of Representatives (H.R. 6157) entitled “An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 *This Act may be cited as “Department of Defense and
3 Labor, Health and Human Services, and Education Appro-
4 priations Act, 2019”.*

5 SEC. 2. REFERENCES TO ACT.

6 *Except as expressly provided otherwise, any reference
7 to “this Act” contained in any division of this Act shall
8 be treated as referring only to the provisions of that divi-
9 sion.*

1 SEC. 3. REFERENCES TO REPORT.

2 (a) Any reference to a “report accompanying this Act”
3 contained in division A shall be treated as a reference to
4 Senate Report 115–290. The effect of such Report shall be
5 limited to division A and shall apply for purposes of deter-
6 mining the allocation of funds provided by, and the imple-
7 mentation of, division A.

8 (b) Any reference to a “report accompanying this Act”
9 contained in division B shall be treated as a reference to
10 Senate Report 115–289. The effect of such Report shall be
11 limited to division B and shall apply for purposes of deter-
12 mining the allocation of funds provided by, and the imple-
13 mentation of, division B.

**14 DIVISION A—DEPARTMENT OF DEFENSE
15 APPROPRIATIONS ACT, 2019**

16 That the following sums are appropriated, out of any
17 money in the Treasury not otherwise appropriated, for the
18 Department of Defense for the fiscal year ending September
19 30, 2019, and for other purposes, namely:

20 TITLE I**21 MILITARY PERSONNEL****22 MILITARY PERSONNEL, ARMY**

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

1 permanent duty stations, for members of the Army on active
2 duty (except members of reserve components provided for
3 elsewhere), cadets, and aviation cadets; for members of the
4 Reserve Officers' Training Corps; and for payments pursu-
5 ant to section 156 of Public Law 97-377, as amended (42
6 U.S.C. 402 note), and to the Department of Defense Mili-
7 tary Retirement Fund, \$43,060,042,000.

8 **MILITARY PERSONNEL, NAVY**

9 *For pay, allowances, individual clothing, subsistence,*
10 *interest on deposits, gratuities, permanent change of station*
11 *travel (including all expenses thereof for organizational*
12 *movements), and expenses of temporary duty travel between*
13 *permanent duty stations, for members of the Navy on active*
14 *duty (except members of the Reserve provided for elsewhere),*
15 *midshipmen, and aviation cadets; for members of the Re-*
16 *serve Officers' Training Corps; and for payments pursuant*
17 *to section 156 of Public Law 97-377, as amended (42*
18 *U.S.C. 402 note), and to the Department of Defense Mili-*
19 *tary Retirement Fund, \$30,305,481,000.*

20 **MILITARY PERSONNEL, MARINE CORPS**

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

1 on active duty (except members of the Reserve provided for
2 elsewhere); and for payments pursuant to section 156 of
3 Public Law 97–377, as amended (42 U.S.C. 402 note), and
4 to the Department of Defense Military Retirement Fund,
5 \$13,799,038,000.

6 *MILITARY PERSONNEL, AIR FORCE*

7 For pay, allowances, individual clothing, subsistence,
8 interest on deposits, gratuities, permanent change of station
9 travel (including all expenses thereof for organizational
10 movements), and expenses of temporary duty travel between
11 permanent duty stations, for members of the Air Force on
12 active duty (except members of reserve components provided
13 for elsewhere), cadets, and aviation cadets; for members of
14 the Reserve Officers' Training Corps; and for payments
15 pursuant to section 156 of Public Law 97–377, as amended
16 (42 U.S.C. 402 note), and to the Department of Defense
17 Military Retirement Fund, \$30,173,691,000.

18 *RESERVE PERSONNEL, ARMY*

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

1 going reserve training, or while performing drills or equiva-
2 lent duty or other duty, and expenses authorized by section
3 16131 of title 10, United States Code; and for payments
4 to the Department of Defense Military Retirement Fund,
5 \$4,870,947,000.

6 *RESERVE PERSONNEL, NAVY*

7 *For pay, allowances, clothing, subsistence, gratuities,*
8 *travel, and related expenses for personnel of the Navy Re-*
9 *serve on active duty under section 10211 of title 10, United*
10 *States Code, or while serving on active duty under section*
11 *12301(d) of title 10, United States Code, in connection with*
12 *performing duty specified in section 12310(a) of title 10,*
13 *United States Code, or while undergoing reserve training,*
14 *or while performing drills or equivalent duty, and expenses*
15 *authorized by section 16131 of title 10, United States Code;*
16 *and for payments to the Department of Defense Military*
17 *Retirement Fund, \$2,059,521,000.*

18 *RESERVE PERSONNEL, MARINE CORPS*

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

1 going reserve training, or while performing drills or equiva-
2 lent duty, and for members of the Marine Corps platoon
3 leaders class, and expenses authorized by section 16131 of
4 title 10, United States Code; and for payments to the De-
5 partment of Defense Military Retirement Fund,
6 \$787,090,000.

7 *RESERVE PERSONNEL, AIR FORCE*

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Air Force
10 Reserve on active duty under sections 10211, 10305, and
11 8038 of title 10, United States Code, or while serving on
12 active duty under section 12301(d) of title 10, United States
13 Code, in connection with performing duty specified in sec-
14 tion 12310(a) of title 10, United States Code, or while un-
15 dergoing reserve training, or while performing drills or
16 equivalent duty or other duty, and expenses authorized by
17 section 16131 of title 10, United States Code; and for pay-
18 ments to the Department of Defense Military Retirement
19 Fund, \$1,871,286,000.

20 *NATIONAL GUARD PERSONNEL, ARMY*

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

1 title 10 or section 502(f) of title 32, United States Code,
2 in connection with performing duty specified in section
3 12310(a) of title 10, United States Code, or while under-
4 going training, or while performing drills or equivalent
5 duty or other duty, and expenses authorized by section
6 16131 of title 10, United States Code; and for payments
7 to the Department of Defense Military Retirement Fund,
8 \$8,650,645,000.

9 **NATIONAL GUARD PERSONNEL, AIR FORCE**

10 For pay, allowances, clothing, subsistence, gratuities,
11 travel, and related expenses for personnel of the Air Na-
12 tional Guard on duty under sections 10211, 10305, or
13 12402 of title 10 or section 708 of title 32, United States
14 Code, or while serving on duty under section 12301(d) of
15 title 10 or section 502(f) of title 32, United States Code,
16 in connection with performing duty specified in section
17 12310(a) of title 10, United States Code, or while under-
18 going training, or while performing drills or equivalent
19 duty or other duty, and expenses authorized by section
20 16131 of title 10, United States Code; and for payments
21 to the Department of Defense Military Retirement Fund,
22 \$3,718,780,000.

1 *TITLE II*2 *OPERATION AND MAINTENANCE*3 *OPERATION AND MAINTENANCE, ARMY*

4 *For expenses, not otherwise provided for, necessary for*
5 *the operation and maintenance of the Army, as authorized*
6 *by law, \$40,634,715,000: Provided, That not to exceed*
7 *\$12,478,000 can be used for emergencies and extraordinary*
8 *expenses, to be expended on the approval or authority of*
9 *the Secretary of the Army, and payments may be made on*
10 *his certificate of necessity for confidential military pur-*
11 *poses.*

12 *OPERATION AND MAINTENANCE, NAVY*

13 *For expenses, not otherwise provided for, necessary for*
14 *the operation and maintenance of the Navy and the Marine*
15 *Corps, as authorized by law, \$47,296,183,000: Provided,*
16 *That not to exceed \$15,055,000 can be used for emergencies*
17 *and extraordinary expenses, to be expended on the approval*
18 *or authority of the Secretary of the Navy, and payments*
19 *may be made on his certificate of necessity for confidential*
20 *military purposes.*

21 *OPERATION AND MAINTENANCE, MARINE CORPS*

22 *For expenses, not otherwise provided for, necessary for*
23 *the operation and maintenance of the Marine Corps, as au-*
24 *thorized by law, \$6,372,000,000.*

1 *OPERATION AND MAINTENANCE, AIR FORCE*

2 *For expenses, not otherwise provided for, necessary for*
3 *the operation and maintenance of the Air Force, as author-*
4 *ized by law, \$40,775,374,000: Provided, That not to exceed*
5 *\$7,699,000 can be used for emergencies and extraordinary*
6 *expenses, to be expended on the approval or authority of*
7 *the Secretary of the Air Force, and payments may be made*
8 *on his certificate of necessity for confidential military pur-*
9 *poses.*

10 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For expenses, not otherwise provided for, necessary for*
13 *the operation and maintenance of activities and agencies*
14 *of the Department of Defense (other than the military de-*
15 *partments), as authorized by law, \$35,662,783,000: Pro-*
16 *vided, That not more than \$7,503,000 may be used for the*
17 *Combatant Commander Initiative Fund authorized under*
18 *section 166a of title 10, United States Code: Provided fur-*
19 *ther, That not to exceed \$36,000,000 can be used for emer-*
20 *gencies and extraordinary expenses, to be expended on the*
21 *approval or authority of the Secretary of Defense, and pay-*
22 *ments may be made on his certificate of necessity for con-*
23 *fidential military purposes: Provided further, That of the*
24 *funds provided under this heading, not less than*
25 *\$33,025,000 shall be made available for the Procurement*

1 Technical Assistance Cooperative Agreement Program, of
2 which not less than \$2,600,000 shall be available for centers
3 defined in 10 U.S.C. 2411(1)(D): Provided further, That
4 none of the funds appropriated or otherwise made available
5 by this Act may be used to plan or implement the consolida-
6 tion of a budget or appropriations liaison office of the Office
7 of the Secretary of Defense, the office of the Secretary of
8 a military department, or the service headquarters of one
9 of the Armed Forces into a legislative affairs or legislative
10 liaison office: Provided further, That \$19,160,000, to re-
11 main available until expended, is available only for ex-
12 penses relating to certain classified activities, and may be
13 transferred as necessary by the Secretary of Defense to oper-
14 ation and maintenance appropriations or research, develop-
15 ment, test and evaluation appropriations, to be merged with
16 and to be available for the same time period as the appro-
17 priations to which transferred: Provided further, That any
18 ceiling on the investment item unit cost of items that may
19 be purchased with operation and maintenance funds shall
20 not apply to the funds described in the preceding proviso:
21 Provided further, That of the funds provided under this
22 heading, \$686,744,000, of which \$171,686,000, to remain
23 available until September 30, 2020, shall be available to
24 provide support and assistance to foreign security forces or
25 other groups or individuals to conduct, support or facilitate

1 counterterrorism, crisis response, or other Department of
2 Defense security cooperation programs: Provided further,
3 That the transfer authority provided under this heading is
4 in addition to any other transfer authority provided else-
5 where in this Act.

6 ***OPERATION AND MAINTENANCE, ARMY RESERVE***

7 *For expenses, not otherwise provided for, necessary for*
8 *the operation and maintenance, including training, organi-*
9 *zation, and administration, of the Army Reserve; repair of*
10 *facilities and equipment; hire of passenger motor vehicles;*
11 *travel and transportation; care of the dead; recruiting; pro-*
12 *curement of services, supplies, and equipment; and commu-*
13 *nications, \$2,854,909,000.*

14 ***OPERATION AND MAINTENANCE, NAVY RESERVE***

15 *For expenses, not otherwise provided for, necessary for*
16 *the operation and maintenance, including training, organi-*
17 *zation, and administration, of the Navy Reserve; repair of*
18 *facilities and equipment; hire of passenger motor vehicles;*
19 *travel and transportation; care of the dead; recruiting; pro-*
20 *curement of services, supplies, and equipment; and commu-*
21 *nications, \$1,018,006,000.*

22 ***OPERATION AND MAINTENANCE, MARINE CORPS RESERVE***

23 *For expenses, not otherwise provided for, necessary for*
24 *the operation and maintenance, including training, organi-*
25 *zation, and administration, of the Marine Corps Reserve;*

1 repair of facilities and equipment; hire of passenger motor
2 vehicles; travel and transportation; care of the dead; recruit-
3 ing; procurement of services, supplies, and equipment; and
4 communications, \$271,570,000.

5 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

6 *For expenses, not otherwise provided for, necessary for*
7 *the operation and maintenance, including training, organi-*
8 *zation, and administration, of the Air Force Reserve; repair*
9 *of facilities and equipment; hire of passenger motor vehicles;*
10 *travel and transportation; care of the dead; recruiting; pro-*
11 *curement of services, supplies, and equipment; and commu-*
12 *nications, \$3,247,534,000.*

13 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

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

1 tional Guard as authorized by law; and expenses of repair,
2 modification, maintenance, and issue of supplies and
3 equipment (including aircraft), \$7,261,295,000.

4 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

5 For expenses of training, organizing, and admin-
6 istering the Air National Guard, including medical and
7 hospital treatment and related expenses in non-Federal hos-
8 pitals; maintenance, operation, and repairs to structures
9 and facilities; transportation of things, hire of passenger
10 motor vehicles; supplying and equipping the Air National
11 Guard, as authorized by law; expenses for repair, modifica-
12 tion, maintenance, and issue of supplies and equipment,
13 including those furnished from stocks under the control of
14 agencies of the Department of Defense; travel expenses (other
15 than mileage) on the same basis as authorized by law for
16 Air National Guard personnel on active Federal duty, for
17 Air National Guard commanders while inspecting units in
18 compliance with National Guard Bureau regulations when
19 specifically authorized by the Chief, National Guard Bu-
20 reau, \$6,433,697,000.

23 *For salaries and expenses necessary for the United*
24 *States Court of Appeals for the Armed Forces, \$14,662,000,*

1 of which not to exceed \$5,000 may be used for official rep-
2 resentation purposes.

3 *ENVIRONMENTAL RESTORATION, ARMY*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For the Department of the Army, \$228,449,000, to re-*
6 *main available until transferred: Provided, That the Sec-*
7 *retary of the Army shall, upon determining that such funds*
8 *are required for environmental restoration, reduction and*
9 *recycling of hazardous waste, removal of unsafe buildings*
10 *and debris of the Department of the Army, or for similar*
11 *purposes, transfer the funds made available by this appro-*
12 *priation to other appropriations made available to the De-*
13 *partment of the Army, to be merged with and to be available*
14 *for the same purposes and for the same time period as the*
15 *appropriations to which transferred: Provided further, That*
16 *upon a determination that all or part of the funds trans-*
17 *ferred from this appropriation are not necessary for the*
18 *purposes provided herein, such amounts may be transferred*
19 *back to this appropriation: Provided further, That the*
20 *transfer authority provided under this heading is in addi-*
21 *tion to any other transfer authority provided elsewhere in*
22 *this Act.*

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

3 *For the Department of the Navy, \$329,253,000, to re-*
4 *main available until transferred: Provided, That the Sec-*
5 *retary of the Navy shall, upon determining that such funds*
6 *are required for environmental restoration, reduction and*
7 *recycling of hazardous waste, removal of unsafe buildings*
8 *and debris of the Department of the Navy, or for similar*
9 *purposes, transfer the funds made available by this appro-*
10 *priation to other appropriations made available to the De-*
11 *partment of the Navy, to be merged with and to be available*
12 *for the same purposes and for the same time period as the*
13 *appropriations to which transferred: Provided further, That*
14 *upon a determination that all or part of the funds trans-*
15 *ferred from this appropriation are not necessary for the*
16 *purposes provided herein, such amounts may be transferred*
17 *back to this appropriation: Provided further, That the*
18 *transfer authority provided under this heading is in addi-*
19 *tion to any other transfer authority provided elsewhere in*
20 *this Act.*

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

23 *For the Department of the Air Force, \$365,808,000,*
24 *to remain available until transferred: Provided, That the*
25 *Secretary of the Air Force shall, upon determining that*

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

16 *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For the Department of Defense, \$8,926,000, to remain*
19 *available until transferred: Provided, That the Secretary of*
20 *Defense shall, upon determining that such funds are re-*
21 *quired for environmental restoration, reduction and recy-*
22 *cling of hazardous waste, removal of unsafe buildings and*
23 *debris of the Department of Defense, or for similar purposes,*
24 *transfer the funds made available by this appropriation to*
25 *other appropriations made available to the Department of*

*1 Defense, to be merged with and to be available for the same
2 purposes and for the same time period as the appropria-
3 tions to which transferred: Provided further, That upon a
4 determination that all or part of the funds transferred from
5 this appropriation are not necessary for the purposes pro-
6 vided herein, such amounts may be transferred back to this
7 appropriation: Provided further, That the transfer author-
8 ity provided under this heading is in addition to any other
9 transfer authority provided elsewhere in this Act.*

10 *ENVIRONMENTAL RESTORATION, FORMERLY USED*

DEFENSE SITES

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Army, \$212,346,000, to re-
14 main available until transferred: Provided, That the Sec-
15 retary of the Army shall, upon determining that such funds
16 are required for environmental restoration, reduction and
17 recycling of hazardous waste, removal of unsafe buildings
18 and debris at sites formerly used by the Department of De-
19 fense, transfer the funds made available by this appropria-
20 tion to other appropriations made available to the Depart-
21 ment of the Army, to be merged with and to be available
22 for the same purposes and for the same time period as the
23 appropriations to which transferred: Provided further, That
24 upon a determination that all or part of the funds trans-
25 ferred from this appropriation are not necessary for the

1 purposes provided herein, such amounts may be transferred
2 back to this appropriation: Provided further, That the
3 transfer authority provided under this heading is in addi-
4 tion to any other transfer authority provided elsewhere in
5 this Act.

6 **OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID**

7 For expenses relating to the Overseas Humanitarian,
8 Disaster, and Civic Aid programs of the Department of De-
9 fense (consisting of the programs provided under sections
10 401, 402, 404, 407, 2557, and 2561 of title 10, United
11 States Code), \$107,663,000, to remain available until Sep-
12 tember 30, 2020.

13 **COOPERATIVE THREAT REDUCTION ACCOUNT**

14 For assistance, including assistance provided by con-
15 tract or by grants, under programs and activities of the
16 Department of Defense Cooperative Threat Reduction Pro-
17 gram authorized under the Department of Defense Coopera-
18 tive Threat Reduction Act, \$335,240,000, to remain avail-
19 able until September 30, 2021.

20 **DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE**

21 **DEVELOPMENT FUND**

22 For the Department of Defense Acquisition Workforce
23 Development Fund, \$552,000,000, to remain available for
24 obligation until September 30, 2020: Provided, That no
25 other amounts may be otherwise credited or transferred to

- 1 *the Fund, or deposited into the Fund, in fiscal year 2019*
- 2 *pursuant to section 1705(d) of title 10, United States Code.*

1 **TITLE III**2 **PROCUREMENT**3 *AIRCRAFT PROCUREMENT, ARMY*

4 *For construction, procurement, production, modification,*
5 *and modernization of aircraft, equipment, including*
6 *ordnance, ground handling equipment, spare parts, and ac-*
7 *cessories therefor; specialized equipment and training de-*
8 *vices; expansion of public and private plants, including the*
9 *land necessary therefor, for the foregoing purposes, and such*
10 *lands and interests therein, may be acquired, and construc-*
11 *tion prosecuted thereon prior to approval of title; and pro-*
12 *curement and installation of equipment, appliances, and*
13 *machine tools in public and private plants; reserve plant*
14 *and Government and contractor-owned equipment layaway;*
15 *and other expenses necessary for the foregoing purposes,*
16 *\$4,890,658,000, to remain available for obligation until*
17 *September 30, 2021.*

18 *MISSILE PROCUREMENT, ARMY*

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

1 *tion prosecuted thereon prior to approval of title; and pro-*
2 *curement and installation of equipment, appliances, and*
3 *machine tools in public and private plants; reserve plant*
4 *and Government and contractor-owned equipment layaway;*
5 *and other expenses necessary for the foregoing purposes,*
6 *\$3,160,597,000, to remain available for obligation until*
7 *September 30, 2021.*

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

10 *For construction, procurement, production, and modi-*
11 *fication of weapons and tracked combat vehicles, equipment,*
12 *including ordnance, spare parts, and accessories therefor;*
13 *specialized equipment and training devices; expansion of*
14 *public and private plants, including the land necessary*
15 *therefor, for the foregoing purposes, and such lands and in-*
16 *terests therein, may be acquired, and construction pros-*
17 *ecuted thereon prior to approval of title; and procurement*
18 *and installation of equipment, appliances, and machine*
19 *tools in public and private plants; reserve plant and Gov-*
20 *ernment and contractor-owned equipment layaway; and*
21 *other expenses necessary for the foregoing purposes,*
22 *\$4,515,290,000, to remain available for obligation until*
23 *September 30, 2021.*

1 *PROCUREMENT OF AMMUNITION, ARMY*

2 *For construction, procurement, production, and modi-*
3 *fication of ammunition, and accessories therefor; specialized*
4 *equipment and training devices; expansion of public and*
5 *private plants, including ammunition facilities, authorized*
6 *by section 2854 of title 10, United States Code, and the*
7 *land necessary therefor, for the foregoing purposes, and such*
8 *lands and interests therein, may be acquired, and construc-*
9 *tion prosecuted thereon prior to approval of title; and pro-*
10 *curement and installation of equipment, appliances, and*
11 *machine tools in public and private plants; reserve plant*
12 *and Government and contractor-owned equipment layaway;*
13 *and other expenses necessary for the foregoing purposes,*
14 *\$2,283,369,000, to remain available for obligation until*
15 *September 30, 2021.*

16 *OTHER PROCUREMENT, ARMY*

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

1 construction prosecuted thereon prior to approval of title; and
2 procurement and installation of equipment, appliances,
3 and machine tools in public and private plants; reserve
4 plant and Government and contractor-owned equipment
5 layaway; and other expenses necessary for the foregoing
6 purposes, \$7,709,078,000, to remain available for obligation
7 until September 30, 2021.

8 *AIRCRAFT PROCUREMENT, NAVY*

9 For construction, procurement, production, modifica-
10 tion, and modernization of aircraft, equipment, including
11 ordnance, spare parts, and accessories therefor; specialized
12 equipment; expansion of public and private plants, includ-
13 ing the land necessary therefor, and such lands and inter-
14 ests therein, may be acquired, and construction prosecuted
15 thereon prior to approval of title; and procurement and in-
16 stallation of equipment, appliances, and machine tools in
17 public and private plants; reserve plant and Government
18 and contractor-owned equipment layaway,
19 \$20,083,169,000, to remain available for obligation until
20 September 30, 2021.

21 *WEAPONS PROCUREMENT, NAVY*

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

1 plants, including the land necessary therefor, and such
2 lands and interests therein, may be acquired, and construc-
3 tion prosecuted thereon prior to approval of title; and pro-
4 curement and installation of equipment, appliances, and
5 machine tools in public and private plants; reserve plant
6 and Government and contractor-owned equipment layaway,
7 \$3,780,572,000, to remain available for obligation until
8 September 30, 2021.

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$970,454,000, to remain available for obligation until September 30, 2021.

1 *SHIPBUILDING AND CONVERSION, NAVY*

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

14 *Ohio Replacement Submarine (AP),*

15 *\$3,242,330,000;*

16 *Carrier Replacement Program (CVN 80),*

17 *\$1,573,181,000;*

18 *Virginia Class Submarine, \$4,373,382,000;*

19 *Virginia Class Submarine (AP), \$2,796,401,000;*

20 *CVN Refueling Overhauls (AP), \$449,597,000;*

21 *DDG-1000 Program, \$270,965,000;*

22 *DDG-51 Destroyer, \$5,171,827,000;*

23 *DDG-51 Destroyer (AP), \$641,928,000;*

24 *Littoral Combat Ship, \$1,121,244,000;*

25 *LPD-17, \$500,000,000;*

1 *Expeditionary Sea Base, \$650,000,000;*
2 *LHA Replacement (AP), \$350,000,000;*
3 *Expeditionary Fast Transport, \$225,000,000;*
4 *TAO Fleet Oiler, \$977,104,000;*
5 *TAO Fleet Oiler (AP), \$75,046,000;*
6 *Towing Salvage and Rescue Ship, \$80,517,000;*
7 *LCU 1700, \$41,520,000;*
8 *Ship to Shore Connector, \$325,375,000;*
9 *Service Craft, \$97,062,000;*
10 *LCAC SLEP, \$23,321,000;*
11 *For outfitting, post delivery, conversions, and*
12 *first destination transportation, \$550,038,000;*
13 *Completion of Prior Year Shipbuilding Pro-*
14 *grams, \$207,099,000; and*
15 *Cable Ship, \$250,000,000.*
16 *In all: \$23,992,937,000, to remain available for obliga-*
17 *tion until September 30, 2023: Provided, That additional*
18 *obligations may be incurred after September 30, 2023, for*
19 *engineering services, tests, evaluations, and other such budg-*
20 *eted work that must be performed in the final stage of ship*
21 *construction: Provided further, That none of the funds pro-*
22 *vided under this heading for the construction or conversion*
23 *of any naval vessel to be constructed in shipyards in the*
24 *United States shall be expended in foreign facilities for the*
25 *construction of major components of such vessel: Provided*

1 further, That none of the funds provided under this heading
2 shall be used for the construction of any naval vessel in
3 foreign shipyards: Provided further, That funds appro-
4 priated or otherwise made available by this Act for produc-
5 tion of the common missile compartment of nuclear-powered
6 vessels may be available for multiyear procurement of crit-
7 ical components to support continuous production of such
8 compartments only in accordance with the provisions of
9 subsection (i) of section 2218a of title 10, United States
10 Code (as added by section 1023 of the National Defense Au-
11 thorization Act for Fiscal Year 2017 (Public Law 114–
12 328)).

13 **OTHER PROCUREMENT, NAVY**

14 For procurement, production, and modernization of
15 support equipment and materials not otherwise provided
16 for, Navy ordnance (except ordnance for new aircraft, new
17 ships, and ships authorized for conversion); the purchase
18 of passenger motor vehicles for replacement only; expansion
19 of public and private plants, including the land necessary
20 therefor, and such lands and interests therein, may be ac-
21 quired, and construction prosecuted thereon prior to ap-
22 proval of title; and procurement and installation of equip-
23 ment, appliances, and machine tools in public and private
24 plants; reserve plant and Government and contractor-owned

1 equipment layaway, \$10,393,562,000, to remain available
2 for obligation until September 30, 2021.

3 **PROCUREMENT, MARINE CORPS**

4 For expenses necessary for the procurement, manufac-
5 ture, and modification of missiles, armament, military
6 equipment, spare parts, and accessories therefor; plant
7 equipment, appliances, and machine tools, and installation
8 thereof in public and private plants; reserve plant and Gov-
9 ernment and contractor-owned equipment layaway; vehicles
10 for the Marine Corps, including the purchase of passenger
11 motor vehicles for replacement only; and expansion of pub-
12 lic and private plants, including land necessary therefor,
13 and such lands and interests therein, may be acquired, and
14 construction prosecuted thereon prior to approval of title,
15 \$2,800,997,000, to remain available for obligation until
16 September 30, 2021.

17 **AIRCRAFT PROCUREMENT, AIR FORCE**

18 For construction, procurement, and modification of
19 aircraft and equipment, including armor and armament,
20 specialized ground handling equipment, and training de-
21 vices, spare parts, and accessories therefor; specialized
22 equipment; expansion of public and private plants, Govern-
23 ment-owned equipment and installation thereof in such
24 plants, erection of structures, and acquisition of land, for
25 the foregoing purposes, and such lands and interests therein,

1 may be acquired, and construction prosecuted thereon prior
2 to approval of title; reserve plant and Government and con-
3 tractor-owned equipment layaway; and other expenses nec-
4 essary for the foregoing purposes including rents and trans-
5 portation of things, \$15,772,473,000, to remain available
6 for obligation until September 30, 2021.

7 *MISSILE PROCUREMENT, AIR FORCE*

8 For construction, procurement, and modification of
9 missiles, rockets, and related equipment, including spare
10 parts and accessories therefor; ground handling equipment,
11 and training devices; expansion of public and private
12 plants, Government-owned equipment and installation
13 thereof in such plants, erection of structures, and acquisi-
14 tion of land, for the foregoing purposes, and such lands and
15 interests therein, may be acquired, and construction pros-
16 ecuted thereon prior to approval of title; reserve plant and
17 Government and contractor-owned equipment layaway; and
18 other expenses necessary for the foregoing purposes includ-
19 ing rents and transportation of things, \$2,614,954,000, to
20 remain available for obligation until September 30, 2021.

21 *SPACE PROCUREMENT, AIR FORCE*

22 For construction, procurement, and modification of
23 spacecraft, rockets, and related equipment, including spare
24 parts and accessories therefor; ground handling equipment,
25 and training devices; expansion of public and private

1 plants, Government-owned equipment and installation
2 thereof in such plants, erection of structures, and acquisi-
3 tion of land, for the foregoing purposes, and such lands and
4 interests therein, may be acquired, and construction pros-
5 ecuted thereon prior to approval of title; reserve plant and
6 Government and contractor-owned equipment layaway; and
7 other expenses necessary for the foregoing purposes includ-
8 ing rents and transportation of things, \$2,224,142,000, to
9 remain available for obligation until September 30, 2021.

10 **PROCUREMENT OF AMMUNITION, AIR FORCE**

11 For construction, procurement, production, and modi-
12 fication of ammunition, and accessories therefor; specialized
13 equipment and training devices; expansion of public and
14 private plants, including ammunition facilities, authorized
15 by section 2854 of title 10, United States Code, and the
16 land necessary therefor, for the foregoing purposes, and such
17 lands and interests therein, may be acquired, and construc-
18 tion prosecuted thereon prior to approval of title; and pro-
19 curement and installation of equipment, appliances, and
20 machine tools in public and private plants; reserve plant
21 and Government and contractor-owned equipment layaway;
22 and other expenses necessary for the foregoing purposes,
23 \$1,564,880,000, to remain available for obligation until
24 September 30, 2021.

1 *OTHER PROCUREMENT, AIR FORCE*

2 *For procurement and modification of equipment (in-*
3 *cluding ground guidance and electronic control equipment,*
4 *and ground electronic and communication equipment), and*
5 *supplies, materials, and spare parts therefor, not otherwise*
6 *provided for; the purchase of passenger motor vehicles for*
7 *replacement only; lease of passenger motor vehicles; and ex-*
8 *pansion of public and private plants, Government-owned*
9 *equipment and installation thereof in such plants, erection*
10 *of structures, and acquisition of land, for the foregoing pur-*
11 *poses, and such lands and interests therein, may be ac-*
12 *quired, and construction prosecuted thereon, prior to ap-*
13 *proval of title; reserve plant and Government and con-*
14 *tractor-owned equipment layaway, \$20,839,366,000, to re-*
15 *main available for obligation until September 30, 2021.*

16 *PROCUREMENT, DEFENSE-WIDE*

17 *For expenses of activities and agencies of the Depart-*
18 *ment of Defense (other than the military departments) nec-*
19 *essary for procurement, production, and modification of*
20 *equipment, supplies, materials, and spare parts therefor,*
21 *not otherwise provided for; the purchase of passenger motor*
22 *vehicles for replacement only; expansion of public and pri-*
23 *vate plants, equipment, and installation thereof in such*
24 *plants, erection of structures, and acquisition of land for*
25 *the foregoing purposes, and such lands and interests therein,*

1 may be acquired, and construction prosecuted thereon prior
2 to approval of title; reserve plant and Government and con-
3 tractor-owned equipment layaway, \$6,663,821,000, to re-
4 main available for obligation until September 30, 2021.

5 *NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT*

6 *For procurement of rotary-wing aircraft; combat, tac-
7 tical and support vehicles; other weapons; and other pro-
8 curement items for the reserve components of the Armed
9 Forces, \$900,000,000, to remain available for obligation
10 until September 30, 2021: Provided, That the Chiefs of Na-
11 tional Guard and Reserve components shall, not later than
12 30 days after enactment of this Act, individually submit
13 to the congressional defense committees the modernization
14 priority assessment for their respective National Guard or
15 Reserve component: Provided further, That none of the
16 funds made available by this paragraph may be used to
17 procure manned fixed wing aircraft, or procure or modify
18 missiles, munitions, or ammunition.*

19 *DEFENSE PRODUCTION ACT PURCHASES*

20 *For activities by the Department of Defense pursuant
21 to sections 108, 301, 302, and 303 of the Defense Production
22 Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
23 \$38,578,000, to remain available until expended.*

1 **TITLE IV**2 *RESEARCH, DEVELOPMENT, TEST AND*
3 *EVALUATION*4 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

5 *For expenses necessary for basic and applied scientific*
6 *research, development, test and evaluation, including main-*
7 *tenance, rehabilitation, lease, and operation of facilities*
8 *and equipment, \$10,812,458,000, to remain available for*
9 *obligation until September 30, 2020.*

10 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

11 *For expenses necessary for basic and applied scientific*
12 *research, development, test and evaluation, including main-*
13 *tenance, rehabilitation, lease, and operation of facilities*
14 *and equipment, \$18,992,064,000, to remain available for*
15 *obligation until September 30, 2020: Provided, That funds*
16 *appropriated in this paragraph which are available for the*
17 *V-22 may be used to meet unique operational requirements*
18 *of the Special Operations Forces.*

19 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*20 **FORCE**

21 *For expenses necessary for basic and applied scientific*
22 *research, development, test and evaluation, including main-*
23 *tenance, rehabilitation, lease, and operation of facilities*
24 *and equipment, \$40,896,667,000, to remain available for*
25 *obligation until September 30, 2020.*

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

2 DEFENSE-WIDE

3 For expenses of activities and agencies of the Depart-
4 ment of Defense (other than the military departments), nec-
5 essary for basic and applied scientific research, develop-
6 ment, test and evaluation; advanced research projects as
7 may be designated and determined by the Secretary of De-
8 fense, pursuant to law; maintenance, rehabilitation, lease,
9 and operation of facilities and equipment, \$24,049,621,000,
10 to remain available for obligation until September 30,
11 2020.

12 *OPERATIONAL TEST AND EVALUATION, DEFENSE*

13 For expenses, not otherwise provided for, necessary for
14 the independent activities of the Director, Operational Test
15 and Evaluation, in the direction and supervision of oper-
16 ational test and evaluation, including initial operational
17 test and evaluation which is conducted prior to, and in sup-
18 port of, production decisions; joint operational testing and
19 evaluation; and administrative expenses in connection
20 therewith, \$381,009,000, to remain available for obligation
21 until September 30, 2020.

1 *TITLE V*2 *REVOLVING AND MANAGEMENT FUNDS*3 *DEFENSE WORKING CAPITAL FUNDS*4 *For the Defense Working Capital Funds,*5 *\$1,641,115,000.*6 *TITLE VI*7 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*8 *DEFENSE HEALTH PROGRAM*

9 *For expenses, not otherwise provided for, for medical
10 and health care programs of the Department of Defense as
11 authorized by law, \$34,135,992,000; of which
12 \$31,588,995,000 shall be for operation and maintenance, of
13 which not to exceed one percent shall remain available for
14 obligation until September 30, 2020, and of which up to
15 \$15,152,801,000 may be available for contracts entered into
16 under the TRICARE program; of which \$873,160,000, to
17 remain available for obligation until September 30, 2021,
18 shall be for procurement; and of which \$1,673,837,000, to
19 remain available for obligation until September 30, 2020,
20 shall be for research, development, test and evaluation: Pro-
21 vided, That of the funds provided under this heading for
22 research, development, test and evaluation, not less than
23 \$761,500,000 shall be made available to the United States
24 Army Medical Research and Materiel Command to carry
25 out the congressionally directed medical research programs.*

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

3 For expenses, not otherwise provided for, necessary for
4 the destruction of the United States stockpile of lethal chem-
5 ical agents and munitions in accordance with the provi-
6 sions of section 1412 of the Department of Defense Author-
7 ization Act, 1986 (50 U.S.C. 1521), and for the destruction
8 of other chemical warfare materials that are not in the
9 chemical weapon stockpile, \$993,816,000, of which
10 \$105,997,000 shall be for operation and maintenance, of
11 which no less than \$52,735,000 shall be for the Chemical
12 Stockpile Emergency Preparedness Program, consisting of
13 \$21,600,000 for activities on military installations and
14 \$31,135,000, to remain available until September 30, 2020,
15 to assist State and local governments; \$1,091,000 shall be
16 for procurement, to remain available until September 30,
17 2021, of which \$1,091,000 shall be for the Chemical Stock-
18 pile Emergency Preparedness Program to assist State and
19 local governments; and \$886,728,000, to remain available
20 until September 30, 2020, shall be for research, develop-
21 ment, test and evaluation, of which \$880,283,000 shall only
22 be for the Assembled Chemical Weapons Alternatives pro-
23 gram.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

DEFENSE

4 For drug interdiction and counter-drug activities of
5 the Department of Defense, for transfer to appropriations
6 available to the Department of Defense for military per-
7 sonnel of the reserve components serving under the provi-
8 sions of title 10 and title 32, United States Code; for oper-
9 ation and maintenance; for procurement; and for research,
10 development, test and evaluation, \$872,525,000, of which
11 \$507,171,000 shall be for counter-narcotics support;
12 \$117,900,000 shall be for the drug demand reduction pro-
13 gram; \$217,178,000 shall be for the National Guard
14 counter-drug program; and \$30,276,000 shall be for the Na-
15 tional Guard counter-drug schools program: Provided, That
16 the funds appropriated under this heading shall be avail-
17 able for obligation for the same time period and for the
18 same purpose as the appropriation to which transferred:
19 Provided further, That upon a determination that all or
20 part of the funds transferred from this appropriation are
21 not necessary for the purposes provided herein, such
22 amounts may be transferred back to this appropriation:
23 Provided further, That the transfer authority provided
24 under this heading is in addition to any other transfer au-
25 thority contained elsewhere in this Act.

1 *OFFICE OF THE INSPECTOR GENERAL*

2 *For expenses and activities of the Office of the Inspector*

3 *General in carrying out the provisions of the Inspector*

4 *General Act of 1978, as amended, \$329,273,000, of which*

5 *\$325,236,000 shall be for operation and maintenance, of*

6 *which not to exceed \$700,000 is available for emergencies*

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

8 *or authority of the Inspector General, and payments may*

9 *be made on the Inspector General's certificate of necessity*

10 *for confidential military purposes; of which \$60,000, to re-*

11 *main available for obligation until September 30, 2021,*

12 *shall be for procurement; and of which \$3,977,000, to re-*

13 *main available until September 30, 2020, shall be for re-*

14 *search, development, test and evaluation.*

15 **TITLE VII**

16 **RELATED AGENCIES**

17 **CENTRAL INTELLIGENCE AGENCY RETIREMENT AND**

18 **DISABILITY SYSTEM FUND**

19 *For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper*

20 *funding level for continuing the operation of the Central*

21 *Intelligence Agency Retirement and Disability System,*

22 *\$514,000,000.*

1 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

2 *For necessary expenses of the Intelligence Community
3 Management Account, \$529,624,000.*

4 *TITLE VIII*5 *GENERAL PROVISIONS*

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

9 *SEC. 8002. During the current fiscal year, provisions
10 of law prohibiting the payment of compensation to, or em-
11 ployment of, any person not a citizen of the United States
12 shall not apply to personnel of the Department of Defense:
13 Provided, That salary increases granted to direct and indi-
14 rect hire foreign national employees of the Department of
15 Defense funded by this Act shall not be at a rate in excess
16 of the percentage increase authorized by law for civilian
17 employees of the Department of Defense whose pay is com-
18 puted under the provisions of section 5332 of title 5, United
19 States Code, or at a rate in excess of the percentage increase
20 provided by the appropriate host nation to its own employ-
21 ees, whichever is higher: Provided further, That this section
22 shall not apply to Department of Defense foreign service
23 national employees serving at United States diplomatic
24 missions whose pay is set by the Department of State under
25 the Foreign Service Act of 1980: Provided further, That the*

1 limitations of this provision shall not apply to foreign na-
2 tional employees of the Department of Defense in the Re-
3 public of Turkey.

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

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

14 (TRANSFER OF FUNDS)

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

1 *thority to transfer may not be used unless for higher pri-*
2 *ority items, based on unforeseen military requirements,*
3 *than those for which originally appropriated and in no case*
4 *where the item for which funds are requested has been de-*
5 *nied by the Congress: Provided further, That the Secretary*
6 *of Defense shall notify the Congress promptly of all transfers*
7 *made pursuant to this authority or any other authority in*
8 *this Act: Provided further, That no part of the funds in*
9 *this Act shall be available to prepare or present a request*
10 *to the Committees on Appropriations for reprogramming*
11 *of funds, unless for higher priority items, based on unfore-*
12 *seen military requirements, than those for which originally*
13 *appropriated and in no case where the item for which re-*
14 *programming is requested has been denied by the Congress:*
15 *Provided further, That a request for multiple*
16 *reprogrammings of funds using authority provided in this*
17 *section shall be made prior to June 30, 2019: Provided fur-*
18 *ther, That transfers among military personnel appropria-*
19 *tions shall not be taken into account for purposes of the*
20 *limitation on the amount of funds that may be transferred*
21 *under this section.*

22 SEC. 8006. (a) *With regard to the list of specific pro-*
23 *grams, projects, and activities (and the dollar amounts and*
24 *adjustments to budget activities corresponding to such pro-*
25 *grams, projects, and activities) contained in the tables titled*

1 “Committee Recommended Adjustments” in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

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

15 SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2019: Provided, That the report shall include—

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

1 (2) a delineation in the table for each appropriation
2 both by budget activity and program, project,
3 and activity as detailed in the Budget Appendix; and
4 (3) an identification of items of special congressional
5 interest.

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

15 (1) "Environmental Restoration, Army";
16 (2) "Environmental Restoration, Navy";
17 (3) "Environmental Restoration, Air Force";
18 (4) "Environmental Restoration, Defense-Wide";
19 (5) "Environmental Restoration, Formerly Used
20 Defense Sites"; and
21 (6) "Drug Interdiction and Counter-drug Activi-
22 ties, Defense".

23 (*TRANSFER OF FUNDS*)

24 SEC. 8008. During the current fiscal year, cash bal-
25 ances in working capital funds of the Department of De-

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

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

23 SEC. 8010. None of the funds provided in this Act shall
24 be available to initiate: (1) a multiyear contract that em-
25 ploys economic order quantity procurement in excess of

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

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

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

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

18 (4) the contract does not provide for a price ad-
19 justment based on a failure to award a follow-on con-
20 tract.

21 Funds appropriated in title III of this Act may be
22 used for multiyear procurement contracts for any or all of
23 the following projects:

24 (1) Standard Missile-3 IB;

25 (2) Standard Missile-6;

1 (3) *F/A-18E/F Super Hornet and EA-18G Air-*
2 *craft variants;*

3 (4) *E-2D Advanced Hawkeye (AHE) Aircraft;*

4 (5) *C-130J, KC-130J, HC-130J; MC-130J,*
5 *AC-130J Aircraft; and*

6 (6) *SSN Virginia Class Submarines and Govern-*
7 *ment-furnished equipment:*

8 *Provided, That the multiyear procurement authority for the*
9 *E-2D Advanced Hawkeye (AHE) and the F/A-18E/F*
10 *Super Hornet programs provided for by this section shall*
11 *be subject to the certification requirement in section*
12 *2306b(i) of title 10, United States Code, with the cost anal-*
13 *ysis in connection with such certification to be current as*
14 *of the date of such certification and to be submitted to Con-*
15 *gress prior to the Secretary exercising the authority in ac-*
16 *cordance with section 2306b(i)(3) of title 10, United States*
17 *Code: Provided further, That the multiyear procurement*
18 *authority for the Standard Missile—6 program provided*
19 *for by this section shall be subject to the certification re-*
20 *quirement in section 2306b(i) of title 10, United States*
21 *Code, with the cost analysis in connection with such certifi-*
22 *cation to be current as of the date of such certification and*
23 *to be submitted to Congress prior to the Secretary exercising*
24 *the authority in accordance with section 2306b(i)(3) of title*
25 *10, United States Code.*

1 *SEC. 8011. Within the funds appropriated for the oper-*
2 *ation and maintenance of the Armed Forces, funds are here-*
3 *by appropriated pursuant to section 401 of title 10, United*
4 *States Code, for humanitarian and civic assistance costs*
5 *under chapter 20 of title 10, United States Code. Such funds*
6 *may also be obligated for humanitarian and civic assist-*
7 *ance costs incidental to authorized operations and pursuant*
8 *to authority granted in section 401 of chapter 20 of title*
9 *10, United States Code, and these obligations shall be re-*
10 *ported as required by section 401(d) of title 10, United*
11 *States Code: Provided, That funds available for operation*
12 *and maintenance shall be available for providing humani-*
13 *tarian and similar assistance by using Civic Action Teams*
14 *in the Trust Territories of the Pacific Islands and freely*
15 *associated states of Micronesia, pursuant to the Compact*
16 *of Free Association as authorized by Public Law 99-239:*
17 *Provided further, That upon a determination by the Sec-*
18 *retary of the Army that such action is beneficial for grad-*
19 *uate medical education programs conducted at Army med-*
20 *ical facilities located in Hawaii, the Secretary of the Army*
21 *may authorize the provision of medical services at such fa-*
22 *cilities and transportation to such facilities, on a nonreim-*
23 *bursable basis, for civilian patients from American Samoa,*
24 *the Commonwealth of the Northern Mariana Islands, the*

1 Marshall Islands, the Federated States of Micronesia,
2 Palau, and Guam.

3 SEC. 8012. (a) During the current fiscal year, the ci-
4 vilian personnel of the Department of Defense may not be
5 managed on the basis of any end-strength, and the manage-
6 ment of such personnel during that fiscal year shall not be
7 subject to any constraint or limitation (known as an end-
8 strength) on the number of such personnel who may be em-
9 ployed on the last day of such fiscal year.

10 (b) The fiscal year 2020 budget request for the Depart-
11 ment of Defense as well as all justification material and
12 other documentation supporting the fiscal year 2020 De-
13 partment of Defense budget request shall be prepared and
14 submitted to the Congress as if subsections (a) and (b) of
15 this provision were effective with regard to fiscal year 2020.

16 (c) Nothing in this section shall be construed to apply
17 to military (civilian) technicians.

18 SEC. 8013. None of the funds made available by this
19 Act shall be used in any way, directly or indirectly, to in-
20 fluence congressional action on any legislation or appro-
21 priation matters pending before the Congress.

22 SEC. 8014. None of the funds appropriated by this Act
23 shall be available for the basic pay and allowances of any
24 member of the Army participating as a full-time student
25 and receiving benefits paid by the Secretary of Veterans Af-

1 fairs from the Department of Defense Education Benefits
2 Fund when time spent as a full-time student is credited
3 toward completion of a service commitment: Provided, That
4 this section shall not apply to those members who have reen-
5 listed with this option prior to October 1, 1987: Provided
6 further, That this section applies only to active components
7 of the Army.

8 (TRANSFER OF FUNDS)

9 SEC. 8015. Funds appropriated in title III of this Act
10 for the Department of Defense Pilot Mentor-Protégé Pro-
11 gram may be transferred to any other appropriation con-
12 tained in this Act solely for the purpose of implementing
13 a Mentor-Protégé Program developmental assistance agree-
14 ment pursuant to section 831 of the National Defense Au-
15 thorization Act for Fiscal Year 1991 (Public Law 101-510;
16 10 U.S.C. 2302 note), as amended, under the authority of
17 this provision or any other transfer authority contained in
18 this Act.

19 SEC. 8016. None of the funds appropriated by this Act
20 shall be used for the support of any nonappropriated funds
21 activity of the Department of Defense that procures malt
22 beverages and wine with nonappropriated funds for resale
23 (including such alcoholic beverages sold by the drink) on
24 a military installation located in the United States unless
25 such malt beverages and wine are procured within that

1 State, or in the case of the District of Columbia, within
2 the District of Columbia, in which the military installation
3 is located: Provided, That, in a case in which the military
4 installation is located in more than one State, purchases
5 may be made in any State in which the installation is lo-
6 cated: Provided further, That such local procurement re-
7 quirements for malt beverages and wine shall apply to all
8 alcoholic beverages only for military installations in States
9 which are not contiguous with another State: Provided fur-
10 ther, That alcoholic beverages other than wine and malt bev-
11 erages, in contiguous States and the District of Columbia
12 shall be procured from the most competitive source, price
13 and other factors considered.

14 SEC. 8017. None of the funds available to the Depart-
15 ment of Defense may be used to demilitarize or dispose of
16 M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber
17 rifles, .30 caliber rifles, or M-1911 pistols, or to demili-
18 tarize or destroy small arms ammunition or ammunition
19 components that are not otherwise prohibited from commer-
20 cial sale under Federal law, unless the small arms ammuni-
21 tion or ammunition components are certified by the Sec-
22 retary of the Army or designee as unserviceable or unsafe
23 for further use.

24 SEC. 8018. No more than \$500,000 of the funds appro-
25 priated or made available in this Act shall be used during

1 a single fiscal year for any single relocation of an organiza-
2 tion, unit, activity or function of the Department of Defense
3 into or within the National Capital Region: Provided, That
4 the Secretary of Defense may waive this restriction on a
5 case-by-case basis by certifying in writing to the congres-
6 sional defense committees that such a relocation is required
7 in the best interest of the Government.

8 SEC. 8019. Of the funds made available in this Act,
9 up to \$15,000,000 may be available for incentive payments
10 authorized by section 504 of the Indian Financing Act of
11 1974 (25 U.S.C. 1544): Provided, That a prime contractor
12 or a subcontractor at any tier that makes a subcontract
13 award to any subcontractor or supplier as defined in sec-
14 tion 1544 of title 25, United States Code, or a small busi-
15 ness owned and controlled by an individual or individuals
16 defined under section 4221(9) of title 25, United States
17 Code, shall be considered a contractor for the purposes of
18 being allowed additional compensation under section 504
19 of the Indian Financing Act of 1974 (25 U.S.C. 1544)
20 whenever the prime contract or subcontract amount is over
21 \$500,000 and involves the expenditure of funds appro-
22 priated by an Act making appropriations for the Depart-
23 ment of Defense with respect to any fiscal year: Provided
24 further, That notwithstanding section 1906 of title 41,
25 United States Code, this section shall be applicable to any

1 *Department of Defense acquisition of supplies or services,*
2 *including any contract and any subcontract at any tier for*
3 *acquisition of commercial items produced or manufactured,*
4 *in whole or in part, by any subcontractor or supplier de-*
5 *fined in section 1544 of title 25, United States Code, or*
6 *a small business owned and controlled by an individual or*
7 *individuals defined under section 4221(9) of title 25,*
8 *United States Code.*

9 SEC. 8020. *Funds appropriated by this Act for the De-*
10 *fense Media Activity shall not be used for any national or*
11 *international political or psychological activities.*

12 SEC. 8021. *During the current fiscal year, the Depart-*
13 *ment of Defense is authorized to incur obligations of not*
14 *to exceed \$350,000,000 for purposes specified in section*
15 *2350j(c) of title 10, United States Code, in anticipation of*
16 *receipt of contributions, only from the Government of Ku-*
17 *wait, under that section: Provided, That, upon receipt, such*
18 *contributions from the Government of Kuwait shall be cred-*
19 *ited to the appropriations or fund which incurred such obli-*
20 *gations.*

21 SEC. 8022. (a) *Of the funds made available in this*
22 *Act, not less than \$46,100,000 shall be available for the*
23 *Civil Air Patrol Corporation, of which—*

24 (1) *\$33,600,000 shall be available from “Oper-*
25 *ation and Maintenance, Air Force” to support Civil*

1 *Air Patrol Corporation operation and maintenance,*
2 *readiness, counter-drug activities, and drug demand*
3 *reduction activities involving youth programs;*

4 *(2) \$10,800,000 shall be available from “Aircraft*
5 *Procurement, Air Force”; and*

6 *(3) \$1,700,000 shall be available from “Other*
7 *Procurement, Air Force” for vehicle procurement.*

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

12 ~~SEC. 8023. (a) None of the funds appropriated in this~~
13 ~~Act are available to establish a new Department of Defense~~
14 ~~(department) federally funded research and development~~
15 ~~center (FFRDC), either as a new entity, or as a separate~~
16 ~~entity administrated by an organization managing another~~
17 ~~FFRDC, or as a nonprofit membership corporation con-~~
18 ~~sisting of a consortium of other FFRDCs and other non-~~
19 ~~profit entities.~~

20 *(b) No member of a Board of Directors, Trustees, Over-*
21 *seers, Advisory Group, Special Issues Panel, Visiting Com-*
22 *mittee, or any similar entity of a defense FFRDC, and no*
23 *paid consultant to any defense FFRDC, except when acting*
24 *in a technical advisory capacity, may be compensated for*
25 *his or her services as a member of such entity, or as a paid*

1 consultant by more than one FFRDC in a fiscal year: Pro-
2 vided, That a member of any such entity referred to pre-
3 viously in this subsection shall be allowed travel expenses
4 and per diem as authorized under the Federal Joint Travel
5 Regulations, when engaged in the performance of member-
6 ship duties.

7 (c) Notwithstanding any other provision of law, none
8 of the funds available to the department from any source
9 during the current fiscal year may be used by a defense
10 FFRDC, through a fee or other payment mechanism, for
11 construction of new buildings not located on a military in-
12 stallation, for payment of cost sharing for projects funded
13 by Government grants, for absorption of contract overruns,
14 or for certain charitable contributions, not to include em-
15 ployee participation in community service and/or develop-
16 ment.

17 (d) Notwithstanding any other provision of law, of the
18 funds available to the department during fiscal year 2019,
19 not more than 6,030 staff years of technical effort (staff
20 years) may be funded for defense FFRDCs: Provided, That,
21 of the specific amount referred to previously in this sub-
22 section, not more than 1,125 staff years may be funded for
23 the defense studies and analysis FFRDCs: Provided further,
24 That this subsection shall not apply to staff years funded

1 *in the National Intelligence Program (NIP) and the Mili-*
2 *tary Intelligence Program (MIP).*

3 *(e) The Secretary of Defense shall, with the submission*
4 *of the department's fiscal year 2020 budget request, submit*
5 *a report presenting the specific amounts of staff years of*
6 *technical effort to be allocated for each defense FFRDC dur-*
7 *ing that fiscal year and the associated budget estimates.*

8 *(f) Notwithstanding any other provision of this Act,*
9 *the total amount appropriated in this Act for FFRDCs is*
10 *hereby reduced by \$179,000,000: Provided, That this sub-*
11 *section shall not apply to appropriations for the National*
12 *Intelligence Program (NIP) and the Military Intelligence*
13 *Program (MIP).*

14 *SEC. 8024. None of the funds appropriated or made*
15 *available in this Act shall be used to procure carbon, alloy,*
16 *or armor steel plate for use in any Government-owned facil-*
17 *ity or property under the control of the Department of De-*
18 *fense which were not melted and rolled in the United States*
19 *or Canada: Provided, That these procurement restrictions*
20 *shall apply to any and all Federal Supply Class 9515,*
21 *American Society of Testing and Materials (ASTM) or*
22 *American Iron and Steel Institute (AISI) specifications of*
23 *carbon, alloy or armor steel plate: Provided further, That*
24 *the Secretary of the military department responsible for the*
25 *procurement may waive this restriction on a case-by-case*

1 basis by certifying in writing to the Committees on Appro-
2 priations of the House of Representatives and the Senate
3 that adequate domestic supplies are not available to meet
4 Department of Defense requirements on a timely basis and
5 that such an acquisition must be made in order to acquire
6 capability for national security purposes: Provided further,
7 That these restrictions shall not apply to contracts which
8 are in being as of the date of the enactment of this Act.

9 SEC. 8025. For the purposes of this Act, the term “con-
10 gressional defense committees” means the Armed Services
11 Committee of the House of Representatives, the Armed Serv-
12 ices Committee of the Senate, the Subcommittee on Defense
13 of the Committee on Appropriations of the Senate, and the
14 Subcommittee on Defense of the Committee on Appropria-
15 tions of the House of Representatives.

16 SEC. 8026. During the current fiscal year, the Depart-
17 ment of Defense may acquire the modification, depot main-
18 tenance and repair of aircraft, vehicles and vessels as well
19 as the production of components and other Defense-related
20 articles, through competition between Department of De-
21 fense depot maintenance activities and private firms: Pro-
22 vided, That the Senior Acquisition Executive of the military
23 department or Defense Agency concerned, with power of del-
24 egation, shall certify that successful bids include comparable
25 estimates of all direct and indirect costs for both public and

1 private bids: Provided further, That Office of Management
2 and Budget Circular A-76 shall not apply to competitions
3 conducted under this section.

4 SEC. 8027. (a)(1) If the Secretary of Defense, after con-
5 sultation with the United States Trade Representative, de-
6 termines that a foreign country which is party to an agree-
7 ment described in paragraph (2) has violated the terms of
8 the agreement by discriminating against certain types of
9 products produced in the United States that are covered by
10 the agreement, the Secretary of Defense shall rescind the
11 Secretary's blanket waiver of the Buy American Act with
12 respect to such types of products produced in that foreign
13 country.

14 (2) An agreement referred to in paragraph (1) is any
15 reciprocal defense procurement memorandum of under-
16 standing, between the United States and a foreign country
17 pursuant to which the Secretary of Defense has prospec-
18 tively waived the Buy American Act for certain products
19 in that country.

20 (b) The Secretary of Defense shall submit to the Con-
21 gress a report on the amount of Department of Defense pur-
22 chases from foreign entities in fiscal year 2019. Such report
23 shall separately indicate the dollar value of items for which
24 the Buy American Act was waived pursuant to any agree-
25 ment described in subsection (a)(2), the Trade Agreement

1 *Act of 1979 (19 U.S.C. 2501 et seq.), or any international*
2 *agreement to which the United States is a party.*

3 (c) *For purposes of this section, the term “Buy Amer-*
4 *ican Act” means chapter 83 of title 41, United States Code.*

5 SEC. 8028. *During the current fiscal year, amounts*
6 *contained in the Department of Defense Overseas Military*
7 *Facility Investment Recovery Account established by section*
8 *2921(c)(1) of the National Defense Authorization Act of*
9 *1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be*
10 *available until expended for the payments specified by sec-*
11 *tion 2921(c)(2) of that Act.*

12 SEC. 8029. (a) *Notwithstanding any other provision*
13 *of law, the Secretary of the Air Force may convey at no*
14 *cost to the Air Force, without consideration, to Indian*
15 *tribes located in the States of Nevada, Idaho, North Dakota,*
16 *South Dakota, Montana, Oregon, Minnesota, and Wash-*
17 *ington relocatable military housing units located at Grand*
18 *Forks Air Force Base, Malmstrom Air Force Base, Moun-*
19 *tain Home Air Force Base, Ellsworth Air Force Base, and*
20 *Minot Air Force Base that are excess to the needs of the*
21 *Air Force.*

22 (b) *The Secretary of the Air Force shall convey, at no*
23 *cost to the Air Force, military housing units under sub-*
24 *section (a) in accordance with the request for such units*
25 *that are submitted to the Secretary by the Operation Walk-*

1 *ing Shield Program on behalf of Indian tribes located in*
2 *the States of Nevada, Idaho, North Dakota, South Dakota,*
3 *Montana, Oregon, Minnesota, and Washington. Any such*
4 *conveyance shall be subject to the condition that the housing*
5 *units shall be removed within a reasonable period of time,*
6 *as determined by the Secretary.*

7 (c) *The Operation Walking Shield Program shall re-*
8 *solve any conflicts among requests of Indian tribes for hous-*
9 *ing units under subsection (a) before submitting requests*
10 *to the Secretary of the Air Force under subsection (b).*

11 (d) *In this section, the term “Indian tribe” means any*
12 *recognized Indian tribe included on the current list pub-*
13 *lished by the Secretary of the Interior under section 104*
14 *of the Federally Recognized Indian Tribe Act of 1994 (Pub-*
15 *lic Law 103-454; 108 Stat. 4792; 25 U.S.C. 5131).*

16 SEC. 8030. *During the current fiscal year, appropria-*
17 *tions which are available to the Department of Defense for*
18 *operation and maintenance may be used to purchase items*
19 *having an investment item unit cost of not more than*
20 *\$250,000.*

21 SEC. 8031. *Up to \$10,518,000 of the funds appro-*
22 *priated under the heading “Operation and Maintenance,*
23 *Navy” may be made available for the Asia Pacific Regional*
24 *Initiative Program for the purpose of enabling the Pacific*
25 *Command to execute Theater Security Cooperation activi-*

1 ties such as humanitarian assistance, and payment of in-
2 cremental and personnel costs of training and exercising
3 with foreign security forces: Provided, That funds made
4 available for this purpose may be used, notwithstanding
5 any other funding authorities for humanitarian assistance,
6 security assistance or combined exercise expenses: Provided
7 further, That funds may not be obligated to provide assist-
8 ance to any foreign country that is otherwise prohibited
9 from receiving such type of assistance under any other pro-
10 vision of law.

11 SEC. 8032. *The Secretary of Defense shall issue regula-*
12 *tions to prohibit the sale of any tobacco or tobacco-related*
13 *products in military resale outlets in the United States, its*
14 *territories and possessions at a price below the most com-*
15 *petitive price in the local community: Provided, That such*
16 *regulations shall direct that the prices of tobacco or tobacco-*
17 *related products in overseas military retail outlets shall be*
18 *within the range of prices established for military retail*
19 *system stores located in the United States.*

20 SEC. 8033. (a) *During the current fiscal year, none*
21 *of the appropriations or funds available to the Department*
22 *of Defense Working Capital Funds shall be used for the pur-*
23 *chase of an investment item for the purpose of acquiring*
24 *a new inventory item for sale or anticipated sale during*
25 *the current fiscal year or a subsequent fiscal year to cus-*

1 *tomers of the Department of Defense Working Capital*
2 *Funds if such an item would not have been chargeable to*
3 *the Department of Defense Business Operations Fund dur-*
4 *ing fiscal year 1994 and if the purchase of such an invest-*
5 *ment item would be chargeable during the current fiscal*
6 *year to appropriations made to the Department of Defense*
7 *for procurement.*

8 *(b) The fiscal year 2020 budget request for the Depart-*
9 *ment of Defense as well as all justification material and*
10 *other documentation supporting the fiscal year 2020 De-*
11 *partment of Defense budget shall be prepared and submitted*
12 *to the Congress on the basis that any equipment which was*
13 *classified as an end item and funded in a procurement ap-*
14 *propriation contained in this Act shall be budgeted for in*
15 *a proposed fiscal year 2020 procurement appropriation and*
16 *not in the supply management business area or any other*
17 *area or category of the Department of Defense Working*
18 *Capital Funds.*

19 *SEC. 8034. None of the funds appropriated by this Act*
20 *for programs of the Central Intelligence Agency shall re-*
21 *main available for obligation beyond the current fiscal year,*
22 *except for funds appropriated for the Reserve for Contin-*
23 *gencies, which shall remain available until September 30,*
24 *2020: Provided, That funds appropriated, transferred, or*
25 *otherwise credited to the Central Intelligence Agency Cen-*

1 *tral Services Working Capital Fund during this or any*
2 *prior or subsequent fiscal year shall remain available until*
3 *expended: Provided further, That any funds appropriated*
4 *or transferred to the Central Intelligence Agency for ad-*
5 *vanced research and development acquisition, for agent op-*
6 *erations, and for covert action programs authorized by the*
7 *President under section 503 of the National Security Act*
8 *of 1947 (50 U.S.C. 3093) shall remain available until Sep-*
9 *tember 30, 2020.*

10 *SEC. 8035. Of the funds appropriated to the Depart-*
11 *ment of Defense under the heading “Operation and Mainte-*
12 *nance, Defense-Wide”, not less than \$12,000,000 may be*
13 *made available only for the mitigation of environmental*
14 *impacts, including training and technical assistance to*
15 *tribes, related administrative support, the gathering of in-*
16 *formation, documenting of environmental damage, and de-*
17 *veloping a system for prioritization of mitigation and cost*
18 *to complete estimates for mitigation, on Indian lands re-*
19 *sulting from Department of Defense activities.*

20 *SEC. 8036. (a) None of the funds appropriated in this*
21 *Act may be expended by an entity of the Department of*
22 *Defense unless the entity, in expending the funds, complies*
23 *with the Buy American Act. For purposes of this subsection,*
24 *the term “Buy American Act” means chapter 83 of title*
25 *41, United States Code.*

1 (b) If the Secretary of Defense determines that a person
2 has been convicted of intentionally affixing a label bearing
3 a "Made in America" inscription to any product sold in
4 or shipped to the United States that is not made in Amer-
5 ica, the Secretary shall determine, in accordance with sec-
6 tion 2410f of title 10, United States Code, whether the per-
7 son should be debarred from contracting with the Depart-
8 ment of Defense.

9 (c) In the case of any equipment or products purchased
10 with appropriations provided under this Act, it is the sense
11 of the Congress that any entity of the Department of De-
12 fense, in expending the appropriation, purchase only Amer-
13 ican-made equipment and products, provided that Amer-
14 ican-made equipment and products are cost-competitive,
15 quality competitive, and available in a timely fashion.

16 SEC. 8037. (a) Except as provided in subsections (b)
17 and (c), none of the funds made available by this Act may
18 be used—

19 (1) to establish a field operating agency; or
20 (2) to pay the basic pay of a member of the
21 Armed Forces or civilian employee of the department
22 who is transferred or reassigned from a headquarters
23 activity if the member or employee's place of duty re-
24 mains at the location of that headquarters.

1 (b) The Secretary of Defense or Secretary of a military
2 department may waive the limitations in subsection (a),
3 on a case-by-case basis, if the Secretary determines, and cer-
4 tifies to the Committees on Appropriations of the House of
5 Representatives and the Senate that the granting of the
6 waiver will reduce the personnel requirements or the finan-
7 cial requirements of the department.

8 (c) This section does not apply to—

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

11 (2) an Army field operating agency established
12 to eliminate, mitigate, or counter the effects of impro-
13 vised explosive devices, and, as determined by the Sec-
14 retary of the Army, other similar threats;

15 (3) an Army field operating agency established
16 to improve the effectiveness and efficiencies of biomet-
17 ric activities and to integrate common biometric tech-
18 nologies throughout the Department of Defense; or

19 (4) an Air Force field operating agency estab-
20 lished to administer the Air Force Mortuary Affairs
21 Program and Mortuary Operations for the Depart-
22 ment of Defense and authorized Federal entities.

23 SEC. 8038. (a) None of the funds appropriated by this
24 Act shall be available to convert to contractor performance
25 an activity or function of the Department of Defense that,

1 on or after the date of the enactment of this Act, is per-
2 formed by Department of Defense civilian employees un-
3 less—

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

8 (2) the Competitive Sourcing Official determines
9 that, over all performance periods stated in the solici-
10 tation of offers for performance of the activity or
11 function, the cost of performance of the activity or
12 function by a contractor would be less costly to the
13 Department of Defense by an amount that equals or
14 exceeds the lesser of—

15 (A) 10 percent of the most efficient organi-
16 zation's personnel-related costs for performance
17 of that activity or function by Federal employ-
18 ees; or

19 (B) \$10,000,000; and

20 (3) the contractor does not receive an advantage
21 for a proposal that would reduce costs for the Depart-
22 ment of Defense by—

23 (A) not making an employer-sponsored
24 health insurance plan available to the workers

1 *who are to be employed in the performance of*
2 *that activity or function under the contract; or*
3 *(B) offering to such workers an employer-*
4 *sponsored health benefits plan that requires the*
5 *employer to contribute less towards the premium*
6 *or subscription share than the amount that is*
7 *paid by the Department of Defense for health*
8 *benefits for civilian employees under chapter 89*
9 *of title 5, United States Code.*

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

17 *(A) is included on the procurement list estab-*
18 *lished pursuant to section 2 of the Javits-Wagner-*
19 *O'Day Act (section 8503 of title 41, United States*
20 *Code);*

21 *(B) is planned to be converted to performance by*
22 *a qualified nonprofit agency for the blind or by a*
23 *qualified nonprofit agency for other severely handi-*
24 *capped individuals in accordance with that Act; or*

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

11 (c) The conversion of any activity or function of the
12 Department of Defense under the authority provided by this
13 section shall be credited toward any competitive or out-
14 sourcing goal, target, or measurement that may be estab-
15 lished by statute, regulation, or policy and is deemed to
16 be awarded under the authority of, and in compliance with,
17 subsection (h) of section 2304 of title 10, United States
18 Code, for the competition or outsourcing of commercial ac-
19 tivities.

20 (RESCISSIONS)

SEC. 8039. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That no amounts may be rescinded from amounts that were designated by the Con-

1 *gress for Overseas Contingency Operations/Global War on*
2 *Terrorism or as an emergency requirement pursuant to the*
3 *Concurrent Resolution on the Budget or the Balanced Budg-*
4 *et and Emergency Deficit Control Act of 1985, as amended:*

5 “*Aircraft Procurement, Army*”, 2017/2019,

6 \$16,000,000;

7 “*Missile Procurement, Army*”, 2017/2019,

8 \$12,900,000;

9 “*Other Procurement, Army*”, 2017/2019,

10 \$7,465,000;

11 “*Other Procurement, Navy*”, 2017/2019,

12 \$32,344,000;

13 “*Aircraft Procurement, Air Force*”, 2017/2019,

14 \$179,029,000;

15 “*Space Procurement, Air Force*”, 2017/2019,

16 \$15,000,000;

17 “*Other Procurement, Air Force*”, 2017/2019,

18 \$29,600,000;

19 “*Defense Health Program: Procurement*”, 2017/
20 2019, \$2,413,000;

21 “*Aircraft Procurement, Army*”, 2018/2020,

22 \$4,939,000;

23 “*Missile Procurement, Army*”, 2018/2020,

24 \$149,400,000;

1 *“Procurement of Weapons and Tracked Combat*
2 *Vehicles, Army”*, 2018/2020, \$210,506,000;
3 *“Other Procurement, Army”*, 2018/2020,
4 \$115,389,000;
5 *“Aircraft Procurement, Navy”*, 2018/2020,
6 \$14,600,000;
7 *“Other Procurement, Navy”*, 2018/2020,
8 \$36,600,000;
9 *“Aircraft Procurement, Air Force”*, 2018/2020,
10 \$254,166,000;
11 *“Space Procurement, Air Force”*, 2018/2020,
12 \$192,300,000;
13 *“Procurement of Ammunition, Air Force”*, 2018/
14 2020, \$17,100,000;
15 *“Other Procurement, Air Force”*, 2018/2020,
16 \$128,500,000;
17 *“Research, Development, Test and Evaluation,*
18 *Army”*, 2018/2019, \$237,384,000;
19 *“Research, Development, Test and Evaluation,*
20 *Air Force”*, 2018/2019, \$505,300,000;
21 *“Research, Development, Test and Evaluation,*
22 *Defense-Wide”*, 2018/2019, \$25,000,000; and
23 *“Defense Health Program: Procurement”*, 2018/
24 2020, \$215,000,000.

1 *SEC. 8040. None of the funds available in this Act may*
2 *be used to reduce the authorized positions for military tech-*
3 *nicians (dual status) of the Army National Guard, Air Na-*
4 *tional Guard, Army Reserve and Air Force Reserve for the*
5 *purpose of applying any administratively imposed civilian*
6 *personnel ceiling, freeze, or reduction on military techni-*
7 *cians (dual status), unless such reductions are a direct re-*
8 *sult of a reduction in military force structure.*

9 *SEC. 8041. None of the funds appropriated or other-*
10 *wise made available in this Act may be obligated or ex-*
11 *pended for assistance to the Democratic People's Republic*
12 *of Korea unless specifically appropriated for that purpose.*

13 *SEC. 8042. Funds appropriated in this Act for oper-*
14 *ation and maintenance of the Military Departments, Com-*
15 *batant Commands and Defense Agencies shall be available*
16 *for reimbursement of pay, allowances and other expenses*
17 *which would otherwise be incurred against appropriations*
18 *for the National Guard and Reserve when members of the*
19 *National Guard and Reserve provide intelligence or coun-*
20 *terintelligence support to Combatant Commands, Defense*
21 *Agencies and Joint Intelligence Activities, including the ac-*
22 *tivities and programs included within the National Intel-*
23 *ligence Program and the Military Intelligence Program:*
24 *Provided, That nothing in this section authorizes deviation*

1 from established Reserve and National Guard personnel and
2 training procedures.

3 SEC. 8043. (a) None of the funds available to the De-
4 partment of Defense for any fiscal year for drug interdic-
5 tion or counter-drug activities may be transferred to any
6 other department or agency of the United States except as
7 specifically provided in an appropriations law.

8 (b) None of the funds available to the Central Intel-
9 ligence Agency for any fiscal year for drug interdiction or
10 counter-drug activities may be transferred to any other de-
11 partment or agency of the United States except as specifi-
12 cally provided in an appropriations law.

13 SEC. 8044. Of the amounts appropriated for "Working
14 Capital Fund, Army", \$99,000,000 shall be available to
15 maintain competitive rates at the arsenals.

16 SEC. 8045. In addition to the amounts appropriated
17 or otherwise made available elsewhere in this Act,
18 \$20,000,000 is hereby appropriated to the Department of
19 Defense: Provided, That upon the determination of the Sec-
20 retary of Defense that it shall serve the national interest,
21 the Secretary shall make grants in the amounts specified
22 as follows: \$20,000,000 to the United Service Organizations.

23 SEC. 8046. None of the funds in this Act may be used
24 to purchase any supercomputer which is not manufactured
25 in the United States, unless the Secretary of Defense cer-

1 *tifies to the congressional defense committees that such an*
2 *acquisition must be made in order to acquire capability for*
3 *national security purposes that is not available from*
4 *United States manufacturers.*

5 *SEC. 8047. Notwithstanding any other provision in*
6 *this Act, the Small Business Innovation Research program*
7 *and the Small Business Technology Transfer program set-*
8 *asides shall be taken proportionally from all programs,*
9 *projects, or activities to the extent they contribute to the*
10 *extramural budget.*

11 *SEC. 8048. None of the funds available to the Depart-*
12 *ment of Defense under this Act shall be obligated or ex-*
13 *pended to pay a contractor under a contract with the De-*
14 *partment of Defense for costs of any amount paid by the*
15 *contractor to an employee when—*

16 *(1) such costs are for a bonus or otherwise in ex-*
17 *cess of the normal salary paid by the contractor to the*
18 *employee; and*

19 *(2) such bonus is part of restructuring costs asso-*
20 *ciated with a business combination.*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *SEC. 8049. During the current fiscal year, no more*
23 *than \$30,000,000 of appropriations made in this Act under*
24 *the heading “Operation and Maintenance, Defense-Wide”*
25 *may be transferred to appropriations available for the pay*

1 of military personnel, to be merged with, and to be available
2 for the same time period as the appropriations to which
3 transferred, to be used in support of such personnel in con-
4 nection with support and services for eligible organizations
5 and activities outside the Department of Defense pursuant
6 to section 2012 of title 10, United States Code.

7 SEC. 8050. During the current fiscal year, in the case
8 of an appropriation account of the Department of Defense
9 for which the period of availability for obligation has ex-
10 pired or which has closed under the provisions of section
11 1552 of title 31, United States Code, and which has a nega-
12 tive unliquidated or unexpended balance, an obligation or
13 an adjustment of an obligation may be charged to any cur-
14 rent appropriation account for the same purpose as the ex-
15 pired or closed account if—

16 (1) the obligation would have been properly
17 chargeable (except as to amount) to the expired or
18 closed account before the end of the period of avail-
19 ability or closing of that account;

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

23 (3) in the case of an expired account, the obliga-
24 tion is not chargeable to a current appropriation of
25 the Department of Defense under the provisions of sec-

1 *tion 1405(b)(8) of the National Defense Authorization*
2 *Act for Fiscal Year 1991, Public Law 101-510, as*
3 *amended (31 U.S.C. 1551 note): Provided, That in*
4 *the case of an expired account, if subsequent review*
5 *or investigation discloses that there was not in fact a*
6 *negative unliquidated or unexpended balance in the*
7 *account, any charge to a current account under the*
8 *authority of this section shall be reversed and re-*
9 *corded against the expired account: Provided further,*
10 *That the total amount charged to a current appro-*
11 *priation under this section may not exceed an*
12 *amount equal to 1 percent of the total appropriation*
13 *for that account.*

14 SEC. 8051. (a) *Notwithstanding any other provision*
15 *of law, the Chief of the National Guard Bureau may permit*
16 *the use of equipment of the National Guard Distance Learn-*
17 *ing Project by any person or entity on a space-available,*
18 *reimbursable basis. The Chief of the National Guard Bu-*
19 *reau shall establish the amount of reimbursement for such*
20 *use on a case-by-case basis.*

21 (b) *Amounts collected under subsection (a) shall be*
22 *credited to funds available for the National Guard Distance*
23 *Learning Project and be available to defray the costs associ-*
24 *ated with the use of equipment of the project under that*

1 subsection. Such funds shall be available for such purposes
2 without fiscal year limitation.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8052. Of the funds appropriated in this Act
5 under the heading "Operation and Maintenance, Defense-
6 wide", \$25,000,000 shall be for continued implementation
7 and expansion of the Sexual Assault Special Victims' Coun-
8 sel Program: Provided, That the funds are made available
9 for transfer to the Department of the Army, the Department
10 of the Navy, and the Department of the Air Force: Provided
11 further, That funds transferred shall be merged with and
12 available for the same purposes and for the same time pe-
13 riod as the appropriations to which the funds are trans-
14 ferred: Provided further, That this transfer authority is in
15 addition to any other transfer authority provided in this
16 Act.

17 SEC. 8053. None of the funds appropriated in title IV
18 of this Act may be used to procure end-items for delivery
19 to military forces for operational training, operational use
20 or inventory requirements: Provided, That this restriction
21 does not apply to end-items used in development, proto-
22 typing, and test activities preceding and leading to accept-
23 ance for operational use: Provided further, That the Sec-
24 retary of Defense shall, with submission of the department's
25 fiscal year 2020 budget request, submit a report detailing

1 *the use of funds requested in research, development, test and*
2 *evaluation accounts for end-items used in development,*
3 *prototyping and test activities preceding and leading to ac-*
4 *ceptance for operational use: Provided further, That this re-*
5 *striction does not apply to programs funded within the Na-*
6 *tional Intelligence Program: Provided further, That the Sec-*
7 *retary of Defense may waive this restriction on a case-by-*
8 *case basis by certifying in writing to the Committees on*
9 *Appropriations of the House of Representatives and the*
10 *Senate that it is in the national security interest to do so.*

11 SEC. 8054. (a) *The Secretary of Defense may, on a*
12 *case-by-case basis, waive with respect to a foreign country*
13 *each limitation on the procurement of defense items from*
14 *foreign sources provided in law if the Secretary determines*
15 *that the application of the limitation with respect to that*
16 *country would invalidate cooperative programs entered into*
17 *between the Department of Defense and the foreign country,*
18 *or would invalidate reciprocal trade agreements for the pro-*
19 *curement of defense items entered into under section 2531*
20 *of title 10, United States Code, and the country does not*
21 *discriminate against the same or similar defense items pro-*
22 *duced in the United States for that country.*

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

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

1 (2) options for the procurement of items that are
2 exercised after such date under contracts that are en-
3 tered into before such date if the option prices are ad-
4 justed for any reason other than the application of a
5 waiver granted under subsection (a).

6 (c) Subsection (a) does not apply to a limitation re-
7 garding construction of public vessels, ball and roller bear-
8 ings, food, and clothing or textile materials as defined by
9 section XI (chapters 50–65) of the Harmonized Tariff
10 Schedule of the United States and products classified under
11 headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019,
12 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502
13 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

14 (*INCLUDING TRANSFER OF FUNDS*)

15 SEC. 8055. Of the amounts appropriated for “Oper-
16 ation and Maintenance, Navy”, up to \$1,000,000 shall be
17 available for transfer to the John C. Stennis Center for Pub-
18 lic Service Development Trust Fund established under sec-
19 tion 116 of the John C. Stennis Center for Public Service
20 Training and Development Act (2 U.S.C. 1105).

21 SEC. 8056. Notwithstanding any other provision of
22 law, funds appropriated in this Act under the heading “Re-
23 search, Development, Test and Evaluation, Defense-Wide”
24 for any new start advanced concept technology demonstra-
25 tion project or joint capability demonstration project may

1 only be obligated 45 days after a report, including a de-
2 scription of the project, the planned acquisition and transi-
3 tion strategy and its estimated annual and total cost, has
4 been provided in writing to the congressional defense com-
5 mittees: Provided, That the Secretary of Defense may waive
6 this restriction on a case-by-case basis by certifying to the
7 congressional defense committees that it is in the national
8 interest to do so.

9 SEC. 8057. The Secretary of Defense shall continue to
10 provide a classified quarterly report to the House and Sen-
11 ate Appropriations Committees, Subcommittees on Defense
12 on certain matters as directed in the classified annex ac-
13 companying this Act.

14 SEC. 8058. Notwithstanding section 12310(b) of title
15 10, United States Code, a Reserve who is a member of the
16 National Guard serving on full-time National Guard duty
17 under section 502(f) of title 32, United States Code, may
18 perform duties in support of the ground-based elements of
19 the National Ballistic Missile Defense System.

20 SEC. 8059. None of the funds provided in this Act may
21 be used to transfer to any nongovernmental entity ammuni-
22 tion held by the Department of Defense that has a center-
23 fire cartridge and a United States military nomenclature
24 designation of “armor penetrator”, “armor piercing (AP)”,
25 “armor piercing incendiary (API)”, or “armor-piercing in-

1 cendiary tracer (API-T)”, except to an entity performing
2 demilitarization services for the Department of Defense
3 under a contract that requires the entity to demonstrate to
4 the satisfaction of the Department of Defense that armor
5 piercing projectiles are either: (1) rendered incapable of
6 reuse by the demilitarization process; or (2) used to manu-
7 facture ammunition pursuant to a contract with the De-
8 partment of Defense or the manufacture of ammunition for
9 export pursuant to a License for Permanent Export of Un-
10 classified Military Articles issued by the Department of
11 State.

12 SEC. 8060. Notwithstanding any other provision of
13 law, the Chief of the National Guard Bureau, or his des-
14 ignee, may waive payment of all or part of the consider-
15 ation that otherwise would be required under section 2667
16 of title 10, United States Code, in the case of a lease of
17 personal property for a period not in excess of 1 year to
18 any organization specified in section 508(d) of title 32,
19 United States Code, or any other youth, social, or fraternal
20 nonprofit organization as may be approved by the Chief
21 of the National Guard Bureau, or his designee, on a case-
22 by-case basis.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 8061. Of the amounts appropriated in this Act
25 under the heading “Operation and Maintenance, Army”,

1 \$62,483,700 shall remain available until expended: Pro-
2 vided, That, notwithstanding any other provision of law,
3 the Secretary of Defense is authorized to transfer such funds
4 to other activities of the Federal Government: Provided fur-
5 ther, That the Secretary of Defense is authorized to enter
6 into and carry out contracts for the acquisition of real
7 property, construction, personal services, and operations re-
8 lated to projects carrying out the purposes of this section:
9 Provided further, That contracts entered into under the au-
10 thority of this section may provide for such indemnification
11 as the Secretary determines to be necessary: Provided fur-
12 ther, That projects authorized by this section shall comply
13 with applicable Federal, State, and local law to the max-
14 imum extent consistent with the national security, as deter-
15 mined by the Secretary of Defense.

16 SEC. 8062. (a) None of the funds appropriated in this
17 or any other Act may be used to take any action to mod-
18 ify—

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

23 (2) how the National Intelligence Program budg-
24 et request is presented in the unclassified P-1, R-1,

1 and O-1 documents supporting the Department of
2 Defense budget request;

3 (3) the process by which the National Intelligence
4 Program appropriations are apportioned to the exe-
5 cuting agencies; or

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

9 (b) Nothing in section (a) shall be construed to prohibit
10 the merger of programs or changes to the National Intel-
11 ligence Program budget at or below the Expenditure Center
12 level, provided such change is otherwise in accordance with
13 paragraphs (a)(1)-(3).

14 (c) The Director of National Intelligence and the Sec-
15 retary of Defense may jointly, only for the purposes of
16 achieving auditable financial statements and improving fis-
17 cal reporting, study and develop detailed proposals for al-
18 ternative financial management processes. Such study shall
19 include a comprehensive counterintelligence risk assessment
20 to ensure that none of the alternative processes will ad-
21 versely affect counterintelligence.

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

1 (1) provide the proposed alternatives to all af-
2 fected agencies;

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

7 (3) not later than 30 days after receiving all nec-
8 essary certifications under paragraph (2), present the
9 proposed alternatives and certifications to the con-
10 gressional defense and intelligence committees.

11 SEC. 8063. None of the funds available to the Depart-
12 ment of Defense may be obligated to modify command and
13 control relationships to give Fleet Forces Command oper-
14 ational and administrative control of United States Navy
15 forces assigned to the Pacific fleet: Provided, That the com-
16 mand and control relationships which existed on October
17 1, 2004, shall remain in force until a written modification
18 has been proposed to the House and Senate Appropriations
19 Committees: Provided further, That the proposed modifica-
20 tion may be implemented 30 days after the notification un-
21 less an objection is received from either the House or Senate
22 Appropriations Committees: Provided further, That any
23 proposed modification shall not preclude the ability of the
24 commander of United States Pacific Command to meet
25 operational requirements.

1 *SEC. 8064. Any notice that is required to be submitted
2 to the Committees on Appropriations of the Senate and the
3 House of Representatives under section 806(c)(4) of the Bob
4 Stump National Defense Authorization Act for Fiscal Year
5 2003 (10 U.S.C. 2302 note) after the date of the enactment
6 of this Act shall be submitted pursuant to that requirement
7 concurrently to the Subcommittees on Defense of the Com-
8 mittees on Appropriations of the Senate and the House of
9 Representatives.*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *SEC. 8065. Of the amounts appropriated in this Act
12 under the headings “Procurement, Defense-Wide” and “Re-
13 search, Development, Test and Evaluation, Defense-Wide”,
14 \$500,000,000 shall be for the Israeli Cooperative Programs:
15 Provided, That of this amount, \$70,000,000 shall be for the
16 Secretary of Defense to provide to the Government of Israel
17 for the procurement of the Iron Dome defense system to
18 counter short-range rocket threats, subject to the U.S.-Israel
19 Iron Dome Procurement Agreement, as amended;
20 \$187,000,000 shall be for the Short Range Ballistic Missile
21 Defense (SRBMD) program, including cruise missile de-
22 fense research and development under the SRBMD pro-
23 gram, of which \$50,000,000 shall be for co-production ac-
24 tivities of SRBMD systems in the United States and in
25 Israel to meet Israel’s defense requirements consistent with*

1 each nation's laws, regulations, and procedures, subject to
2 the U.S.-Israeli co-production agreement for SRBMD, as
3 amended; \$80,000,000 shall be for an upper-tier component
4 to the Israeli Missile Defense Architecture, of which
5 \$80,000,000 shall be for co-production activities of Arrow
6 3 Upper Tier systems in the United States and in Israel
7 to meet Israel's defense requirements consistent with each
8 nation's laws, regulations, and procedures, subject to the
9 U.S.-Israeli co-production agreement for Arrow 3 Upper
10 Tier, as amended; and \$163,000,000 shall be for the Arrow
11 System Improvement Program including development of a
12 long range, ground and airborne, detection suite: Provided
13 further, That the transfer authority provided under this
14 provision is in addition to any other transfer authority con-
15 tained in this Act.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8066. Of the amounts appropriated in this Act
18 under the heading "Shipbuilding and Conversion, Navy",
19 \$207,099,000 shall be available until September 30, 2019,
20 to fund prior year shipbuilding cost increases: Provided,
21 That upon enactment of this Act, the Secretary of the Navy
22 shall transfer funds to the following appropriations in the
23 amounts specified: Provided further, That the amounts
24 transferred shall be merged with and be available for the

1 same purposes as the appropriations to which transferred
2 to:

3 (1) Under the heading “Shipbuilding and Con-
4 version, Navy”, 2011/2019: LHA Replacement
5 \$25,100,000;

6 (2) Under the heading “Shipbuilding and Con-
7 version, Navy”, 2013/2019: DDG-51 Destroyer
8 \$53,966,000;

9 (3) Under the heading “Shipbuilding and Con-
10 version, Navy”, 2014/2019: Littoral Combat Ship
11 \$19,498,000;

12 (4) Under the heading “Shipbuilding and Con-
13 version, Navy”, 2015/2019: Littoral Combat Ship
14 \$83,686,000;

15 (5) Under the heading “Shipbuilding and Con-
16 version, Navy”, 2015/2019: LCAC \$9,400,000; and

17 (6) Under the heading “Shipbuilding and Con-
18 version, Navy”, 2016/2019: TAO Fleet Oiler
19 \$15,449,000.

20 SEC. 8067. Funds appropriated by this Act, or made
21 available by the transfer of funds in this Act, for intelligence
22 activities are deemed to be specifically authorized by the
23 Congress for purposes of section 504 of the National Secu-
24 rity Act of 1947 (50 U.S.C. 3094) during fiscal year 2019

1 until the enactment of the Intelligence Authorization Act
2 for Fiscal Year 2019.

3 SEC. 8068. None of the funds provided in this Act shall
4 be available for obligation or expenditure through a re-
5 programming of funds that creates or initiates a new pro-
6 gram, project, or activity unless such program, project, or
7 activity must be undertaken immediately in the interest of
8 national security and only after written prior notification
9 to the congressional defense committees.

10 SEC. 8069. The budget of the President for fiscal year
11 2020 submitted to the Congress pursuant to section 1105
12 of title 31, United States Code, shall include separate budget
13 justification documents for costs of United States Armed
14 Forces' participation in contingency operations for the
15 Military Personnel accounts, the Operation and Mainte-
16 nance accounts, the Procurement accounts, and the Re-
17 search, Development, Test and Evaluation accounts: Pro-
18 vided, That these documents shall include a description of
19 the funding requested for each contingency operation, for
20 each military service, to include all Active and Reserve
21 components, and for each appropriations account: Provided
22 further, That these documents shall include estimated costs
23 for each element of expense or object class, a reconciliation
24 of increases and decreases for each contingency operation,
25 and programmatic data including, but not limited to, troop

1 strength for each Active and Reserve component, and esti-
2 mates of the major weapons systems deployed in support
3 of each contingency: Provided further, That these documents
4 shall include budget exhibits OP-5 and OP-32 (as defined
5 in the Department of Defense Financial Management Regu-
6 lation) for all contingency operations for the budget year
7 and the two preceding fiscal years.

8 SEC. 8070. None of the funds in this Act may be used
9 for research, development, test, evaluation, procurement or
10 deployment of nuclear armed interceptors of a missile de-
11 fense system.

12 SEC. 8071. (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 is designed to block access to
15 pornography websites.

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 or for any activity necessary for the national defense, in-
21 cluding intelligence activities.

22 (TRANSFER OF FUNDS)

23 SEC. 8072. The Secretary of Defense may transfer up
24 to \$800,000,000 of the amounts appropriated or otherwise
25 made available in this Act to the Department of Defense

1 *for the rapid acquisition and deployment of supplies and*
2 *associated support pursuant to section 806 of the Bob*
3 *Stump National Defense Authorization Act for Fiscal Year*
4 *2003 (Public Law 107–314; 10 U.S.C. 2302 note): Pro-*
5 *vided, That the Secretary of Defense shall notify the con-*
6 *gressional defense committees promptly of all transfers*
7 *made pursuant to this authority or any other authority in*
8 *this Act: Provided further, That the transfer authority pro-*
9 *vided in this section is in addition to any other transfer*
10 *authority provided elsewhere in this Act.*

11 SEC. 8073. *None of the funds appropriated or made*
12 *available in this Act shall be used to reduce or disestablish*
13 *the operation of the 53rd Weather Reconnaissance Squad-*
14 *ron of the Air Force Reserve, if such action would reduce*
15 *the WC–130 Weather Reconnaissance mission below the lev-*
16 *els funded in this Act: Provided, That the Air Force shall*
17 *allow the 53rd Weather Reconnaissance Squadron to per-*
18 *form other missions in support of national defense require-*
19 *ments during the non-hurricane season.*

20 SEC. 8074. *None of the funds provided in this Act shall*
21 *be available for integration of foreign intelligence informa-*
22 *tion unless the information has been lawfully collected and*
23 *processed during the conduct of authorized foreign intel-*
24 *ligence activities: Provided, That information pertaining to*
25 *United States persons shall only be handled in accordance*

1 *with protections provided in the Fourth Amendment of the*
2 *United States Constitution as implemented through Execu-*
3 *tive Order No. 12333.*

4 SEC. 8075. (a) *None of the funds appropriated by this*
5 *Act may be used to transfer research and development, ac-*
6 *quisition, or other program authority relating to current*
7 *tactical unmanned aerial vehicles (TUAVs) from the Army.*

8 (b) *The Army shall retain responsibility for and oper-*
9 *ational control of the MQ-1C Gray Eagle Unmanned Aerial*
10 *Vehicle (UAV) in order to support the Secretary of Defense*
11 *in matters relating to the employment of unmanned aerial*
12 *vehicles.*

13 SEC. 8076. *None of the funds appropriated by this Act*
14 *for programs of the Office of the Director of National Intel-*
15 *ligence shall remain available for obligation beyond the cur-*
16 *rent fiscal year, except for funds appropriated for research*
17 *and technology, which shall remain available until Sep-*
18 *tember 30, 2020.*

19 SEC. 8077. *For purposes of section 1553(b) of title 31,*
20 *United States Code, any subdivision of appropriations*
21 *made in this Act under the heading “Shipbuilding and*
22 *Conversion, Navy” shall be considered to be for the same*
23 *purpose as any subdivision under the heading “Ship-*
24 *building and Conversion, Navy” appropriations in any*

1 prior fiscal year, and the 1 percent limitation shall apply
2 to the total amount of the appropriation.

3 SEC. 8078. (a) Not later than 60 days after the date
4 of enactment of this Act, the Director of National Intel-
5 ligence shall submit a report to the congressional intel-
6 ligence committees to establish the baseline for application
7 of reprogramming and transfer authorities for fiscal year
8 2019: Provided, That the report shall include—

9 (1) a table for each appropriation with a sepa-
10 rate column to display the President's budget request,
11 adjustments made by Congress, adjustments due to
12 enacted rescissions, if appropriate, and the fiscal year
13 enacted level;

14 (2) a delineation in the table for each appropria-
15 tion by Expenditure Center and project; and

16 (3) an identification of items of special congres-
17 sional interest.

18 (b) None of the funds provided for the National Intel-
19 ligence Program in this Act shall be available for re-
20 programming or transfer until the report identified in sub-
21 section (a) is submitted to the congressional intelligence
22 committees, unless the Director of National Intelligence cer-
23 tifies in writing to the congressional intelligence committees
24 that such reprogramming or transfer is necessary as an
25 emergency requirement.

1 *SEC. 8079. None of the funds provided in this Act for*
2 *the TAO–205 program shall be used to award a new con-*
3 *tract that provides for the acquisition of the following com-*
4 *ponents unless those components are manufactured in the*
5 *United States: Auxiliary equipment (including pumps) for*
6 *shipboard services; propulsion equipment (including en-*
7 *gines, reduction gears, and propellers); shipboard cranes;*
8 *and spreaders for shipboard cranes.*

9 *SEC. 8080. Notwithstanding any other provision of*
10 *law, any transfer of funds, appropriated or otherwise made*
11 *available by this Act, for support to friendly foreign coun-*
12 *tries in connection with the conduct of operations in which*
13 *the United States is not participating, pursuant to section*
14 *331(d) of title 10, United States Code, shall be made in*
15 *accordance with sections 8005 or 9002 of this Act, as appli-*
16 *cable.*

17 *SEC. 8081. Any transfer of amounts appropriated to,*
18 *credited to, or deposited in the Department of Defense Ac-*
19 *quisition Workforce Development Fund in or for fiscal year*
20 *2019 to a military department or Defense Agency pursuant*
21 *to section 1705(e)(1) of title 10, United States Code, shall*
22 *be covered by and subject to sections 8005 or 9002 of this*
23 *Act, as applicable.*

24 *SEC. 8082. None of the funds made available by this*
25 *Act for excess defense articles, assistance under section 333*

1 of title 10, United States Code, or peacekeeping operations
2 for the countries designated annually to be in violation of
3 the standards of the Child Soldiers Prevention Act of 2008
4 (Public Law 110-457; 22 U.S.C. 2370c-1) may be used to
5 support any military training or operation that includes
6 child soldiers, as defined by the Child Soldiers Prevention
7 Act of 2008, unless such assistance is otherwise permitted
8 under section 404 of the Child Soldiers Prevention Act of
9 2008.

10 SEC. 8083. (a) None of the funds provided for the Na-
11 tional Intelligence Program in this or any prior appropria-
12 tions Act shall be available for obligation or expenditure
13 through a reprogramming or transfer of funds in accord-
14 ance with section 102A(d) of the National Security Act of
15 1947 (50 U.S.C. 3024(d)) that—

16 (1) creates a new start effort;
17 (2) terminates a program with appropriated
18 funding of \$10,000,000 or more;
19 (3) transfers funding into or out of the National
20 Intelligence Program; or
21 (4) transfers funding between appropriations,
22 unless the congressional intelligence committees are notified
23 30 days in advance of such reprogramming of funds; this
24 notification period may be reduced for urgent national se-
25 curity requirements.

1 (b) None of the funds provided for the National Intel-
2 ligence Program in this or any prior appropriations Act
3 shall be available for obligation or expenditure through a
4 reprogramming or transfer of funds in accordance with sec-
5 tion 102A(d) of the National Security Act of 1947 (50
6 U.S.C. 3024(d)) that results in a cumulative increase or
7 decrease of the levels specified in the classified annex accom-
8 panying the Act unless the congressional intelligence com-
9 mittees are notified 30 days in advance of such reprogram-
10 ming of funds; this notification period may be reduced for
11 urgent national security requirements.

12 SEC. 8084. The Director of National Intelligence shall
13 submit to Congress each year, at or about the time that
14 the President's budget is submitted to Congress that year
15 under section 1105(a) of title 31, United States Code, a fu-
16 ture-years intelligence program (including associated an-
17 nexes) reflecting the estimated expenditures and proposed
18 appropriations included in that budget. Any such future-
19 years intelligence program shall cover the fiscal year with
20 respect to which the budget is submitted and at least the
21 four succeeding fiscal years.

22 SEC. 8085. For the purposes of this Act, the term "con-
23 gressional intelligence committees" means the Permanent
24 Select Committee on Intelligence of the House of Represent-
25 atives, the Select Committee on Intelligence of the Senate,

1 *the Subcommittee on Defense of the Committee on Approp-*
2 *priations of the House of Representatives, and the Sub-*
3 *committee on Defense of the Committee on Appropriations*
4 *of the Senate.*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *SEC. 8086. During the current fiscal year, not to ex-*
7 *ceed \$11,000,000 from each of the appropriations made in*
8 *title II of this Act for “Operation and Maintenance, Army”,*
9 *“Operation and Maintenance, Navy”, and “Operation and*
10 *Maintenance, Air Force” may be transferred by the mili-*
11 *tary department concerned to its central fund established*
12 *for Fisher Houses and Suites pursuant to section 2493(d)*
13 *of title 10, United States Code.*

14 *SEC. 8087. None of the funds appropriated by this Act*
15 *may be available for the purpose of making remittances to*
16 *the Department of Defense Acquisition Workforce Develop-*
17 *ment Fund in accordance with section 1705 of title 10,*
18 *United States Code.*

19 *SEC. 8088. (a) Any agency receiving funds made*
20 *available in this Act, shall, subject to subsections (b) and*
21 *(c), post on the public Web site of that agency any report*
22 *required to be submitted by the Congress in this or any*
23 *other Act, upon the determination by the head of the agency*
24 *that it shall serve the national interest.*

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

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

3 (2) the report contains proprietary information.

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

8 SEC. 8089. (a) None of the funds appropriated or oth-
9 erwise made available by this Act may be expended for any
10 Federal contract for an amount in excess of \$1,000,000, un-
11 less the contractor agrees not to—

12 (1) enter into any agreement with any of its em-
13 ployees or independent contractors that requires, as a
14 condition of employment, that the employee or inde-
15 pendent contractor agree to resolve through arbitra-
16 tion any claim under title VII of the Civil Rights Act
17 of 1964 or any tort related to or arising out of sexual
18 assault or harassment, including assault and battery,
19 intentional infliction of emotional distress, false im-
20 prisonment, or negligent hiring, supervision, or reten-
21 tion; or

22 (2) take any action to enforce any provision of
23 an existing agreement with an employee or inde-
24 pendent contractor that mandates that the employee
25 or independent contractor resolve through arbitration

1 *any claim under title VII of the Civil Rights Act of
2 1964 or any tort related to or arising out of sexual
3 assault or harassment, including assault and battery,
4 intentional infliction of emotional distress, false im-
5 prisonment, or negligent hiring, supervision, or reten-
6 tion.*

7 *(b) None of the funds appropriated or otherwise made
8 available by this Act may be expended for any Federal con-
9 tract unless the contractor certifies that it requires each cov-
10 ered subcontractor to agree not to enter into, and not to
11 take any action to enforce any provision of, any agreement
12 as described in paragraphs (1) and (2) of subsection (a),
13 with respect to any employee or independent contractor per-
14 forming work related to such subcontract. For purposes of
15 this subsection, a “covered subcontractor” is an entity that
16 has a subcontract in excess of \$1,000,000 on a contract sub-
17 ject to subsection (a).*

18 *(c) The prohibitions in this section do not apply with
19 respect to a contractor’s or subcontractor’s agreements with
20 employees or independent contractors that may not be en-
21 forced in a court of the United States.*

22 *(d) The Secretary of Defense may waive the applica-
23 tion of subsection (a) or (b) to a particular contractor or
24 subcontractor for the purposes of a particular contract or
25 subcontract if the Secretary or the Deputy Secretary per-*

1 sonally determines that the waiver is necessary to avoid
2 harm to national security interests of the United States,
3 and that the term of the contract or subcontract is not
4 longer than necessary to avoid such harm. The determina-
5 tion shall set forth with specificity the grounds for the waiv-
6 er and for the contract or subcontract term selected, and
7 shall state any alternatives considered in lieu of a waiver
8 and the reasons each such alternative would not avoid harm
9 to national security interests of the United States. The Sec-
10 retary of Defense shall transmit to Congress, and simulta-
11 neously make public, any determination under this sub-
12 section not less than 15 business days before the contract
13 or subcontract addressed in the determination may be
14 awarded.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8090. From within the funds appropriated for
17 operation and maintenance for the Defense Health Program
18 in this Act, up to \$113,000,000, shall be available for trans-
19 fer to the Joint Department of Defense-Department of Vet-
20 erans Affairs Medical Facility Demonstration Fund in ac-
21 cordance with the provisions of section 1704 of the National
22 Defense Authorization Act for Fiscal Year 2010, Public Law
23 111-84: Provided, That for purposes of section 1704(b), the
24 facility operations funded are operations of the integrated
25 Captain James A. Lovell Federal Health Care Center, con-

1 *sisting of the North Chicago Veterans Affairs Medical Cen-*
2 *ter, the Navy Ambulatory Care Center, and supporting fa-*
3 *cilities designated as a combined Federal medical facility*
4 *as described by section 706 of Public Law 110–417: Pro-*
5 *vided further, That additional funds may be transferred*
6 *from funds appropriated for operation and maintenance for*
7 *the Defense Health Program to the Joint Department of De-*
8 *fense-Department of Veterans Affairs Medical Facility*
9 *Demonstration Fund upon written notification by the Sec-*
10 *retary of Defense to the Committees on Appropriations of*
11 *the House of Representatives and the Senate.*

12 SEC. 8091. *None of the funds appropriated or other-*
13 *wise made available by this Act may be used by the Depart-*
14 *ment of Defense or a component thereof in contravention*
15 *of the provisions of section 130h of title 10, United States*
16 *Code.*

17 SEC. 8092. *Appropriations available to the Depart-*
18 *ment of Defense may be used for the purchase of heavy and*
19 *light armored vehicles for the physical security of personnel*
20 *or for force protection purposes up to a limit of \$450,000*
21 *per vehicle, notwithstanding price or other limitations ap-*
22 *plicable to the purchase of passenger carrying vehicles.*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 SEC. 8093. *Upon a determination by the Director of*
25 *National Intelligence that such action is necessary and in*

1 *the national interest, the Director may, with the approval*
2 *of the Office of Management and Budget, transfer not to*
3 *exceed \$1,500,000,000 of the funds made available in this*
4 *Act for the National Intelligence Program: Provided, That*
5 *such authority to transfer may not be used unless for higher*
6 *priority items, based on unforeseen intelligence require-*
7 *ments, than those for which originally appropriated and*
8 *in no case where the item for which funds are requested*
9 *has been denied by the Congress: Provided further, That a*
10 *request for multiple reprogramming of funds using author-*
11 *ity provided in this section shall be made prior to June*
12 *30, 2019.*

13 *SEC. 8094. None of the funds appropriated or other-*
14 *wise made available in this or any other Act may be used*
15 *to transfer, release, or assist in the transfer or release to*
16 *or within the United States, its territories, or possessions*
17 *Khalid Sheikh Mohammed or any other detainee who—*

18 *(1) is not a United States citizen or a member*
19 *of the Armed Forces of the United States; and*
20 *(2) is or was held on or after June 24, 2009, at*
21 *United States Naval Station, Guantánamo Bay,*
22 *Cuba, by the Department of Defense.*

23 *SEC. 8095. (a) None of the funds appropriated or oth-*
24 *erwise made available in this or any other Act may be used*
25 *to construct, acquire, or modify any facility in the United*

1 States, its territories, or possessions to house any individual
2 described in subsection (c) for the purposes of detention or
3 imprisonment in the custody or under the effective control
4 of the Department of Defense.

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

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

11 (1) is not a citizen of the United States or a
12 member of the Armed Forces of the United States; and
13 (2) is—

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

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

18 SEC. 8096. None of the funds appropriated or other-
19 wise made available in this Act may be used to transfer
20 any individual detained at United States Naval Station
21 Guantánamo Bay, Cuba, to the custody or control of the
22 individual's country of origin, any other foreign country,
23 or any other foreign entity except in accordance with sec-
24 tion 1034 of the National Defense Authorization Act for Fis-
25 cal Year 2016 (Public Law 114–92) and section 1034 of

1 the National Defense Authorization Act for Fiscal Year
2 2017 (Public Law 114–328).

3 SEC. 8097. None of the funds made available by this
4 Act may be used in contravention of the War Powers Reso-
5 lution (50 U.S.C. 1541 et seq.).

6 SEC. 8098. (a) None of the funds appropriated or oth-
7 erwise made available by this or any other Act may be used
8 by the Secretary of Defense, or any other official or officer
9 of the Department of Defense, to enter into a contract,
10 memorandum of understanding, or cooperative agreement
11 with, or make a grant to, or provide a loan or loan guar-
12 antee to Rosoboronexport or any subsidiary of
13 Rosoboronexport.

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

21 (1) Rosoboronexport has ceased the transfer of le-
22 thal military equipment to, and the maintenance of
23 existing lethal military equipment for, the Govern-
24 ment of the Syrian Arab Republic;

1 (2) *The armed forces of the Russian Federation
2 have withdrawn from Crimea, other than armed
3 forces present on military bases subject to agreements
4 in force between the Government of the Russian Fed-
5 eration and the Government of Ukraine; and*

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

9 (c) *The Inspector General of the Department of Defense
10 shall conduct a review of any action involving
11 Rosoboronexport with respect to a waiver issued by the Sec-
12 retary of Defense pursuant to subsection (b), and not later
13 than 90 days after the date on which such a waiver is issued
14 by the Secretary of Defense, the Inspector General shall sub-
15 mit to the congressional defense committees a report con-
16 taining the results of the review conducted with respect to
17 such waiver.*

18 SEC. 8099. *The Secretary of Defense, in consultation
19 with the Service Secretaries, shall submit two reports to the
20 congressional defense committees, not later than March 1,
21 2019, and not later than September 1, 2019, detailing the
22 submission of records during the previous 6 months to data-
23 bases accessible to the National Instant Criminal Back-
24 ground Check System (NICS), including the Interstate
25 Identification Index (III), the National Crime Information*

1 Center (NCIC), and the NICS Index, as required by Public
2 Law 110–180: Provided, That such reports shall provide the
3 number and category of records submitted by month to each
4 such database, by Service or Component: Provided further,
5 That such reports shall identify the number and category
6 of records submitted by month to those databases for which
7 the Identification for Firearm Sales (IFFS) flag or other
8 database flags were used to pre-validate the records and in-
9 dicate that such persons are prohibited from receiving or
10 possessing a firearm: Provided further, That such reports
11 shall describe the steps taken during the previous 6 months,
12 by Service or Component, to ensure complete and accurate
13 submission and appropriate flagging of records of individ-
14 uals prohibited from gun possession or receipt pursuant to
15 18 U.S.C. 922(g) or (n) including applicable records involv-
16 ing proceedings under the Uniform Code of Military Jus-
17 tice.

18 SEC. 8100. (a) Of the funds appropriated in this Act
19 for the Department of Defense, amounts should be made
20 available, under such regulations as the Secretary of De-
21 fense may prescribe, to local military commanders ap-
22 pointed by the Secretary, or by an officer or employee des-
23 ignated by the Secretary, to provide at their discretion ex
24 gratia payments in amounts consistent with subsection (d)
25 of this section for damage, personal injury, or death that

1 is incident to combat operations of the Armed Forces in
2 a foreign country.

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

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

8 (2) a claim for damages would not be compen-
9 sable under chapter 163 of title 10, United States
10 Code (commonly known as the “Foreign Claims
11 Act”); and

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

14 (c) NATURE OF PAYMENTS.—Any payments provided
15 under a program under subsection (a) shall not be consid-
16 ered an admission or acknowledgement of any legal obliga-
17 tion to compensate for any damage, personal injury, or
18 death.

19 (d) AMOUNT OF PAYMENTS.—If the Secretary of De-
20 fense determines a program under subsection (a) to be ap-
21 propriate in a particular setting, the amounts of payments,
22 if any, to be provided to civilians determined to have suf-
23 fered harm incident to combat operations of the Armed
24 Forces under the program should be determined pursuant
25 to regulations prescribed by the Secretary and based on an

1 assessment, which should include such factors as cultural
2 appropriateness and prevailing economic conditions.

3 (e) *LEGAL ADVICE*.—Local military commanders shall
4 receive legal advice before making *ex gratia* payments under
5 this subsection. The legal advisor, under regulations of the
6 Department of Defense, shall advise on whether an *ex gratia*
7 payment is proper under this section and applicable De-
8 partment of Defense regulations.

9 (f) *WRITTEN RECORD*.—A written record of any *ex*
10 *gratia* payment offered or denied shall be kept by the local
11 commander and on a timely basis submitted to the appro-
12 priate office in the Department of Defense as determined
13 by the Secretary of Defense.

14 (g) *REPORT*.—The Secretary of Defense shall report to
15 the congressional defense committees on an annual basis the
16 efficacy of the *ex gratia* payment program including the
17 number of types of cases considered, amounts offered, the
18 response from *ex gratia* payment recipients, and any rec-
19 ommended modifications to the program.

20 SEC. 8101. None of the funds available in this Act to
21 the Department of Defense, other than appropriations made
22 for necessary or routine refurbishments, upgrades or main-
23 tenance activities, shall be used to reduce or to prepare to
24 reduce the number of deployed and non-deployed strategic
25 delivery vehicles and launchers below the levels set forth in

1 *the report submitted to Congress in accordance with section*
2 *1042 of the National Defense Authorization Act for Fiscal*
3 *Year 2012.*

4 *SEC. 8102. Amounts in working capital funds of the*
5 *Department of Defense established pursuant to section 2208*
6 *of title 10, United States Code, may be obligated and ex-*
7 *pended in fiscal year 2020 for the payment of death gratu-*
8 *ties authorized by subchapter II of chapter 75 of title 10,*
9 *United States Code, that are payable during the period in*
10 *which the appropriations bill for fiscal year 2020 for the*
11 *Department has not become law and an Act or joint resolu-*
12 *tion making continuing appropriations for fiscal year 2020*
13 *for the Department is not in effect (a “lapse in appropria-*
14 *tions”): Provided, That, upon enactment of the appropria-*
15 *tions Act for fiscal year 2020 for the Department, such obli-*
16 *gations and expenditures shall be recorded against the ap-*
17 *propriations made available by such Act for the payment*
18 *of such death gratuities.*

19 *SEC. 8103. The Secretary of each military department,*
20 *in reducing each research, development, test and evaluation*
21 *and procurement account of the military department as re-*
22 *quired under paragraph (1) of section 828(d) of the Na-*
23 *tional Defense Authorization Act for Fiscal Year 2016 (Pub-*
24 *lic Law 114–92; 10 U.S.C. 2430 note), as amended by sec-*
25 *tion 825(a)(3) of the National Defense Authorization Act*

1 for Fiscal Year 2018, shall allocate the percentage reduction
2 determined under paragraph (2) of such section 828(d) pro-
3 portionally from all programs, projects, or activities under
4 such account: Provided, That the authority under section
5 804(d)(2) of the National Defense Authorization Act for Fis-
6 cal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note)
7 to transfer amounts available in the Rapid Prototyping
8 Fund shall be subject to section 8005 or 9002 of this Act,
9 as applicable.

10 SEC. 8104. None of the funds made available by this
11 Act may be used by the National Security Agency to—

12 (1) conduct an acquisition pursuant to section
13 702 of the Foreign Intelligence Surveillance Act of
14 1978 for the purpose of targeting a United States per-
15 son; or

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

23 SEC. 8105. None of the funds made available in this
24 or any other Act may be used to pay the salary of any
25 officer or employee of any agency funded by this Act who

1 approves or implements the transfer of administrative re-
2 sponsibilities or budgetary resources of any program,
3 project, or activity financed by this Act to the jurisdiction
4 of another Federal agency not financed by this Act without
5 the express authorization of Congress: Provided, That this
6 limitation shall not apply to transfers of funds expressly
7 provided for in Defense Appropriations Acts, or provisions
8 of Acts providing supplemental appropriations for the De-
9 partment of Defense.

10 SEC. 8106. None of the funds made available in this
11 Act may be obligated for activities authorized under section
12 1208 of the Ronald W. Reagan National Defense Authoriza-
13 tion Act for Fiscal Year 2005 (Public Law 112-81; 125
14 Stat. 1621) to initiate support for, or expand support to,
15 foreign forces, irregular forces, groups, or individuals unless
16 the congressional defense committees are notified in accord-
17 ance with the direction contained in the classified annex
18 accompanying this Act, not less than 15 days before initi-
19 ating such support: Provided, That none of the funds made
20 available in this Act may be used under section 1208 for
21 any activity that is not in support of an ongoing military
22 operation being conducted by United States Special Oper-
23 ations Forces to combat terrorism: Provided further, That
24 the Secretary of Defense may waive the prohibitions in this
25 section if the Secretary determines that such waiver is re-

1 *quired by extraordinary circumstances and, by not later*
2 *than 72 hours after making such waiver, notifies the con-*
3 *gressional defense committees of such waiver.*

4 ~~SEC. 8107. Of the amounts appropriated in this Act~~
5 *for “Operation and Maintenance, Navy”, \$310,805,000, to*
6 *remain available until expended, may be used for any pur-*
7 *poses related to the National Defense Reserve Fleet estab-*
8 *lished under section 11 of the Merchant Ship Sales Act of*
9 *1946 (50 U.S.C. 4405): Provided, That such amounts are*
10 *available for reimbursements to the Ready Reserve Force,*
11 *Maritime Administration account of the United States De-*
12 *partment of Transportation for programs, projects, activi-*
13 *ties, and expenses related to the National Defense Reserve*
14 *Fleet.*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 ~~SEC. 8108. Of the amounts appropriated in this Act,~~
17 *the Secretary of Defense may use up to \$52,657,000 under*
18 *the heading “Operation and Maintenance, Defense-Wide”,*
19 *and up to \$39,400,000 under the heading “Research, Devel-*
20 *opment, Test and Evaluation, Defense-Wide” to develop, re-*
21 *place, and sustain Federal Government security and suit-*
22 *ability background investigation information technology*
23 *systems of the Office of Personnel Management or other Fed-*
24 *eral agency responsible for conducting such investigations:*
25 *Provided, That the Secretary may transfer additional*

1 amounts into these headings or into “Procurement, Defense-
2 Wide” using established reprogramming procedures pre-
3 scribed in the Department of Defense Financial Manage-
4 ment Regulation 7000.14, Volume 3, Chapter 6, dated Sep-
5 tember 2015: Provided further, That such funds shall sup-
6 plement, not supplant any other amounts made available
7 to other Federal agencies for such purposes.

8 SEC. 8109. None of the funds made available by this
9 Act may be used to carry out the closure or realignment
10 of the United States Naval Station, Guantánamo Bay,
11 Cuba.

12 SEC. 8110. Notwithstanding any other provision of
13 law, any transfer of funds appropriated or otherwise made
14 available by this Act to the Global Engagement Center es-
15 tablished by section 1287 of the National Defense Authoriza-
16 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
17 Stat. 22 U.S.C. 2656 note) shall be made in accordance
18 with section 8005 or 9002 of this Act, as applicable.

19 SEC. 8111. No amounts credited or otherwise made
20 available in this or any other Act to the Department of De-
21 fense Acquisition Workforce Development Fund may be
22 transferred to:

23 (1) the Rapid Prototyping Fund established
24 under section 804(d) of the National Defense Author-

1 ization Act for Fiscal Year 2016 (10 U.S.C. 2302
2 note); or

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

8 SEC. 8112. Notwithstanding any other provision of
9 law, from funds made available to the Department of De-
10 fense in title II of this Act under the heading “Operation
11 and Maintenance, Defense-Wide”, \$15,000,000 shall be
12 available for a project in a country designated by the Sec-
13 retary of Defense: Provided, That in furtherance of the
14 project, the Department of Defense is authorized to acquire
15 services, including services performed pursuant to a grant
16 agreement, from another Federal agency, on an advance of
17 funds or reimbursable basis: Provided further, That an
18 order for services placed under this section is deemed to be
19 an obligation in the same manner that a similar order
20 placed under a contract with a private contractor is an ob-
21 ligation.

22 SEC. 8113. None of the funds appropriated by this Act
23 may be made available to transfer, or to facilitate the trans-
24 fer of, F-35 aircraft to Turkey, including any defense arti-
25 cles or services related to such aircraft, until the Secretary

1 of Defense, in consultation with the Secretary of State, cer-
2 tifies to the appropriate congressional committees that the
3 Government of Turkey is not purchasing the S-400 missile
4 defense system from Russia and will not accept the delivery
5 of such system.

6 SEC. 8114. (a) The amount appropriated by title II
7 of this division under the heading “Operation and Mainte-
8 nance, Defense-Wide” is hereby increased by \$10,000,000,
9 with the amount of the increase to be available for POW/
10 MIA identification within the Defense Personnel Account-
11 ing Agency.

12 (b) The amount appropriated by title II of this divi-
13 sion under the heading “Operation and Maintenance, De-
14 fense-Wide” is hereby decreased by \$10,000,000.

15 SEC. 8115. (a) Not later than 180 days after the date
16 of the enactment of this Act, the Comptroller General of the
17 United States shall submit to the Committees on Appro-
18 priations of the Senate and the House of Representatives
19 a report on a study, conducted by the Comptroller General
20 for purposes of the report, on the implementation of the
21 Military Health System (MHS) Genesis electronic health
22 record at the four currently active sites.

23 (b) The report shall include the following:
24 (1) A description and assessment of the manner
25 in which the Military Health System Genesis elec-

1 tronic health record is addressing the concerns raised
2 by the partial Initial Operational Test and Evaluation
3 (IOT&E) report on the implementation of the
4 record.

5 (2) A description and assessment of the performance
6 of Military Health System Genesis in meeting
7 the demands of the four currently active sites.

8 (3) A description and assessment of underlying
9 issues in connection with the implementation of Military
10 Health System Genesis.

11 (4) A description and assessment of any anticipated
12 delays in the implementation of Military
13 Health System Genesis, including the effect of such
14 delays on the execution of funds.

15 (5) Any other matters in connection with the implementation
16 of Military Health System Genesis that
17 the Comptroller General considers appropriate.

18 SEC. 8116. Of the amount appropriated by title II of
19 this division under the heading “Operation and Maintenance,
20 Defense-Wide”, up to \$2,000,000 may be available
21 for a program to commemorate the 75th anniversary of
22 World War II.

23 SEC. 8117. The Secretary of Defense shall post on a
24 public Website in a searchable format awards of grants of

1 the Department of Defense that are appropriate for public
2 notice.

3 SEC. 8118. Not later than 90 days after the date of
4 the enactment of this Act, the Secretary of Defense shall sub-
5 mit to the congressional defense committees a report esti-
6 mating the portion of the Department of Defense's adver-
7 tising budget that is spent on advertising and public rela-
8 tions contracts with socially and economically disadvan-
9 taged small businesses and women, low-income, veteran (as
10 that term is defined in section 3(q) of the Small Business
11 Act (15 U.S.C. 632(q))), and minority entrepreneurs and
12 business owners at the prime and subcontracting levels.

13 SEC. 8119. Of the amount appropriated or otherwise
14 made available by this division under the heading "OPER-
15 ATION AND MAINTENANCE, DEFENSE-WIDE", up to
16 \$20,000,000 may be available for the defense community
17 infrastructure pilot program under section 2391(d) of title
18 10, United States Code.

19 SEC. 8120. Of the amount appropriated or otherwise
20 made available by title II of this division under the heading
21 "OPERATION AND MAINTENANCE, DEFENSE-WIDE", up to
22 \$4,000,000 may be available to carry out section 1652 of
23 the John S. McCain National Defense Authorization Act for
24 Fiscal Year 2019.

1 SEC. 8121. *Of the amounts appropriated or otherwise
2 made available by title II of this division under the heading
3 "Operation and Maintenance, Army", up to \$1,000,000
4 may be used to sustain morale, welfare, and recreation
5 (MWR) facilities that—*

- 6 *(1) have been closed as a result of flooding, an
7 earthquake, a wildfire, or a volcanic event in 2018;
8 (2) have furloughed or put employees on admin-
9 istrative leave in connection with such closure; and
10 (3) have used revenue or operating reserves to
11 pay operation and maintenance expenses during such
12 closure.*

13 SENSE OF SENATE ON RESEARCH REGARDING BLAST

14 EXPOSURE ON THE CELLULAR LEVEL OF THE BRAIN

15 SEC. 8122. *It is the sense of the Senate that—*

- 16 *(1) further research is necessary regarding blast
17 exposure on the cellular level of the brain;
18 (2) such research is needed to develop blast pro-
19 tection requirements for helmets and other personal
20 protective equipment; and
21 (3) the Department of Defense should increase
22 ongoing efforts, to the maximum extent possible, to
23 develop a predictive traumatic brain injury model for
24 blast, in order to better understand the cellular re-
25 sponse to blast impulses and the interaction of the*

1 *human brain and protective equipment related to*
2 *blast exposure.*

3 *SEC. 8123. Of the amount appropriated by title II of*
4 *this Act under the heading “Operation and Maintenance,*
5 *Defense-Wide”, up to \$7,000,000 may be available for the*
6 *Office of the Secretary of Defense for the Information Assur-*
7 *ance Scholarship Program.*

8 *SEC. 8124. Not later than 120 days after the date of*
9 *the enactment of this Act, the Secretary of Defense shall,*
10 *acting through the Under Secretary of Defense for Research*
11 *and Engineering, submit to the congressional defense com-*
12 *mittees a report on current investments of the Armed Forces*
13 *in research on energetics. The report shall include the fol-*
14 *lowing:*

15 *(1) A comparison between current investments of*
16 *the Navy in research on energetics and current invest-*
17 *ments of the other military departments in such re-*
18 *search.*

19 *(2) Recommendations for the most appropriate*
20 *investments by the Armed Forces in research on*
21 *energetics in the future, and a strategic roadmap for*
22 *such investments.*

23 *SEC. 8125. Of the funds appropriated to the Depart-*
24 *ment of Defense under the headings “Operation and Main-*
25 *tenance, Air Force” and “Operation and Maintenance, Air*

1 National Guard", not more than \$45,000,000 shall be avail-
2 able to the Secretary of the Air Force for payments to a
3 local water authority located in the vicinity of an Air Force
4 or Air National Guard base (including a base not Feder-
5 ally-owned), or to a State in which the local water author-
6 ity is located, for the treatment of perfluorooctane sulfonic
7 acid and perfluorooctanoic acid in drinking water from the
8 water source and/or wells owned and operated by the local
9 water authority undertaken to attain the Environmental
10 Protection Agency Lifetime Health Advisory level for such
11 acids: Provided, That the applicable Lifetime Health Advi-
12 sory shall be the one in effect on the date of the enactment
13 of this Act: Provided further, That the local water authority
14 or State must have requested such a payment from the Air
15 Force or National Guard Bureau not later than the date
16 that is 120 days after the date of the enactment of this Act:
17 Provided further, That the elevated levels of such acids in
18 the water was the result of activities conducted by or paid
19 for by the Department of the Air Force or the Air National
20 Guard: Provided further, That such funds may be expended
21 without regard to existing contractual provisions in agree-
22 ments between the Department of the Air Force or the Na-
23 tional Guard Bureau, as the case may be, and the State
24 in which the base is located relating to environmental re-
25 sponse actions or indemnification: Provided further, That,

1 in order to be eligible for payment under this section, such
2 treatment must have taken place after January 1, 2016,
3 and the local water authority or State, as the case may
4 be, must waive all claims for treatment expenses incurred
5 before such date: Provided further, That any payment under
6 this section may not exceed the actual cost of such treatment
7 resulting from the activities conducted by or paid for by
8 the Department of the Air Force: Provided further, That
9 the Secretary may enter into such agreements with the local
10 water authority or State as may be necessary to implement
11 this section: Provided further, That the Secretary may pay,
12 utilizing the Defense State Memorandum of Agreement,
13 costs that would otherwise be eligible for payment under
14 that agreement were those costs paid using funds appro-
15 priated to the Environmental Restoration Account, Air
16 Force, established under section 2703(a)(4) of title 10,
17 United States Code.

18 SEC. 8126. (a) None of the funds made available by
19 this or any other Act may be used to enter into a contract,
20 memorandum of understanding, or cooperative agreement
21 with, make a grant to, or provide a loan or loan guarantee
22 to any corporation that has any unpaid Federal tax liabil-
23 ity that has been assessed, for which all judicial and admin-
24 istrative remedies have been exhausted or have lapsed, and
25 that is not being paid in a timely manner pursuant to an

1 agreement with the authority responsible for collecting such
2 tax liability, provided that the applicable Federal agency
3 is aware of the unpaid Federal tax liability.

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

9 SEC. 8127. None of the funds appropriated or other-
10 wise made available by this Act may be obligated or ex-
11 pended for assistance to the Islamic Republic of Iran unless
12 specifically appropriated for that purpose.

13 SEC. 8128. From amounts appropriated or otherwise
14 made available by title II of this division under the heading
15 "OPERATION AND MAINTENANCE, AIR FORCE", the Sec-
16 retary of Defense may reimburse the Government of the Re-
17 public of Palau in an amount not to exceed \$9,700,000 for
18 land acquisition costs for defense sites.

19 SEC. 8129. Of the amount appropriated or otherwise
20 made available by title IV of this division under the head-
21 ing "Research, Development, Test and Evaluation, Navy",
22 up to \$2,000,000 may be available for research on a prac-
23 tical means of reducing fighter aircraft engine noise (both
24 near and far noise impacts) at the source while maintain-
25 ing operational performance.

1 SEC. 8130. (a) Not later than 180 days after the date
2 of the enactment of this Act, the Secretary of Defense shall
3 submit to the congressional defense committees a report on
4 improving trauma training for trauma teams of the De-
5 partment of Defense, including through the use of the Joint
6 Trauma Education and Training Directorate established
7 under section 708 of the National Defense Authorization Act
8 for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1071
9 note).

10 (b) The report required by subsection (a) shall include
11 recommendations regarding how to best coordinate trauma
12 teams of the Department of Defense with trauma partners
13 in the civilian sector, including evaluating how trauma
14 surgeons and physicians of the Department can best partner
15 with civilian level 1 trauma centers verified by the Amer-
16 ian College of Surgeons, including those trauma centers
17 coupled to a burn center that offers burn rotations and clin-
18 ical experience, to provide adequate training and readiness
19 for the next generation of medical providers to treat criti-
20 cally injured burn patients and other military trauma vic-
21 tims.

22 SEC. 8131. (a)(1) The amount appropriated by title
23 I of this division under the heading “National Guard Per-
24 sonnel, Air Force” is hereby increased by \$450,000.

1 (2) *The amount appropriated by title II of this divi-*
2 *sion under the heading “Operation and Maintenance, Air*
3 *National Guard” is hereby increased by \$50,000.*

4 (b)(1) *The amount appropriated by title I of this divi-*
5 *sion under the heading “National Guard Personnel, Army”*
6 *is hereby decreased by \$450,000.*

7 (2) *The amount appropriated by title II of this divi-*
8 *sion under the heading “Operation and Maintenance, Army*
9 *National Guard” is hereby decreased by \$50,000.*

10 SEC. 8132. (a) *Not later than one year after the date*
11 *of the enactment of this Act, the Comptroller General of the*
12 *United States shall, in consultation with the Secretary of*
13 *Defense and the Secretaries of the military departments,*
14 *submit to the appropriate committees of Congress a report*
15 *on the monitoring, compliance, and remediation by the De-*
16 *partment of Defense of lead in military housing, including*
17 *the lead exposure monitoring protocols of the Department*
18 *for military housing.*

19 (b) *The report required by subsection (a) shall include*
20 *the following:*

21 (1) *A description and assessment of the effective-*
22 *ness of the Department and its lead exposure moni-*
23 *toring protocols in monitoring lead exposure in mili-*
24 *tary housing.*

1 (2) A description and assessment of the compliance
2 of military housing with applicable lead exposure
3 limitations.

4 (3) A description and assessment of the remediation
5 efforts of the Department with respect to lead
6 in military housing.

7 (4) Such recommendations as the Comptroller
8 General considers appropriate for the expansion of
9 blood testing for lead among children who have lived
10 in military housing.

11 (c) In this section, the term “appropriate committees
12 of Congress” means—

13 (1) the Committee on Armed Services, the Committee
14 on Veterans’ Affairs, and the Committee on
15 Appropriations of the Senate; and

16 (2) the Committee on Armed Services, the Committee
17 on Veterans’ Affairs, and the Committee on
18 Appropriations of the House of Representatives.

19 SEC. 8133. Of the amount appropriated or otherwise
20 made available by title II of this division under the heading
21 “Operation and Maintenance, Defense-Wide”, up to
22 \$20,000,000 may be available for the Department of Defense
23 Family Advocacy Program to do the following:

24 (1) To address allegations of juvenile problematic
25 sexual behavior occurring on military installations,

1 *including to ensure that the Program has the re-*
2 *sources necessary to ensure a consistent, standardized*
3 *response to allegations of juvenile problematic sexual*
4 *behavior across the Department of Defense (including*
5 *the appropriate level of staff and training resources).*

6 (2) *To maintain a centralized database with in-*
7 *formation on reported incidents of juvenile problem-*
8 *atic sexual behavior.*

9 SEC. 8134. *Not later than January 31, 2019, the*
10 *Comptroller General of the United States shall submit to*
11 *the congressional defense committees a report—*

12 (1) *comparing the cost expenditures of organic*
13 *industrial depot maintenance of the E-8C Joint Sur-*
14 *veillance Target Attack Radar System aircraft fleet*
15 *versus contracted or non-organic maintenance; and*

16 (2) *comparing the cost variance and cost savings*
17 *of different programmed depot maintenance cycles or*
18 *procedures for the E-8C, including comparisons to*
19 *such other platforms as the Comptroller General con-*
20 *siders appropriate.*

21 SEC. 8135. *None of the funds appropriated or other-*
22 *wise made available by this division may be obligated or*
23 *expended to implement the Arms Trade Treaty until the*
24 *resolution of ratification of the Treaty is approved by the*
25 *Senate.*

1 *SEC. 8136. None of the amounts appropriated or other-
2 wise made available by this Act may be obligated or ex-
3 pended for the development of a beerbot or other robot bar-
4 tender.*

5 *SEC. 8137. The Secretary of Defense shall use amounts
6 appropriated or otherwise made available to the Depart-
7 ment of Defense under this division to provide testing for
8 elevated blood lead levels at military treatment facilities for
9 babies during their 12-month and 24-month wellness checks
10 or annual physical examinations.*

11 **TITLE IX**

12 **OVERSEAS CONTINGENCY OPERATIONS**

13 **MILITARY PERSONNEL**

14 **MILITARY PERSONNEL, ARMY**

15 *For an additional amount for “Military Personnel,
16 Army”, \$2,929,154,000: Provided, That such amount is des-
17 ignated by the Congress for Overseas Contingency Oper-
18 ations/Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.*

21 **MILITARY PERSONNEL, NAVY**

22 *For an additional amount for “Military Personnel,
23 Navy”, \$385,461,000: Provided, That such amount is des-
24 ignated by the Congress for Overseas Contingency Oper-
25 ations/Global War on Terrorism pursuant to section*

1 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
2 *Deficit Control Act of 1985.*

3 *MILITARY PERSONNEL, MARINE CORPS*

4 *For an additional amount for “Military Personnel,*
5 *Marine Corps”, \$109,232,000: Provided, That such amount*
6 *is designated by the Congress for Overseas Contingency Op-*
7 *erations/Global War on Terrorism pursuant to section*
8 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
9 *Deficit Control Act of 1985.*

10 *MILITARY PERSONNEL, AIR FORCE*

11 *For an additional amount for “Military Personnel,*
12 *Air Force”, \$964,508,000: Provided, That such amount is*
13 *designated by the Congress for Overseas Contingency Oper-*
14 *ations/Global War on Terrorism pursuant to section*
15 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
16 *Deficit Control Act of 1985.*

17 *RESERVE PERSONNEL, ARMY*

18 *For an additional amount for “Reserve Personnel,*
19 *Army”, \$37,007,000: Provided, That such amount is des-*
20 *ignated by the Congress for Overseas Contingency Oper-*
21 *ations/Global War on Terrorism pursuant to section*
22 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
23 *Deficit Control Act of 1985.*

1 *RESERVE PERSONNEL, NAVY*

2 *For an additional amount for “Reserve Personnel,*
3 *Navy”, \$11,100,000: Provided, That such amount is des-*
4 *ignated by the Congress for Overseas Contingency Oper-*
5 *ations/Global War on Terrorism pursuant to section*
6 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
7 *Deficit Control Act of 1985.*

8 *RESERVE PERSONNEL, MARINE CORPS*

9 *For an additional amount for “Reserve Personnel, Ma-*
10 *rine Corps”, \$2,380,000: Provided, That such amount is*
11 *designated by the Congress for Overseas Contingency Oper-*
12 *ations/Global War on Terrorism pursuant to section*
13 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
14 *Deficit Control Act of 1985.*

15 *RESERVE PERSONNEL, AIR FORCE*

16 *For an additional amount for “Reserve Personnel, Air*
17 *Force”, \$21,076,000: Provided, That such amount is des-*
18 *ignated by the Congress for Overseas Contingency Oper-*
19 *ations/Global War on Terrorism pursuant to section*
20 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
21 *Deficit Control Act of 1985.*

22 *NATIONAL GUARD PERSONNEL, ARMY*

23 *For an additional amount for “National Guard Per-*
24 *sonnel, Army”, \$195,283,000: Provided, That such amount*
25 *is designated by the Congress for Overseas Contingency Op-*

1 *erations/Global War on Terrorism pursuant to section*
2 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
3 *Deficit Control Act of 1985.*

4 **NATIONAL GUARD PERSONNEL, AIR FORCE**

5 *For an additional amount for “National Guard Per-*
6 *sonnel, Air Force”, \$5,460,000: Provided, That such*
7 *amount is designated by the Congress for Overseas Conting-*
8 *ency Operations/Global War on Terrorism pursuant to sec-*
9 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
10 *gency Deficit Control Act of 1985.*

11 **OPERATION AND MAINTENANCE**

12 **OPERATION AND MAINTENANCE, ARMY**

13 *For an additional amount for “Operation and Mainte-*
14 *nance, Army”, \$19,028,500,000: Provided, That such*
15 *amount is designated by the Congress for Overseas Conting-*
16 *ency Operations/Global War on Terrorism pursuant to sec-*
17 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
18 *gency Deficit Control Act of 1985.*

19 **OPERATION AND MAINTENANCE, NAVY**

20 *For an additional amount for “Operation and Mainte-*
21 *nance, Navy”, \$5,572,155,000: Provided, That such amount*
22 *is designated by the Congress for Overseas Contingency Op-*
23 *erations/Global War on Terrorism pursuant to section*
24 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
25 *Deficit Control Act of 1985.*

1 *OPERATION AND MAINTENANCE, MARINE CORPS*

2 *For an additional amount for “Operation and Mainte-*
3 *nance, Marine Corps”, \$1,475,800,000: Provided, That such*
4 *amount is designated by the Congress for Overseas Contin-*
5 *gency Operations/Global War on Terrorism pursuant to sec-*
6 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
7 *gency Deficit Control Act of 1985.*

8 *OPERATION AND MAINTENANCE, AIR FORCE*

9 *For an additional amount for “Operation and Mainte-*
10 *nance, Air Force”, \$10,055,789,000: Provided, That such*
11 *amount is designated by the Congress for Overseas Contin-*
12 *gency Operations/Global War on Terrorism pursuant to sec-*
13 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
14 *gency Deficit Control Act of 1985.*

15 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

16 *For an additional amount for “Operation and Mainte-*
17 *nance, Defense-Wide”, \$8,354,905,000: Provided, That of*
18 *the funds provided under this heading, not to exceed*
19 *\$900,000,000, to remain available until September 30,*
20 *2020, shall be for payments to reimburse key cooperating*
21 *nations for logistical, military, and other support, includ-*
22 *ing access, provided to United States military and stability*
23 *operations in Afghanistan and to counter the Islamic State*
24 *of Iraq and Syria: Provided further, That such reimburse-*
25 *ment payments may be made in such amounts as the Sec-*

1 retary of Defense, with the concurrence of the Secretary of
2 State, and in consultation with the Director of the Office
3 of Management and Budget, may determine, based on docu-
4 mentation determined by the Secretary of Defense to ade-
5 quately account for the support provided, and such deter-
6 mination is final and conclusive upon the accounting offi-
7 cers of the United States, and 15 days following notification
8 to the appropriate congressional committees: Provided fur-
9 ther, That these funds may be used for the purpose of pro-
10 viding specialized training and procuring supplies and spe-
11 cialized equipment and providing such supplies and loan-
12 ing such equipment on a non-reimbursable basis to coali-
13 tion forces supporting United States military and stability
14 operations in Afghanistan and to counter the Islamic State
15 of Iraq and Syria, and 15 days following notification to
16 the appropriate congressional committees: Provided further,
17 That these funds may be used in accordance with section
18 1226 of the National Defense Authorization Act for Fiscal
19 Year 2016 (Public Law 114–92), upon 15 days prior writ-
20 ten notification to the congressional defense committees out-
21 lining the amounts intended to be provided and the nature
22 of the expenses incurred: Provided further, That of the funds
23 provided under this heading, not to exceed \$793,000,000,
24 to remain available until September 30, 2020, shall be
25 available to provide support and assistance to foreign secu-

1 ~~rity forces or other groups or individuals to conduct, sup-~~
2 ~~port or facilitate counterterrorism, crisis response, or other~~
3 ~~Department of Defense security cooperation programs: Pro-~~
4 ~~vided further, That the Secretary of Defense shall provide~~
5 ~~quarterly reports to the congressional defense committees on~~
6 ~~the use of funds provided in this paragraph: Provided fur-~~
7 ~~ther, That such amount is designated by the Congress for~~
8 ~~Overseas Contingency Operations/Global War on Terrorism~~
9 ~~pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget~~
10 ~~and Emergency Deficit Control Act of 1985.~~

11 ~~OPERATION AND MAINTENANCE, ARMY RESERVE~~

12 ~~For an additional amount for “Operation and Mainte-~~
13 ~~nance, Army Reserve”, \$41,887,000: Provided, That such~~
14 ~~amount is designated by the Congress for Overseas Contin-~~
15 ~~gency Operations/Global War on Terrorism pursuant to sec-~~
16 ~~tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-~~
17 ~~gency Deficit Control Act of 1985.~~

18 ~~OPERATION AND MAINTENANCE, NAVY RESERVE~~

19 ~~For an additional amount for “Operation and Mainte-~~
20 ~~nance, Navy Reserve”, \$25,637,000: Provided, That such~~
21 ~~amount is designated by the Congress for Overseas Contin-~~
22 ~~gency Operations/Global War on Terrorism pursuant to sec-~~
23 ~~tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-~~
24 ~~gency Deficit Control Act of 1985.~~

1 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

2 *For an additional amount for “Operation and Mainte-*
3 *nance, Marine Corps Reserve”, \$3,345,000: Provided, That*
4 *such amount is designated by the Congress for Overseas*
5 *Contingency Operations/Global War on Terrorism pursu-*
6 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
7 *Emergency Deficit Control Act of 1985.*

8 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

9 *For an additional amount for “Operation and Mainte-*
10 *nance, Air Force Reserve”, \$60,500,000: Provided, That*
11 *such amount is designated by the Congress for Overseas*
12 *Contingency Operations/Global War on Terrorism pursu-*
13 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
14 *Emergency Deficit Control Act of 1985.*

15 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

16 *For an additional amount for “Operation and Mainte-*
17 *nance, Army National Guard”, \$110,729,000: Provided,*
18 *That such amount is designated by the Congress for Over-*
19 *seas Contingency Operations/Global War on Terrorism pur-*
20 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
21 *and Emergency Deficit Control Act of 1985.*

22 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

23 *For an additional amount for “Operation and Mainte-*
24 *nance, Air National Guard”, \$15,870,000: Provided, That*
25 *such amount is designated by the Congress for Overseas*

1 Contingency Operations/Global War on Terrorism pursu-
2 ant to section 251(b)(2)(A)(ii) of the Balanced Budget and
3 Emergency Deficit Control Act of 1985.

4 AFGHANISTAN SECURITY FORCES FUND

5 For the “Afghanistan Security Forces Fund”,
6 \$4,666,815,000, to remain available until September 30,
7 2020: Provided, That such funds shall be available to the
8 Secretary of Defense for the purpose of allowing the Com-
9 mander, Combined Security Transition Command—Af-
10 ghanistan, or the Secretary’s designee, to provide assistance,
11 with the concurrence of the Secretary of State, to the secu-
12 rity forces of Afghanistan, including the provision of equip-
13 ment, supplies, services, training, facility and infrastruc-
14 ture repair, renovation, construction, and funding: Pro-
15 vided further, That the Secretary of Defense may obligate
16 and expend funds made available to the Department of De-
17 fense in this title for additional costs associated with exist-
18 ing projects previously funded with amounts provided
19 under the heading “Afghanistan Infrastructure Fund” in
20 prior Acts: Provided further, That such costs shall be lim-
21 ited to contract changes resulting from inflation, market
22 fluctuation, rate adjustments, and other necessary contract
23 actions to complete existing projects, and associated super-
24 vision and administration costs and costs for design during
25 construction: Provided further, That the Secretary may not

1 use more than \$50,000,000 under the authority provided
2 in this section: Provided further, That the Secretary shall
3 notify in advance such contract changes and adjustments
4 in annual reports to the congressional defense committees:
5 Provided further, That the authority to provide assistance
6 under this heading is in addition to any other authority
7 to provide assistance to foreign nations: Provided further,
8 That contributions of funds for the purposes provided herein
9 from any person, foreign government, or international orga-
10 nization may be credited to this Fund, to remain available
11 until expended, and used for such purposes: Provided fur-
12 ther, That the Secretary of Defense shall notify the congres-
13 sional defense committees in writing upon the receipt and
14 upon the obligation of any contribution, delineating the
15 sources and amounts of the funds received and the specific
16 use of such contributions: Provided further, That the Sec-
17 retary of Defense shall, not fewer than 15 days prior to obli-
18 gating from this appropriation account, notify the congres-
19 sional defense committees in writing of the details of any
20 such obligation: Provided further, That the Secretary of De-
21 fense shall notify the congressional defense committees of
22 any proposed new projects or transfer of funds between
23 budget sub-activity groups in excess of \$20,000,000: Pro-
24 vided further, That the United States may accept equip-
25 ment procured using funds provided under this heading in

1 this or prior Acts that was transferred to the security forces
2 of Afghanistan and returned by such forces to the United
3 States: Provided further, That equipment procured using
4 funds provided under this heading in this or prior Acts,
5 and not yet transferred to the security forces of Afghanistan
6 or transferred to the security forces of Afghanistan and re-
7 turned by such forces to the United States, may be treated
8 as stocks of the Department of Defense upon written notifi-
9 cation to the congressional defense committees: Provided
10 further, That of the funds provided under this heading, not
11 less than \$10,000,000 shall be for recruitment and retention
12 of women in the Afghanistan National Security Forces, and
13 the recruitment and training of female security personnel:
14 Provided further, That such amount is designated by the
15 Congress for Overseas Contingency Operations/Global War
16 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985.

19 COUNTER-ISIS TRAIN AND EQUIP FUND

20 For the “Counter-Islamic State of Iraq and Syria
21 Train and Equip Fund”, \$994,000,000, to remain available
22 until September 30, 2020: Provided, That such funds shall
23 be available to the Secretary of Defense in coordination
24 with the Secretary of State, to provide assistance, including
25 training; equipment; logistics support, supplies, and serv-

1 ices; stipends; infrastructure repair and renovation; and
2 sustainment, to foreign security forces, irregular forces,
3 groups, or individuals participating, or preparing to par-
4 ticipate in activities to counter the Islamic State of Iraq
5 and Syria, and their affiliated or associated groups: Pro-
6 vided further, That amounts made available under this
7 heading shall be available to provide assistance only for ac-
8 tivities in a country designated by the Secretary of Defense,
9 in coordination with the Secretary of State, as having a
10 security mission to counter the Islamic State of Iraq and
11 Syria, and following written notification to the congres-
12 sional defense committees of such designation: Provided fur-
13 ther, That the Secretary of Defense shall ensure that prior
14 to providing assistance to elements of any forces or individ-
15 uals, such elements or individuals are appropriately vetted,
16 including at a minimum, assessing such elements for asso-
17 ciations with terrorist groups or groups associated with the
18 Government of Iran; and receiving commitments from such
19 elements to promote respect for human rights and the rule
20 of law: Provided further, That the Secretary of Defense
21 shall, not fewer than 15 days prior to obligating from this
22 appropriation account, notify the congressional defense
23 committees in writing of the details of any such obligation:
24 Provided further, That the Secretary of Defense may accept
25 and retain contributions, including assistance in-kind,

1 from foreign governments, including the Government of
2 Iraq and other entities, to carry out assistance authorized
3 under this heading: Provided further, That contributions of
4 funds for the purposes provided herein from any foreign
5 government or other entity may be credited to this Fund,
6 to remain available until expended, and used for such pur-
7 poses: Provided further, That the Secretary of Defense may
8 waive a provision of law relating to the acquisition of items
9 and support services or sections 40 and 40A of the Arms
10 Export Control Act (22 U.S.C. 2780 and 2785) if the Sec-
11 retary determines that such provision of law would pro-
12 hibit, restrict, delay or otherwise limit the provision of such
13 assistance and a notice of and justification for such waiver
14 is submitted to the congressional defense committees, the
15 Committees on Appropriations and Foreign Relations of the
16 Senate and the Committees on Appropriations and Foreign
17 Affairs of the House of Representatives: Provided further,
18 That the United States may accept equipment procured
19 using funds provided under this heading, or under the head-
20 ing, "Iraq Train and Equip Fund" in prior Acts, that was
21 transferred to security forces, irregular forces, or groups
22 participating, or preparing to participate in activities to
23 counter the Islamic State of Iraq and Syria and returned
24 by such forces or groups to the United States, may be treat-
25 ed as stocks of the Department of Defense upon written noti-

1 fication to the congressional defense committees: Provided
2 further, That equipment procured using funds provided
3 under this heading, or under the heading, "Iraq Train and
4 Equip Fund" in prior Acts, and not yet transferred to secu-
5 rity forces, irregular forces, or groups participating, or pre-
6 paring to participate in activities to counter the Islamic
7 State of Iraq and Syria may be treated as stocks of the
8 Department of Defense when determined by the Secretary
9 to no longer be required for transfer to such forces or groups
10 and upon written notification to the congressional defense
11 committees: Provided further, That the Secretary of Defense
12 shall provide quarterly reports to the congressional defense
13 committees on the use of funds provided under this heading,
14 including, but not limited to, the number of individuals
15 trained, the nature and scope of support and sustainment
16 provided to each group or individual, the area of operations
17 for each group, and the contributions of other countries,
18 groups, or individuals: Provided further, That such amount
19 is designated by the Congress for Overseas Contingency Op-
20 erations/Global War on Terrorism pursuant to section
21 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985.

1 *PROCUREMENT*2 *AIRCRAFT PROCUREMENT, ARMY*

3 *For an additional amount for “Aircraft Procurement,*
4 *Army”, \$363,363,000, to remain available until September*
5 *30, 2021: Provided, That such amount is designated by the*
6 *Congress for Overseas Contingency Operations/Global War*
7 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
8 *Balanced Budget and Emergency Deficit Control Act of*
9 *1985.*

10 *MISSILE PROCUREMENT, ARMY*

11 *For an additional amount for “Missile Procurement,*
12 *Army”, \$1,740,985,000, to remain available until Sep-*
13 *tember 30, 2021: Provided, That such amount is designated*
14 *by the Congress for Overseas Contingency Operations/Glob-*
15 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
16 *of the Balanced Budget and Emergency Deficit Control Act*
17 *of 1985.*

18 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*19 *VEHICLES, ARMY*

20 *For an additional amount for “Procurement of Weap-*
21 *ons and Tracked Combat Vehicles, Army”, \$1,107,183,000,*
22 *to remain available until September 30, 2021: Provided,*
23 *That such amount is designated by the Congress for Over-*
24 *seas Contingency Operations/Global War on Terrorism pur-*

1 suant to section 251(b)(2)(A)(ii) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985.

3 *PROCUREMENT OF AMMUNITION, ARMY*

4 *For an additional amount for “Procurement of Am-*
5 *munition, Army”, \$299,075,000, to remain available until*
6 *September 30, 2021: Provided, That such amount is des-*
7 *ignated by the Congress for Overseas Contingency Oper-*
8 *ations/Global War on Terrorism pursuant to section*
9 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
10 *Deficit Control Act of 1985.*

11 *OTHER PROCUREMENT, ARMY*

12 *For an additional amount for “Other Procurement,*
13 *Army”, \$1,372,487,000, to remain available until Sep-*
14 *tember 30, 2021: Provided, That such amount is designated*
15 *by the Congress for Overseas Contingency Operations/Glob-*
16 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
17 *of the Balanced Budget and Emergency Deficit Control Act*
18 *of 1985.*

19 *AIRCRAFT PROCUREMENT, NAVY*

20 *For an additional amount for “Aircraft Procurement,*
21 *Navy”, \$80,119,000, to remain available until September*
22 *30, 2021: Provided, That such amount is designated by the*
23 *Congress for Overseas Contingency Operations/Global War*
24 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985.*

3 *WEAPONS PROCUREMENT, NAVY*

4 *For an additional amount for “Weapons Procurement,*
5 *Navy”, \$14,134,000, to remain available until September*
6 *30, 2021: Provided, That such amount is designated by the*
7 *Congress for Overseas Contingency Operations/Global War*
8 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
9 *Balanced Budget and Emergency Deficit Control Act of*
10 *1985.*

11 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*
12 *CORPS*

13 *For an additional amount for “Procurement of Am-*
14 *munition, Navy and Marine Corps”, \$223,312,000, to re-*
15 *main available until September 30, 2021: Provided, That*
16 *such amount is designated by the Congress for Overseas*
17 *Contingency Operations/Global War on Terrorism pursu-*
18 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
19 *Emergency Deficit Control Act of 1985.*

20 *OTHER PROCUREMENT, NAVY*

21 *For an additional amount for “Other Procurement,*
22 *Navy”, \$181,173,000, to remain available until September*
23 *30, 2021: Provided, That such amount is designated by the*
24 *Congress for Overseas Contingency Operations/Global War*
25 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985.*

3 *PROCUREMENT, MARINE CORPS*

4 *For an additional amount for “Procurement, Marine*
5 *Corps”, \$58,023,000, to remain available until September*
6 *30, 2021: Provided, That such amount is designated by the*
7 *Congress for Overseas Contingency Operations/Global War*
8 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
9 *Balanced Budget and Emergency Deficit Control Act of*
10 *1985.*

11 *AIRCRAFT PROCUREMENT, AIR FORCE*

12 *For an additional amount for “Aircraft Procurement,*
13 *Air Force”, \$1,007,888,000, to remain available until Sep-*
14 *tember 30, 2021: Provided, That such amount is designated*
15 *by the Congress for Overseas Contingency Operations/Glob-*
16 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
17 *of the Balanced Budget and Emergency Deficit Control Act*
18 *of 1985.*

19 *MISSILE PROCUREMENT, AIR FORCE*

20 *For an additional amount for “Missile Procurement,*
21 *Air Force”, \$493,526,000, to remain available until Sep-*
22 *tember 30, 2021: Provided, That such amount is designated*
23 *by the Congress for Overseas Contingency Operations/Glob-*
24 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*

1 *of the Balanced Budget and Emergency Deficit Control Act*
2 *of 1985.*

3 *PROCUREMENT OF AMMUNITION, AIR FORCE*

4 *For an additional amount for “Procurement of Am-*
5 *munition, Air Force”, \$1,371,516,000, to remain available*
6 *until September 30, 2021: Provided, That such amount is*
7 *designated by the Congress for Overseas Contingency Oper-*
8 *ations/Global War on Terrorism pursuant to section*
9 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
10 *Deficit Control Act of 1985.*

11 *OTHER PROCUREMENT, AIR FORCE*

12 *For an additional amount for “Other Procurement,*
13 *Air Force”, \$3,705,044,000, to remain available until Sep-*
14 *tember 30, 2021: Provided, That such amount is designated*
15 *by the Congress for Overseas Contingency Operations/Glob-*
16 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
17 *of the Balanced Budget and Emergency Deficit Control Act*
18 *of 1985.*

19 *PROCUREMENT, DEFENSE-WIDE*

20 *For an additional amount for “Procurement, Defense-*
21 *Wide”, \$557,135,000, to remain available until September*
22 *30, 2021: Provided, That such amount is designated by the*
23 *Congress for Overseas Contingency Operations/Global War*
24 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985.*

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

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

6 *For an additional amount for “Research, Develop-*
7 *ment, Test and Evaluation, Army”, \$325,104,000, to re-*
8 *main available until September 30, 2020: Provided, That*
9 *such amount is designated by the Congress for Overseas*
10 *Contingency Operations/Global War on Terrorism pursu-*
11 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
12 *Emergency Deficit Control Act of 1985.*

13 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

14 *For an additional amount for “Research, Develop-*
15 *ment, Test and Evaluation, Navy”, \$167,812,000, to re-*
16 *main available until September 30, 2020: Provided, That*
17 *such amount is designated by the Congress for Overseas*
18 *Contingency Operations/Global War on Terrorism pursu-*
19 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
20 *Emergency Deficit Control Act of 1985.*

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

23 *For an additional amount for “Research, Develop-*
24 *ment, Test and Evaluation, Air Force”, \$287,971,000, to*
25 *remain available until September 30, 2020: Provided, That*

1 such amount is designated by the Congress for Overseas
2 Contingency Operations/Global War on Terrorism pursuant
3 to section 251(b)(2)(A)(ii) of the Balanced Budget and
4 Emergency Deficit Control Act of 1985.

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

6 **DEFENSE-WIDE**

7 For an additional amount for “Research, Development,
8 Test and Evaluation, Defense-Wide”, \$394,883,000,
9 to remain available until September 30, 2020: Provided,
10 That such amount is designated by the Congress for Overseas
11 Contingency Operations/Global War on Terrorism pursuant
12 to section 251(b)(2)(A)(ii) of the Balanced Budget and
13 Emergency Deficit Control Act of 1985.

14 **REVOLVING AND MANAGEMENT FUNDS**

15 **DEFENSE WORKING CAPITAL FUNDS**

16 For an additional amount for “Defense Working Capital Funds”, \$15,190,000: Provided, That such amount is
17 designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

22 **OTHER DEPARTMENT OF DEFENSE PROGRAMS**

23 **DEFENSE HEALTH PROGRAM**

24 For an additional amount for “Defense Health Program”, \$352,068,000, which shall be for operation and

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

6 ***DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,***

7 ***DEFENSE***

8 *For an additional amount for “Drug Interdiction and*
9 *Counter-Drug Activities, Defense”, \$143,100,000: Provided,*
10 *That such amount is designated by the Congress for Over-*
11 *seas Contingency Operations/Global War on Terrorism pur-*
12 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
13 *and Emergency Deficit Control Act of 1985.*

14 ***OFFICE OF THE INSPECTOR GENERAL***

15 *For an additional amount for the “Office of the Inspec-*
16 *tor General”, \$24,692,000: Provided, That such amount is*
17 *designated by the Congress for Overseas Contingency Oper-*
18 *ations/Global War on Terrorism pursuant to section*
19 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
20 *Deficit Control Act of 1985.*

21 ***GENERAL PROVISIONS—THIS TITLE***

22 *SEC. 9001. Notwithstanding any other provision of*
23 *law, funds made available in this title are in addition to*
24 *amounts appropriated or otherwise made available for the*
25 *Department of Defense for fiscal year 2019.*

1 *(INCLUDING TRANSFER OF FUNDS)*

2 SEC. 9002. Upon the determination of the Secretary
3 of Defense that such action is necessary in the national in-
4 terest, the Secretary may, with the approval of the Office
5 of Management and Budget, transfer up to \$2,000,000,000
6 between the appropriations or funds made available to the
7 Department of Defense in this title: Provided, That the Sec-
8 retary shall notify the Congress promptly of each transfer
9 made pursuant to the authority in this section: Provided
10 further, That the authority provided in this section is in
11 addition to any other transfer authority available to the
12 Department of Defense and is subject to the same terms and
13 conditions as the authority provided in section 8005 of this
14 Act.

15 SEC. 9003. Supervision and administration costs and
16 costs for design during construction associated with a con-
17 struction project funded with appropriations available for
18 operation and maintenance or the "Afghanistan Security
19 Forces Fund" provided in this Act and executed in direct
20 support of overseas contingency operations in Afghanistan,
21 may be obligated at the time a construction contract is
22 awarded: Provided, That, for the purpose of this section,
23 supervision and administration costs and costs for design
24 during construction include all in-house Government costs.

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

11 *SEC. 9005. Not to exceed \$5,000,000 of the amounts*
12 *appropriated by this title under the heading “Operation*
13 *and Maintenance, Army” may be used, notwithstanding*
14 *any other provision of law, to fund the Commanders’ Emer-*
15 *gency Response Program (CERP), for the purpose of ena-*
16 *bling military commanders in Afghanistan to respond to*
17 *urgent, small-scale, humanitarian relief and reconstruction*
18 *requirements within their areas of responsibility: Provided,*
19 *That each project (including any ancillary or related ele-*
20 *ments in connection with such project) executed under this*
21 *authority shall not exceed \$2,000,000: Provided further,*
22 *That not later than 45 days after the end of each 6 months*
23 *of the fiscal year, the Secretary of Defense shall submit to*
24 *the congressional defense committees a report regarding the*
25 *source of funds and the allocation and use of funds during*

1 *that 6-month period that were made available pursuant to*
2 *the authority provided in this section or under any other*
3 *provision of law for the purposes described herein: Provided*
4 *further, That, not later than 30 days after the end of each*
5 *fiscal year quarter, the Army shall submit to the congress-*
6 *sional defense committees quarterly commitment, obliga-*
7 *tion, and expenditure data for the CERP in Afghanistan:*
8 *Provided further, That, not less than 15 days before making*
9 *funds available pursuant to the authority provided in this*
10 *section or under any other provision of law for the purposes*
11 *described herein for a project with a total anticipated cost*
12 *for completion of \$500,000 or more, the Secretary shall sub-*
13 *mit to the congressional defense committees a written notice*
14 *containing each of the following:*

15 *(1) The location, nature and purpose of the pro-*
16 *posed project, including how the project is intended to*
17 *advance the military campaign plan for the country*
18 *in which it is to be carried out.*

19 *(2) The budget, implementation timeline with*
20 *milestones, and completion date for the proposed*
21 *project, including any other CERP funding that has*
22 *been or is anticipated to be contributed to the comple-*
23 *tion of the project.*

24 *(3) A plan for the sustainment of the proposed*
25 *project, including the agreement with either the host*

1 nation, a non-Department of Defense agency of the
2 United States Government or a third-party contrib-
3 utor to finance the sustainment of the activities and
4 maintenance of any equipment or facilities to be pro-
5 vided through the proposed project.

6 SEC. 9006. *Funds available to the Department of De-*
7 *fense for operation and maintenance may be used, notwith-*
8 *standing any other provision of law, to provide supplies,*
9 *services, transportation, including airlift and sealift, and*
10 *other logistical support to allied forces participating in a*
11 *combined operation with the armed forces of the United*
12 *States and coalition forces supporting military and sta-*
13 *bility operations in Afghanistan and to counter the Islamic*
14 *State of Iraq and Syria: Provided, That the Secretary of*
15 *Defense shall provide quarterly reports to the congressional*
16 *defense committees regarding support provided under this*
17 *section.*

18 SEC. 9007. *None of the funds appropriated or other-*
19 *wise made available by this or any other Act shall be obli-*
20 *gated or expended by the United States Government for a*
21 *purpose as follows:*

22 (1) *To establish any military installation or base*
23 *for the purpose of providing for the permanent sta-*
24 *tioning of United States Armed Forces in Iraq.*

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

3 (3) *To establish any military installation or base
4 for the purpose of providing for the permanent sta-
5 tioning of United States Armed Forces in Afghani-
6 stan.*

7 SEC. 9008. *None of the funds made available in this
8 Act may be used in contravention of the following laws en-
9 acted or regulations promulgated to implement the United
10 Nations Convention Against Torture and Other Cruel, In-
11 human or Degrading Treatment or Punishment (done at
12 New York on December 10, 1984):*

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

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

22 (3) *Sections 1002 and 1003 of the Department of
23 Defense, Emergency Supplemental Appropriations to
24 Address Hurricanes in the Gulf of Mexico, and Pan-
25 demic Influenza Act, 2006 (Public Law 109–148).*

1 *SEC. 9009. None of the funds provided for the “Afghan-*
2 *istan Security Forces Fund” (ASFF) may be obligated*
3 *prior to the approval of a financial and activity plan by*
4 *the Afghanistan Resources Oversight Council (AROC) of the*
5 *Department of Defense: Provided, That the AROC must ap-*
6 *prove the requirement and acquisition plan for any service*
7 *requirements in excess of \$50,000,000 annually and any*
8 *non-standard equipment requirements in excess of*
9 *\$100,000,000 using ASFF: Provided further, That the De-*
10 *partment of Defense must certify to the congressional de-*
11 *fense committees that the AROC has convened and approved*
12 *a process for ensuring compliance with the requirements in*
13 *the preceding proviso and accompanying report language*
14 *for the ASFF.*

15 *SEC. 9010. Funds made available in this title to the*
16 *Department of Defense for operation and maintenance may*
17 *be used to purchase items having an investment unit cost*
18 *of not more than \$250,000: Provided, That, upon deter-*
19 *mination by the Secretary of Defense that such action is*
20 *necessary to meet the operational requirements of a Com-*
21 *mander of a Combatant Command engaged in contingency*
22 *operations overseas, such funds may be used to purchase*
23 *items having an investment item unit cost of not more than*
24 *\$500,000.*

1 SEC. 9011. (a) None of the funds appropriated or oth-
2 erwise made available by this Act under the heading “Oper-
3 ation and Maintenance, Defense-Wide” for payments under
4 section 1233 of Public Law 110–181 for reimbursement to
5 the Government of Pakistan may be made available unless
6 the Secretary of Defense, in coordination with the Secretary
7 of State, certifies to the congressional defense committees
8 that the Government of Pakistan is—

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

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

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

1 (4) preventing the proliferation of nuclear-re-
2 lated material and expertise;

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

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

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

11 (b) The Secretary of Defense, in coordination with the
12 Secretary of State, may waive the restriction in subsection
13 (a) on a case-by-case basis by certifying in writing to the
14 congressional defense committees that it is in the national
15 security interest to do so: Provided, That if the Secretary
16 of Defense, in coordination with the Secretary of State, ex-
17 ercises such waiver authority, the Secretaries shall report
18 to the congressional defense committees on both the justifica-
19 tion for the waiver and on the requirements of this section
20 that the Government of Pakistan was not able to meet: Pro-
21 vided further, That such report may be submitted in classi-
22 fied form if necessary.

23 SEC. 9012. None of the funds in this Act may be made
24 available for the transfer of additional C-130 cargo aircraft
25 to the Afghanistan National Security Forces or the Afghani-

1 stan Air Force until the Department of Defense provides
2 a report to the congressional defense committees of the Af-
3 ghanistan Air Force's medium airlift requirements. The re-
4 port should identify Afghanistan's ability to utilize and
5 maintain existing medium lift aircraft in the inventory
6 and the best alternative platform, if necessary, to provide
7 additional support to the Afghanistan Air Force's current
8 medium airlift capacity.

9 (RESCISSESSONS)

10 SEC. 9013. Of the funds appropriated in Department
11 of Defense Appropriations Acts, the following funds are
12 hereby rescinded from the following accounts and programs
13 in the specified amounts: Provided, That such amounts are
14 designated by the Congress for Overseas Contingency Oper-
15 ations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985:

18 "Operation and Maintenance, Defense-Wide: Co-
19 alition Support Funds", 2018/2019, \$800,000,000;

20 "Operation and Maintenance, Defense-Wide:
21 DSCA Security Cooperation", 2018/2019,
22 \$150,000,000;

23 "Counter-ISIS Train and Equip Fund", 2018/
24 2019, \$400,000,000; and

1 “*Aircraft Procurement, Air Force*”, 2018/2020,
2 \$88,400,000.

3 *SEC. 9014. Funds available for the Afghanistan Secu-*
4 *rity Forces Fund may be used to provide limited training,*
5 *equipment, and other assistance that would otherwise be*
6 *prohibited by 10 U.S.C. 362 to a unit of the security forces*
7 *of Afghanistan only if the Secretary certifies to the congres-*
8 *sional defense committees, within 30 days of a decision to*
9 *provide such assistance, that (1) a denial of such assistance*
10 *would present significant risk to U.S. or coalition forces*
11 *or significantly undermine United States national security*
12 *objectives in Afghanistan; and (2) the Secretary has sought*
13 *a commitment by the Government of Afghanistan to take*
14 *all necessary corrective steps: Provided, That such certifi-*
15 *cation shall be accompanied by a report describing: (1) the*
16 *information relating to the gross violation of human rights;*
17 *(2) the circumstances that necessitated the provision of such*
18 *assistance; (3) the Afghan security force unit involved; (4)*
19 *the assistance provided and the assistance withheld; and (5)*
20 *the corrective steps to be taken by the Government of Af-*
21 *ghanistan: Provided further, That every 120 days after the*
22 *initial report an additional report shall be submitted de-*
23 *tailing the status of any corrective steps taken by the Gov-*
24 *ernment of Afghanistan: Provided further, That if the Gov-*
25 *ernment of Afghanistan has not initiated necessary correc-*

1 *tive steps within one year of the certification, the authority*
2 *under this section to provide assistance to such unit shall*
3 *no longer apply: Provided further, That the Secretary shall*
4 *submit a report to such committees detailing the final dis-*
5 *position of the case by the Government of Afghanistan.*

6 *SEC. 9015. Equipment procured using funds provided*
7 *in prior Acts under the heading “Counterterrorism Part-*
8 *nerships Fund” for the program authorized by section 1209*
9 *of the Carl Levin and Howard P. “Buck” McKeon National*
10 *Defense Authorization Act for Fiscal Year 2015 (Public*
11 *Law 113–291), and not yet transferred to authorized recipi-*
12 *ents may be transferred to foreign security forces, irregular*
13 *forces, groups, or individuals, authorized to receive assist-*
14 *ance using amounts provided under the heading “Counter-*
15 *ISIS Train and Equip Fund” in this Act: Provided, That*
16 *such equipment may be transferred 15 days following writ-*
17 *ten notification to the congressional defense committees.*

18 *SEC. 9016. Each amount designated in this Act by the*
19 *Congress for Overseas Contingency Operations/Global War*
20 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
21 *Balanced Budget and Emergency Deficit Control Act of*
22 *1985 shall be available (or rescinded, if applicable) only*
23 *if the President subsequently so designates all such amounts*
24 *and transmits such designations to the Congress.*

1 *This division may be cited as the “Department of De-*
2 *fense Appropriations Act, 2019”.*

1 **DIVISION B—DEPARTMENTS OF LABOR,**
2 **HEALTH AND HUMAN SERVICES, AND**
3 **EDUCATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2019**

5 *That the following sums are appropriated, out of any
6 money in the Treasury not otherwise appropriated, for the
7 Departments of Labor, Health and Human Services, and
8 Education, and related agencies for the fiscal year ending
9 September 30, 2019, and for other purposes, namely:*

10 **TITLE I**

11 **DEPARTMENT OF LABOR**

12 **EMPLOYMENT AND TRAINING ADMINISTRATION**

13 **TRAINING AND EMPLOYMENT SERVICES**

14 *For necessary expenses of the Workforce Innovation
15 and Opportunity Act (referred to in this Act as “WIOA”),
16 the Second Chance Act of 2007, and the National Appren-
17 ticeship Act, \$3,501,200,000, plus reimbursements, shall be
18 available. Of the amounts provided:*

19 *(1) for grants to States for adult employment
20 and training activities, youth activities, and dis-
21 located worker employment and training activities,
22 \$2,789,832,000 as follows:*

23 *(A) \$845,556,000 for adult employment and
24 training activities, of which \$133,556,000 shall
25 be available for the period July 1, 2019 through*

1 *June 30, 2020, and of which \$712,000,000 shall*
2 *be available for the period October 1, 2019*
3 *through June 30, 2020;*

4 *(B) \$903,416,000 for youth activities, which*
5 *shall be available for the period April 1, 2019*
6 *through June 30, 2020; and*

7 *(C) \$1,040,860,000 for dislocated worker*
8 *employment and training activities, of which*
9 *\$180,860,000 shall be available for the period*
10 *July 1, 2019 through June 30, 2020, and of*
11 *which \$860,000,000 shall be available for the pe-*
12 *riod October 1, 2019 through June 30, 2020:*

13 *Provided, That the funds available for allotment to*
14 *outlying areas to carry out subtitle B of title I of the*
15 *WIOA shall not be subject to the requirements of sec-*
16 *tion 127(b)(1)(B)(ii) of such Act; and*

17 *(2) for national programs, \$711,368,000 as fol-*
18 *lows:*

19 *(A) \$220,859,000 for the dislocated workers*
20 *assistance national reserve, of which \$20,859,000*
21 *shall be available for the period July 1, 2019*
22 *through September 30, 2020, and of which*
23 *\$200,000,000 shall be available for the period*
24 *October 1, 2019 through September 30, 2020:*

25 *Provided, That funds provided to carry out sec-*

tion 132(a)(2)(A) of the WIOA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That funds provided to carry out sections 168(b) and 169(c) of the WIOA may be used for technical assistance and demonstration projects, respectively, that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That notwithstanding section 168(b) of the WIOA, of the funds provided under this subparagraph, the Secretary of Labor (referred to in this title as “Secretary”) may reserve not more than 10 percent of such funds to provide technical assistance and carry out additional activities related to the transition to the WIOA: Provided further, That of the funds provided under this subparagraph, \$30,000,000 shall be for training and employment assistance under sections 168(b), 169(c) (notwithstanding the 10 percent

1 limitation in such section) and 170 of the WIOA
2 for workers in the Appalachian region, as de-
3 fined by 40 U.S.C. 14102(a)(1) and workers in
4 the Lower Mississippi, as defined in section 4(2)
5 of the Delta Development Act (Public Law 100–
6 460, 102 Stat. 2246; 7 U.S.C. 2009aa(2));

7 (B) \$54,000,000 for Native American pro-
8 grams under section 166 of the WIOA, which
9 shall be available for the period July 1, 2019
10 through June 30, 2020;

11 (C) \$87,896,000 for migrant and seasonal
12 farmworker programs under section 167 of the
13 WIOA, including \$81,447,000 for formula grants
14 (of which not less than 70 percent shall be for
15 employment and training services), \$5,922,000
16 for migrant and seasonal housing (of which not
17 less than 70 percent shall be for permanent hous-
18 ing), and \$527,000 for other discretionary pur-
19 poses, which shall be available for the period
20 July 1, 2019 through June 30, 2020: Provided,
21 That notwithstanding any other provision of law
22 or related regulation, the Department of Labor
23 shall take no action limiting the number or pro-
24 portion of eligible participants receiving related

1 *assistance services or discouraging grantees from*
2 *providing such services;*

3 *(D) \$89,534,000 for YouthBuild activities*
4 *as described in section 171 of the WIOA, which*
5 *shall be available for the period April 1, 2019*
6 *through June 30, 2020;*

7 *(E) \$93,079,000 for ex-offender activities,*
8 *under the authority of section 169 of the WIOA*
9 *and section 212 of the Second Chance Act of*
10 *2007, which shall be available for the period*
11 *April 1, 2019 through June 30, 2020: Provided,*
12 *That of this amount, \$25,000,000 shall be for*
13 *competitive grants to national and regional*
14 *intermediaries for activities that prepare young*
15 *ex-offenders and school dropouts for employment,*
16 *with a priority for projects serving high-crime,*
17 *high-poverty areas;*

18 *(F) \$6,000,000 for the Workforce Data*
19 *Quality Initiative, under the authority of section*
20 *169 of the WIOA, which shall be available for the*
21 *period July 1, 2019 through June 30, 2020; and*

22 *(G) \$160,000,000 to expand opportunities*
23 *relating to apprenticeship programs registered*
24 *under the National Apprenticeship Act, to be*
25 *available to the Secretary to carry out activities*

1 *through grants, cooperative agreements, contracts*
2 *and other arrangements, with States and other*
3 *appropriate entities, which shall be available for*
4 *the period April 1, 2019 through June 30, 2020.*

5 *JOB CORPS*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *To carry out subtitle C of title I of the WIOA, includ-*
8 *ing Federal administrative expenses, the purchase and hire*
9 *of passenger motor vehicles, the construction, alteration,*
10 *and repairs of buildings and other facilities, and the pur-*
11 *chase of real property for training centers as authorized by*
12 *the WIOA, \$1,718,655,000, plus reimbursements, as follows:*

13 (1) *\$1,603,325,000 for Job Corps Operations,*
14 *which shall be available for the period July 1, 2019*
15 *through June 30, 2020;*

16 (2) *\$83,000,000 for construction, rehabilitation*
17 *and acquisition of Job Corps Centers, which shall be*
18 *available for the period July 1, 2019 through June*
19 *30, 2022, and which may include the acquisition,*
20 *maintenance, and repair of major items of equip-*
21 *ment: Provided, That the Secretary may transfer up*
22 *to 15 percent of such funds to meet the operational*
23 *needs of such centers or to achieve administrative effi-*
24 *ciencies: Provided further, That any funds transferred*
25 *pursuant to the preceding provision shall not be*

1 available for obligation after June 30, 2020: Provided
2 further, That the Committees on Appropriations of
3 the House of Representatives and the Senate are noti-
4 fied at least 15 days in advance of any transfer; and
5 (3) \$32,330,000 for necessary expenses of Job
6 Corps, which shall be available for obligation for the
7 period October 1, 2018 through September 30, 2019:
8 Provided, That no funds from any other appropriation
9 shall be used to provide meal services at or for Job Corps
10 centers.

11 **COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS**

12 To carry out title V of the Older Americans Act of 1965
13 (referred to in this Act as “OAA”), \$400,000,000, which
14 shall be available for the period April 1, 2019 through June
15 30, 2020, and may be recaptured and reobligated in accord-
16 ance with section 517(c) of the OAA.

17 **FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES**

18 For payments during fiscal year 2019 of trade adjust-
19 ment benefit payments and allowances under part I of sub-
20 chapter B of chapter 2 of title II of the Trade Act of 1974,
21 and section 246 of that Act; and for training, employment
22 and case management services, allowances for job search
23 and relocation, and related State administrative expenses
24 under part II of subchapter B of chapter 2 of title II of
25 the Trade Act of 1974, and including benefit payments, al-

1 lowances, training, employment and case management serv-
2 ices, and related State administration provided pursuant
3 to section 231(a) of the Trade Adjustment Assistance Exten-
4 sion Act of 2011 and section 405(a) of the Trade Preferences
5 Extension Act of 2015, \$790,000,000 together with such
6 amounts as may be necessary to be charged to the subse-
7 quent appropriation for payments for any period subse-
8 quent to September 15, 2019: Provided, That notwith-
9 standing section 502 of this Act, any part of the appropria-
10 tion provided under this heading may remain available for
11 obligation beyond the current fiscal year pursuant to the
12 authorities of section 245(c) of the Trade Act of 1974 (19
13 U.S.C. 2317(c)).

14 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
15 SERVICE OPERATIONS

16 For authorized administrative expenses, \$84,066,000,
17 together with not to exceed \$3,254,944,000 which may be
18 expended from the Employment Security Administration
19 Account in the Unemployment Trust Fund (“the Trust
20 Fund”), of which:

21 (1) \$2,515,816,000 from the Trust Fund is for
22 grants to States for the administration of State un-
23 employment insurance laws as authorized under title
24 III of the Social Security Act (including not less than
25 \$150,000,000 to carry out reemployment services and

1 *eligibility assessments under section 306 of such Act,*
2 *any claimants of regular compensation, as defined in*
3 *such section, including those who are profiled as most*
4 *likely to exhaust their benefits, may be eligible for*
5 *such services and assessments: Provided, That of such*
6 *amount, \$117,000,000 is specified for grants under*
7 *section 306 of the Social Security Act and is provided*
8 *to meet the terms of section 251(b)(2)(E)(ii) of the*
9 *Balanced Budget and Emergency Deficit Control Act*
10 *of 1985, as amended, and \$33,000,000 is additional*
11 *new budget authority specified for purposes of section*
12 *251(b)(2)(E)(i)(II) of such Act; and \$9,000,000 for*
13 *continued support of the Unemployment Insurance*
14 *Integrity Center of Excellence), the administration of*
15 *unemployment insurance for Federal employees and*
16 *for ex-service members as authorized under 5 U.S.C.*
17 *8501–8523, and the administration of trade readjust-*
18 *ment allowances, reemployment trade adjustment as-*
19 *sistance, and alternative trade adjustment assistance*
20 *under the Trade Act of 1974 and under section 231(a)*
21 *of the Trade Adjustment Assistance Extension Act of*
22 *2011 and section 405(a) of the Trade Preferences Ex-*
23 *tension Act of 2015, and shall be available for obliga-*
24 *tion by the States through December 31, 2019, except*
25 *that funds used for automation shall be available for*

1 *Federal obligation through December 31, 2019, and*
2 *for State obligation through September 30, 2021, or,*
3 *if the automation is being carried out through con-*
4 *sortia of States, for State obligation through Sep-*
5 *tember 30, 2024, and for expenditure through Sep-*
6 *tember 30, 2025, and funds for competitive grants*
7 *awarded to States for improved operations and to*
8 *conduct in-person reemployment and eligibility as-*
9 *sessments and unemployment insurance improper*
10 *payment reviews and provide reemployment services*
11 *and referrals to training, as appropriate, shall be*
12 *available for Federal obligation through December 31,*
13 *2019, and for obligation by the States through Sep-*
14 *tember 30, 2021, and funds for the Unemployment In-*
15 *surance Integrity Center of Excellence shall be avail-*
16 *able for obligation by the State through September 30,*
17 *2020, and funds used for unemployment insurance*
18 *workloads experienced through September 30, 2019*
19 *shall be available for Federal obligation through De-*
20 *cember 31, 2019;*

21 (2) \$12,000,000 from the Trust Fund is for na-
22 *tional activities necessary to support the administra-*
23 *tion of the Federal-State unemployment insurance*
24 *system;*

1 (3) \$645,000,000 from the Trust Fund, together
2 with \$21,413,000 from the General Fund of the Treasury,
3 is for grants to States in accordance with section
4 6 of the Wagner-Peyser Act, and shall be available for
5 Federal obligation for the period July 1, 2019 through
6 June 30, 2020;

7 (4) \$19,818,000 from the Trust Fund is for na-
8 tional activities of the Employment Service, including
9 administration of the work opportunity tax credit
10 under section 51 of the Internal Revenue Code of
11 1986, and the provision of technical assistance and
12 staff training under the Wagner-Peyser Act;

13 (5) \$62,310,000 from the Trust Fund is for the
14 administration of foreign labor certifications and re-
15 lated activities under the Immigration and Nation-
16 ality Act and related laws, of which \$48,028,000 shall
17 be available for the Federal administration of such
18 activities, and \$14,282,000 shall be available for
19 grants to States for the administration of such activi-
20 ties; and

21 (6) \$62,653,000 from the General Fund is to
22 provide workforce information, national electronic
23 tools, and one-stop system building under the Wagner-
24 Peyser Act and shall be available for Federal obliga-

1 tion for the period July 1, 2019 through June 30,
2 2020:

3 Provided, That to the extent that the Average Weekly In-
4 sured Unemployment (“AWIU”) for fiscal year 2019 is pro-
5 jected by the Department of Labor to exceed 2,030,000, an
6 additional \$28,600,000 from the Trust Fund shall be avail-
7 able for obligation for every 100,000 increase in the AWIU
8 level (including a pro rata amount for any increment less
9 than 100,000) to carry out title III of the Social Security
10 Act: Provided further, That funds appropriated in this Act
11 that are allotted to a State to carry out activities under
12 title III of the Social Security Act may be used by such
13 State to assist other States in carrying out activities under
14 such title III if the other States include areas that have
15 suffered a major disaster declared by the President under
16 the Robert T. Stafford Disaster Relief and Emergency As-
17 sistance Act: Provided further, That the Secretary may use
18 funds appropriated for grants to States under title III of
19 the Social Security Act to make payments on behalf of
20 States for the use of the National Directory of New Hires
21 under section 453(j)(8) of such Act: Provided further, That
22 the Secretary may use funds appropriated for grants to
23 States under title III of the Social Security Act to make
24 payments on behalf of States to the entity operating the
25 State Information Data Exchange System: Provided fur-

1 ther, That funds appropriated in this Act which are used
2 to establish a national one-stop career center system, or
3 which are used to support the national activities of the Fed-
4 eral-State unemployment insurance, employment service, or
5 immigration programs, may be obligated in contracts,
6 grants, or agreements with States and non-State entities:
7 Provided further, That States awarded competitive grants
8 for improved operations under title III of the Social Secu-
9 rity Act, or awarded grants to support the national activi-
10 ties of the Federal-State unemployment insurance system,
11 may award subgrants to other States and non-State entities
12 under such grants, subject to the conditions applicable to
13 the grants: Provided further, That funds appropriated
14 under this Act for activities authorized under title III of
15 the Social Security Act and the Wagner-Peyser Act may
16 be used by States to fund integrated Unemployment Insur-
17 ance and Employment Service automation efforts, notwith-
18 standing cost allocation principles prescribed under the
19 final rule entitled "Uniform Administrative Requirements,
20 Cost Principles, and Audit Requirements for Federal
21 Awards" at part 200 of title 2, Code of Federal Regulations:
22 Provided further, That the Secretary, at the request of a
23 State participating in a consortium with other States, may
24 realloot funds allotted to such State under title III of the
25 Social Security Act to other States participating in the con-

1 sortium in order to carry out activities that benefit the ad-
2 ministration of the unemployment compensation law of the
3 State making the request: Provided further, That the Sec-
4 retary may collect fees for the costs associated with addi-
5 tional data collection, analyses, and reporting services re-
6 lating to the National Agricultural Workers Survey re-
7 quested by State and local governments, public and private
8 institutions of higher education, and nonprofit organiza-
9 tions and may utilize such sums, in accordance with the
10 provisions of 29 U.S.C. 9a, for the National Agricultural
11 Workers Survey infrastructure, methodology, and data to
12 meet the information collection and reporting needs of such
13 entities, which shall be credited to this appropriation and
14 shall remain available until September 30, 2020, for such
15 purposes.

18 For repayable advances to the Unemployment Trust
19 Fund as authorized by sections 905(d) and 1203 of the So-
20 cial Security Act, and to the Black Lung Disability Trust
21 Fund as authorized by section 9501(c)(1) of the Internal
22 Revenue Code of 1986; and for nonrepayable advances to
23 the revolving fund established by section 901(e) of the Social
24 Security Act, to the Unemployment Trust Fund as author-
25 ized by 5 U.S.C. 8509, and to the “Federal Unemployment

1 *Benefits and Allowances*" account, such sums as may be
2 necessary, which shall be available for obligation through
3 September 30, 2020.

4 PROGRAM ADMINISTRATION

5 *For expenses of administering employment and train-*
6 *ing programs, \$108,674,000, together with not to exceed*
7 *\$49,982,000 which may be expended from the Employment*
8 *Security Administration Account in the Unemployment*
9 *Trust Fund.*

10 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

11 SALARIES AND EXPENSES

12 *For necessary expenses for the Employee Benefits Secu-*
13 *rity Administration, \$186,500,000, of which up to*
14 *\$3,000,000 shall be made available through September 30,*
15 *2020, for the procurement of expert witnesses for enforce-*
16 *ment litigation.*

17 PENSION BENEFIT GUARANTY CORPORATION

18 PENSION BENEFIT GUARANTY CORPORATION FUND

19 *The Pension Benefit Guaranty Corporation ("Cor-*
20 *poration") is authorized to make such expenditures, includ-*
21 *ing financial assistance authorized by subtitle E of title IV*
22 *of the Employee Retirement Income Security Act of 1974,*
23 *within limits of funds and borrowing authority available*
24 *to the Corporation, and in accord with law, and to make*
25 *such contracts and commitments without regard to fiscal*

1 year limitations, as provided by 31 U.S.C. 9104, as may
2 be necessary in carrying out the program, including associ-
3 ated administrative expenses, through September 30, 2019,
4 for the Corporation: Provided, That none of the funds avail-
5 able to the Corporation for fiscal year 2019 shall be avail-
6 able for obligations for administrative expenses in excess of
7 \$445,363,000: Provided further, That to the extent that the
8 number of new plan participants in plans terminated by
9 the Corporation exceeds 100,000 in fiscal year 2019, an
10 amount not to exceed an additional \$9,200,000 shall be
11 available through September 30, 2020, for obligation for ad-
12 ministrative expenses for every 20,000 additional termi-
13 nated participants: Provided further, That obligations in
14 excess of the amounts provided in this paragraph may be
15 incurred for unforeseen and extraordinary pretermination
16 expenses or extraordinary multiemployer program related
17 expenses after approval by the Office of Management and
18 Budget and notification of the Committees on Appropriations
19 of the House of Representatives and the Senate.

20 **WAGE AND HOUR DIVISION**

21 **SALARIES AND EXPENSES**

22 For necessary expenses for the Wage and Hour Divi-
23 sion, including reimbursement to State, Federal, and local
24 agencies and their employees for inspection services ren-
25 dered, \$229,000,000.

1 *OFFICE OF LABOR-MANAGEMENT STANDARDS*2 *SALARIES AND EXPENSES*

3 *For necessary expenses for the Office of Labor-Manage-
4 ment Standards, \$40,187,000.*

5 *OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS*6 *SALARIES AND EXPENSES*

7 *For necessary expenses for the Office of Federal Con-
8 tract Compliance Programs, \$103,476,000.*

9 *OFFICE OF WORKERS' COMPENSATION PROGRAMS*10 *SALARIES AND EXPENSES*

11 *For necessary expenses for the Office of Workers' Com-
12 pensation Programs, \$115,424,000, together with
13 \$2,177,000 which may be expended from the Special Fund
14 in accordance with sections 39(c), 44(d), and 44(j) of the
15 Longshore and Harbor Workers' Compensation Act.*

16 *SPECIAL BENEFITS*17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For the payment of compensation, benefits, and ex-
19 penses (except administrative expenses) accruing during the
20 current or any prior fiscal year authorized by 5 U.S.C. 81;
21 continuation of benefits as provided for under the heading
22 "Civilian War Benefits" in the Federal Security Agency
23 Appropriation Act, 1947; the Employees' Compensation
24 Commission Appropriation Act, 1944; section 5(f) of the
25 War Claims Act (50 U.S.C. App. 2012); obligations in-*

1 curred under the War Hazards Compensation Act (42
2 U.S.C. 1701 et seq.); and 50 percent of the additional com-
3 pensation and benefits required by section 10(h) of the
4 Longshore and Harbor Workers' Compensation Act,
5 \$230,000,000, together with such amounts as may be nec-
6 essary to be charged to the subsequent year appropriation
7 for the payment of compensation and other benefits for any
8 period subsequent to August 15 of the current year, for de-
9 posit into and to assume the attributes of the Employees'
10 Compensation Fund established under 5 U.S.C. 8147(a):
11 Provided, That amounts appropriated may be used under
12 5 U.S.C. 8104 by the Secretary to reimburse an employer,
13 who is not the employer at the time of injury, for portions
14 of the salary of a re-employed, disabled beneficiary: Pro-
15 vided further, That balances of reimbursements unobligated
16 on September 30, 2018, shall remain available until ex-
17 pended for the payment of compensation, benefits, and ex-
18 penses: Provided further, That in addition there shall be
19 transferred to this appropriation from the Postal Service
20 and from any other corporation or instrumentality required
21 under 5 U.S.C. 8147(c) to pay an amount for its fair share
22 of the cost of administration, such sums as the Secretary
23 determines to be the cost of administration for employees
24 of such fair share entities through September 30, 2019: Pro-
25 vided further, That of those funds transferred to this ac-

1 count from the fair share entities to pay the cost of adminis-
2 tration of the Federal Employees' Compensation Act,
3 \$74,777,000 shall be made available to the Secretary as fol-
4 lows:

- 5 (1) For enhancement and maintenance of auto-
6 mated data processing systems operations and tele-
7 communications systems, \$24,540,000;
- 8 (2) For automated workload processing oper-
9 ations, including document imaging, centralized mail
10 intake, and medical bill processing, \$22,968,000;
- 11 (3) For periodic roll disability management and
12 medical review, \$25,535,000;
- 13 (4) For program integrity, \$1,734,000; and
- 14 (5) The remaining funds shall be paid into the
15 Treasury as miscellaneous receipts:

16 Provided further, That the Secretary may require that any
17 person filing a notice of injury or a claim for benefits under
18 5 U.S.C. 81, or the Longshore and Harbor Workers' Com-
19 pensation Act, provide as part of such notice and claim,
20 such identifying information (including Social Security ac-
21 count number) as such regulations may prescribe.

22 **SPECIAL BENEFITS FOR DISABLED COAL MINERS**

23 For carrying out title IV of the Federal Mine Safety
24 and Health Act of 1977, as amended by Public Law 107-
25 275, \$10,319,000, to remain available until expended.

1 For making after July 31 of the current fiscal year,
2 benefit payments to individuals under title IV of such Act,
3 for costs incurred in the current fiscal year, such amounts
4 as may be necessary.

5 For making benefit payments under title IV for the
6 first quarter of fiscal year 2020, \$14,000,000, to remain
7 available until expended.

8 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

9 OCCUPATIONAL ILLNESS COMPENSATION FUND

10 For necessary expenses to administer the Energy Em-
11 ployees Occupational Illness Compensation Program Act,
12 \$59,098,000, to remain available until expended: Provided,
13 That the Secretary may require that any person filing a
14 claim for benefits under the Act provide as part of such
15 claim such identifying information (including Social Secu-
16 rity account number) as may be prescribed.

17 BLACK LUNG DISABILITY TRUST FUND

18 (INCLUDING TRANSFER OF FUNDS)

19 Such sums as may be necessary from the Black Lung
20 Disability Trust Fund (the “Fund”), to remain available
21 until expended, for payment of all benefits authorized by
22 section 9501(d)(1), (2), (6), and (7) of the Internal Revenue
23 Code of 1986; and repayment of, and payment of interest
24 on advances, as authorized by section 9501(d)(4) of that
25 Act. In addition, the following amounts may be expended

1 from the Fund for fiscal year 2019 for expenses of operation
2 and administration of the Black Lung Benefits program,
3 as authorized by section 9501(d)(5): not to exceed
4 \$38,246,000 for transfer to the Office of Workers' Compensa-
5 tion Programs, "Salaries and Expenses"; not to exceed
6 \$31,994,000 for transfer to Departmental Management,
7 "Salaries and Expenses"; not to exceed \$330,000 for trans-
8 fer to Departmental Management, "Office of Inspector Gen-
9 eral"; and not to exceed \$356,000 for payments into mis-
10 cellaneous receipts for the expenses of the Department of the
11 Treasury.

12 **OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

13 **SALARIES AND EXPENSES**

14 For necessary expenses for the Occupational Safety
15 and Health Administration, \$556,787,000, including not to
16 exceed \$102,850,000 which shall be the maximum amount
17 available for grants to States under section 23(g) of the Oc-
18 cupational Safety and Health Act (the "Act"), which grants
19 shall be no less than 50 percent of the costs of State occupa-
20 tional safety and health programs required to be incurred
21 under plans approved by the Secretary under section 18
22 of the Act; and, in addition, notwithstanding 31 U.S.C.
23 3302, the Occupational Safety and Health Administration
24 may retain up to \$499,000 per fiscal year of training insti-
25 tute course tuition and fees, otherwise authorized by law

1 to be collected, and may utilize such sums for occupational
2 safety and health training and education: Provided, That
3 notwithstanding 31 U.S.C. 3302, the Secretary is author-
4 ized, during the fiscal year ending September 30, 2019, to
5 collect and retain fees for services provided to Nationally
6 Recognized Testing Laboratories, and may utilize such
7 sums, in accordance with the provisions of 29 U.S.C. 9a,
8 to administer national and international laboratory rec-
9ognition programs that ensure the safety of equipment and
10 products used by workers in the workplace: Provided fur-
11 ther, That none of the funds appropriated under this para-
12 graph shall be obligated or expended to prescribe, issue, ad-
13 minister, or enforce any standard, rule, regulation, or order
14 under the Act which is applicable to any person who is en-
15 gaged in a farming operation which does not maintain a
16 temporary labor camp and employs 10 or fewer employees:
17 Provided further, That no funds appropriated under this
18 paragraph shall be obligated or expended to administer or
19 enforce any standard, rule, regulation, or order under the
20 Act with respect to any employer of 10 or fewer employees
21 who is included within a category having a Days Away,
22 Restricted, or Transferred (“DART”) occupational injury
23 and illness rate, at the most precise industrial classification
24 code for which such data are published, less than the na-
25 tional average rate as such rates are most recently published

1 by the Secretary, acting through the Bureau of Labor Sta-
2 tistics, in accordance with section 24 of the Act, except—

3 (1) to provide, as authorized by the Act, con-
4 sultation, technical assistance, educational and train-
5 ing services, and to conduct surveys and studies;

6 (2) to conduct an inspection or investigation in
7 response to an employee complaint, to issue a citation
8 for violations found during such inspection, and to
9 assess a penalty for violations which are not corrected
10 within a reasonable abatement period and for any
11 willful violations found;

12 (3) to take any action authorized by the Act with
13 respect to imminent dangers;

14 (4) to take any action authorized by the Act with
15 respect to health hazards;

16 (5) to take any action authorized by the Act with
17 respect to a report of an employment accident which
18 is fatal to one or more employees or which results in
19 hospitalization of two or more employees, and to take
20 any action pursuant to such investigation authorized
21 by the Act; and

22 (6) to take any action authorized by the Act with
23 respect to complaints of discrimination against em-
24 ployees for exercising rights under the Act:

1 Provided further, That the foregoing proviso shall not apply
2 to any person who is engaged in a farming operation which
3 does not maintain a temporary labor camp and employs
4 10 or fewer employees: Provided further, That \$10,537,000
5 shall be available for Susan Harwood training grants, of
6 which the Secretary shall reserve not less than \$4,500,000
7 for Susan Harwood Training Capacity Building Develop-
8 mental grants, as described in Funding Opportunity Num-
9 ber SHTG-GY-16-02 (referenced in the notice of avail-
10 ability of funds published in the Federal Register on May
11 3, 2016 (81 Fed. Reg. 30568)) for program activities start-
12 ing not later than September 30, 2019 and lasting for a
13 period of 12 months: Provided further, That not less than
14 \$3,500,000 shall be for Voluntary Protection Programs.

15 *MINE SAFETY AND HEALTH ADMINISTRATION*

16 *SALARIES AND EXPENSES*

17 For necessary expenses for the Mine Safety and Health
18 Administration, \$373,816,000, including purchase and be-
19 stowal of certificates and trophies in connection with mine
20 rescue and first-aid work, and the hire of passenger motor
21 vehicles, including up to \$2,000,000 for mine rescue and
22 recovery activities and not less than \$10,537,000 for State
23 assistance grants: Provided, That amounts available for
24 State assistance grants may be used for the purchase and
25 maintenance of new equipment required by the final rule

1 entitled "Lowering Miners' Exposure to Respirable Coal
2 Mine Dust, Including Continuous Personal Dust Monitors"
3 published by the Department of Labor in the Federal Reg-
4 ister on May 1, 2014 (79 Fed. Reg. 24813 et seq.), for opera-
5 tors that demonstrate financial need as determined by the
6 Secretary: Provided further, That notwithstanding 31
7 U.S.C. 3302, not to exceed \$750,000 may be collected by
8 the National Mine Health and Safety Academy for room,
9 board, tuition, and the sale of training materials, otherwise
10 authorized by law to be collected, to be available for mine
11 safety and health education and training activities: Pro-
12 vided further, That notwithstanding 31 U.S.C. 3302, the
13 Mine Safety and Health Administration is authorized to
14 collect and retain up to \$2,499,000 from fees collected for
15 the approval and certification of equipment, materials, and
16 explosives for use in mines, and may utilize such sums for
17 such activities: Provided further, That the Secretary is au-
18 thorized to accept lands, buildings, equipment, and other
19 contributions from public and private sources and to pros-
20 ecute projects in cooperation with other agencies, Federal,
21 State, or private: Provided further, That the Mine Safety
22 and Health Administration is authorized to promote health
23 and safety education and training in the mining commu-
24 nity through cooperative programs with States, industry,
25 and safety associations: Provided further, That the Sec-

1 retary is authorized to recognize the Joseph A. Holmes Safe-
2 ty Association as a principal safety association and, not-
3 withstanding any other provision of law, may provide
4 funds and, with or without reimbursement, personnel, in-
5 cluding service of Mine Safety and Health Administration
6 officials as officers in local chapters or in the national orga-
7 nization: Provided further, That any funds available to the
8 Department of Labor may be used, with the approval of
9 the Secretary, to provide for the costs of mine rescue and
10 survival operations in the event of a major disaster.

11 *BUREAU OF LABOR STATISTICS*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses for the Bureau of Labor Statis-
14 ties, including advances or reimbursements to State, Fed-
15 eral, and local agencies and their employees for services ren-
16 dered, \$550,000,000, together with not to exceed \$65,000,000
17 which may be expended from the Employment Security Ad-
18 ministration account in the Unemployment Trust Fund.*

19 *OFFICE OF DISABILITY EMPLOYMENT POLICY*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses for the Office of Disability Em-
22 ployment Policy to provide leadership, develop policy and
23 initiatives, and award grants furthering the objective of
24 eliminating barriers to the training and employment of
25 people with disabilities, \$38,203,000.*

1 *DEPARTMENTAL MANAGEMENT*2 *SALARIES AND EXPENSES*3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For necessary expenses for Departmental Management,*
5 *including the hire of three passenger motor vehicles,*
6 *\$337,536,000, together with not to exceed \$308,000, which*
7 *may be expended from the Employment Security Adminis-*
8 *tration account in the Unemployment Trust Fund: Pro-*
9 *vided, That \$59,825,000 for the Bureau of International*
10 *Labor Affairs shall be available for obligation through De-*
11 *cember 31, 2019: Provided further, That funds available to*
12 *the Bureau of International Labor Affairs may be used to*
13 *administer or operate international labor activities, bilat-*
14 *eral and multilateral technical assistance, and micro-*
15 *finance programs, by or through contracts, grants, sub-*
16 *grants and other arrangements: Provided further, That not*
17 *more than \$53,825,000 shall be for programs to combat ex-*
18 *ploitative child labor internationally and not less than*
19 *\$6,000,000 shall be used to implement model programs that*
20 *address worker rights issues through technical assistance in*
21 *countries with which the United States has free trade agree-*
22 *ments or trade preference programs: Provided further, That*
23 *\$8,040,000 shall be used for program evaluation and shall*
24 *be available for obligation through September 30, 2020:*
25 *Provided further, That funds available for program evalua-*

1 tion may be used to administer grants for the purpose of
2 evaluation: Provided further, That grants made for the pur-
3 pose of evaluation shall be awarded through fair and open
4 competition: Provided further, That funds available for pro-
5 gram evaluation may be transferred to any other appro-
6 priate account in the Department for such purpose: Pro-
7 vided further, That the Committees on Appropriations of
8 the House of Representatives and the Senate are notified
9 at least 15 days in advance of any transfer: Provided fur-
10 ther, That the funds available to the Women's Bureau may
11 be used for grants to serve and promote the interests of
12 women in the workforce: Provided further, That of the
13 amounts made available to the Women's Bureau, \$994,000
14 shall be used for grants authorized by the Women in Ap-
15 prenticeship and Nontraditional Occupations Act.

16 VETERANS EMPLOYMENT AND TRAINING

17 Not to exceed \$250,041,000 may be derived from the
18 Employment Security Administration account in the Un-
19 employment Trust Fund to carry out the provisions of
20 chapters 41, 42, and 43 of title 38, United States Code, of
21 which:

22 (1) \$180,000,000 is for Jobs for Veterans State
23 grants under 38 U.S.C. 4102A(b)(5) to support dis-
24 abled veterans' outreach program specialists under
25 section 4103A of such title and local veterans' employ-

1 ment representatives under section 4104(b) of such
2 title, and for the expenses described in section
3 4102A(b)(5)(C), which shall be available for obliga-
4 tion by the States through December 31, 2019, and
5 not to exceed 3 percent for the necessary Federal ex-
6 penditures for data systems and contract support to
7 allow for the tracking of participant and performance
8 information: Provided, That, in addition, such funds
9 may be used to support such specialists and rep-
10 resentatives in the provision of services to
11 transitioning members of the Armed Forces who have
12 participated in the Transition Assistance Program
13 and have been identified as in need of intensive serv-
14 ices, to members of the Armed Forces who are wound-
15 ed, ill, or injured and receiving treatment in military
16 treatment facilities or warrior transition units, and
17 to the spouses or other family caregivers of such
18 wounded, ill, or injured members;

19 (2) \$24,500,000 is for carrying out the Transi-
20 tion Assistance Program under 38 U.S.C. 4113 and
21 10 U.S.C. 1144;

22 (3) \$42,127,000 is for Federal administration of
23 chapters 41, 42, and 43 of title 38, United States
24 Code: Provided, That, up to \$500,000 may be used to

1 *carry out the Hire VETS Act (division O of Public
2 Law 115–31); and*

3 *(4) \$3,414,000 is for the National Veterans' Em-
4 ployment and Training Services Institute under 38
5 U.S.C. 4109:*

6 *Provided, That the Secretary may reallocate among the ap-
7 propriations provided under paragraphs (1) through (4)
8 above an amount not to exceed 3 percent of the appropria-
9 tion from which such reallocation is made.*

10 *In addition, from the General Fund of the Treasury,
11 \$50,000,000 is for carrying out programs to assist homeless
12 veterans and veterans at risk of homelessness who are
13 transitioning from certain institutions under sections 2021,
14 2021A, and 2023 of title 38, United States Code: Provided,
15 That notwithstanding subsections (c)(3) and (d) of section
16 2023, the Secretary may award grants through September
17 30, 2019, to provide services under such section: Provided
18 further, That services provided under section 2023 may in-
19 clude, in addition to services to the individuals described
20 in subsection (e) of such section, services to veterans recently
21 released from incarceration who are at risk of homelessness.*

22 *In addition, fees may be assessed and deposited in the
23 HIRE Vets Medallion Award Fund pursuant to section 5(b)
24 of the HIRE Vets Act, and such amounts shall be available
25 to the Secretary to carry out the HIRE Vets Medallion*

1 Award Program, as authorized by such Act, and shall re-
2 main available until expended: Provided, That such sums
3 shall be in addition to any other funds available for such
4 purposes, including funds available under paragraph (3)
5 of this heading: Provided further, That section 2(d) of divi-
6 sion O of the Consolidated Appropriations Act, 2017 (Pub-
7 lic Law 115–31; 38 U.S.C. 4100 note) shall not apply.

8 **IT MODERNIZATION**

9 For necessary expenses for Department of Labor cen-
10 tralized infrastructure technology investment activities re-
11 lated to support systems and modernization, \$20,769,000,
12 which shall be available until expended.

13 **OFFICE OF INSPECTOR GENERAL**

14 For salaries and expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector Gen-
16 eral Act of 1978, \$83,487,000, together with not to exceed
17 \$5,660,000 which may be expended from the Employment
18 Security Administration account in the Unemployment
19 Trust Fund.

20 **GENERAL PROVISIONS**

21 SEC. 101. None of the funds appropriated by this Act
22 for the Job Corps shall be used to pay the salary and bo-
23 nuses of an individual, either as direct costs or any prora-
24 tion as an indirect cost, at a rate in excess of Executive
25 Level II.

*2 SEC. 102. Not to exceed 1 percent of any discretionary
3 funds (pursuant to the Balanced Budget and Emergency
4 Deficit Control Act of 1985) which are appropriated for the
5 current fiscal year for the Department of Labor in this Act
6 may be transferred between a program, project, or activity,
7 but no such program, project, or activity shall be increased
8 by more than 3 percent by any such transfer: Provided,
9 That the transfer authority granted by this section shall not
10 be used to create any new program or to fund any project
11 or activity for which no funds are provided in this Act:
12 Provided further, That the Committees on Appropriations
13 of the House of Representatives and the Senate are notified
14 at least 15 days in advance of any transfer.*

15 SEC. 103. In accordance with Executive Order 13126,
16 none of the funds appropriated or otherwise made available
17 pursuant to this Act shall be obligated or expended for the
18 procurement of goods mined, produced, manufactured, or
19 harvested or services rendered, in whole or in part, by forced
20 or indentured child labor in industries and host countries
21 already identified by the United States Department of
22 Labor prior to enactment of this Act.

23 *SEC. 104. Except as otherwise provided in this section,*
24 *none of the funds made available to the Department of*
25 *Labor for grants under section 414(c) of the American Com-*

1 *petitiveness and Workforce Improvement Act of 1998 (29*
2 *U.S.C. 2916a) may be used for any purpose other than com-*
3 *petitive grants for training individuals who are older than*
4 *16 years of age and are not currently enrolled in school*
5 *within a local educational agency in the occupations and*
6 *industries for which employers are using H-1B visas to*
7 *hire foreign workers, and the related activities necessary to*
8 *support such training.*

9 SEC. 105. None of the funds made available by this
10 *Act under the heading “Employment and Training Admin-*
11 *istration” shall be used by a recipient or subrecipient of*
12 *such funds to pay the salary and bonuses of an individual,*
13 *either as direct costs or indirect costs, at a rate in excess*
14 *of Executive Level II. This limitation shall not apply to*
15 *vendors providing goods and services as defined in Office*
16 *of Management and Budget Circular A-133. Where States*
17 *are recipients of such funds, States may establish a lower*
18 *limit for salaries and bonuses of those receiving salaries and*
19 *bonuses from subrecipients of such funds, taking into ac-*
20 *count factors including the relative cost-of-living in the*
21 *State, the compensation levels for comparable State or local*
22 *government employees, and the size of the organizations*
23 *that administer Federal programs involved including Em-*
24 *ployment and Training Administration programs.*

1 *(TRANSFER OF FUNDS)*

*2 SEC. 106. (a) Notwithstanding section 102, the Sec-
3 retary may transfer funds made available to the Employ-
4 ment and Training Administration by this Act, either di-
5 rectly or through a set-aside, for technical assistance serv-
6 ices to grantees to “Program Administration” when it is
7 determined that those services will be more efficiently per-
8 formed by Federal employees: Provided, That this section
9 shall not apply to section 171 of the WIOA.*

(b) Notwithstanding section 102, the Secretary may transfer not more than 0.5 percent of each discretionary appropriation made available to the Employment and Training Administration by this Act to “Program Administration” in order to carry out program integrity activities relating to any of the programs or activities that are funded under any such discretionary appropriations: Provided, That notwithstanding section 102 and the preceding proviso, the Secretary may transfer not more than 0.5 percent of funds made available in paragraphs (1) and (2) of the “Office of Job Corps” account to paragraph (3) of such account to carry out program integrity activities related to the Job Corps program: Provided further, That funds transferred under the authority provided by this subsection shall be available for obligation through September 30, 2020.

2 SEC. 107. (a) The Secretary may reserve not more
3 than 0.75 percent from each appropriation made available
4 in this Act identified in subsection (b) in order to carry
5 out evaluations of any of the programs or activities that
6 are funded under such accounts. Any funds reserved under
7 this section shall be transferred to "Departmental Manage-
8 ment" for use by the Office of the Chief Evaluation Officer
9 within the Department of Labor, and shall be available for
10 obligation through September 30, 2020: Provided, That such
11 funds shall only be available if the Chief Evaluation Officer
12 of the Department of Labor submits a plan to the Commit-
13 tees on Appropriations of the House of Representatives and
14 the Senate describing the evaluations to be carried out 15
15 days in advance of any transfer.

16 (b) The accounts referred to in subsection (a) are:

17 “Training and Employment Services”, “Job Corps”, “Com-

18 munity Service Employment for Older Americans”, “State

19 Unemployment Insurance and Employment Service Oper-

20 ations”, “Employee Benefits Security Administration”,

21 “Office of Workers’ Compensation Programs”, “Wage and

22 Hour Division”, “Office of Federal Contract Compliance

23 Programs”, “Office of Labor Management Standards”, “Oc-

24 cupational Safety and Health Administration”, “Mine

25 Safety and Health Administration”, “Office of Disability

1 *Employment Policy*", funding made available to the "Bu-
2 *reau of International Labor Affairs*" and "Women's Bu-
3 *reau*" within the "Departmental Management, Salaries and
4 *Expenses*" account, and "Veterans Employment and Train-
5 *ing*".

6 SEC. 108. *Notwithstanding any other provision of law,*
7 *beginning October 1, 2017, the Secretary of Labor, in con-*
8 *sultation with the Secretary of Agriculture may select an*
9 *entity to operate a Civilian Conservation Center on a com-*
10 *petitive basis in accordance with section 147 of the WIOA,*
11 *if the Secretary of Labor determines such Center has had*
12 *consistently low performance under the performance ac-*
13 *countability system in effect for the Job Corps program*
14 *prior to July 1, 2016, or with respect to expected levels of*
15 *performance established under section 159(c) of such Act be-*
16 *ginning July 1, 2016.*

17 SEC. 109. *(a) Section 7 of the Fair Labor Standards*
18 *Act of 1938 (29 U.S.C. 207) shall be applied as if the fol-*
19 *lowing text is part of such section:*

20 "(s)(1) *The provisions of this section shall not apply*
21 *for a period of 2 years after the occurrence of a major dis-*
22 *aster to any employee—*

23 "(A) *employed to adjust or evaluate claims re-*
24 *sulting from or relating to such major disaster, by an*
25 *employer not engaged, directly or through an affiliate,*

1 *in underwriting, selling, or marketing property, cas-*
2 *uality, or liability insurance policies or contracts;*

3 “(B) who receives from such employer on average
4 *weekly compensation of not less than \$591.00 per*
5 *week or any minimum weekly amount established by*
6 *the Secretary, whichever is greater, for the number of*
7 *weeks such employee is engaged in any of the activi-*
8 *ties described in subparagraph (C); and*

9 “(C) whose duties include any of the following:

10 “(i) interviewing insured individuals, indi-
11 *viduals who suffered injuries or other damages or*
12 *losses arising from or relating to a disaster, wit-*
13 *nesses, or physicians;*

14 “(ii) inspecting property damage or review-
15 *ing factual information to prepare damage esti-*
16 *mates;*

17 “(iii) evaluating and making recommenda-
18 *tions regarding coverage or compensability of*
19 *claims or determining liability or value aspects*
20 *of claims;*

21 “(iv) negotiating settlements; or

22 “(v) making recommendations regarding
23 *litigation.*

24 “(2) The exemption in this subsection shall not affect
25 *the exemption provided by section 13(a)(1).*

1 “(3) For purposes of this subsection—

2 “(A) the term ‘major disaster’ means any dis-
3 aster or catastrophe declared or designated by any
4 State or Federal agency or department;

5 “(B) the term ‘employee employed to adjust or
6 evaluate claims resulting from or relating to such
7 major disaster’ means an individual who timely se-
8 cured or secures a license required by applicable law
9 to engage in and perform the activities described in
10 clauses (i) through (v) of paragraph (1)(C) relating to
11 a major disaster, and is employed by an employer
12 that maintains worker compensation insurance cov-
13 erage or protection for its employees, if required by
14 applicable law, and withholds applicable Federal,
15 State, and local income and payroll taxes from the
16 wages, salaries and any benefits of such employees;
17 and

18 “(C) the term ‘affiliate’ means a company that,
19 by reason of ownership or control of 25 percent or
20 more of the outstanding shares of any class of voting
21 securities of one or more companies, directly or indi-
22 rectly, controls, is controlled by, or is under common
23 control with, another company.”.

24 (b) This section shall be effective on the date of enact-
25 ment of this Act.

1 *(RESCISSION)*

*2 SEC. 110. Of the funds made available under the head-
3 ing “Employment and Training Administration—Training
4 and Employment Services” in division H of Public Law
5 115–141, \$34,000,000 is rescinded, to be derived from the
6 amount made available in paragraph (2)(A) under such
7 heading for the period October 1, 2018, through September
8 30, 2019.*

9 SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE
10 CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE
11 SEAFOOD INDUSTRY.—

1 (A) completes a new assessment of the local
2 labor market by—

3 (i) listing job orders in local news-
4 papers on 2 separate Sundays; and

5 (ii) posting the job opportunity on the
6 appropriate Department of Labor Electronic Job Registry and at the employer's
7 place of employment; and

8 (B) offers the job to an equally or better
9 qualified United States worker who—

10 (i) applies for the job; and

11 (ii) will be available at the time and
12 place of need.

13 (3) EXEMPTION FROM RULES WITH RESPECT TO
14 STAGGERING.—The Secretary of Labor shall not consider an employer in the seafood industry who brings
15 H-2B nonimmigrants into the United States during
16 the 120-day period specified in paragraph (1) to be
17 staggering the date of need in violation of section
18 655.20(d) of title 20, Code of Federal Regulations, or
19 any other applicable provision of law.

20 (b) H-2B NONIMMIGRANTS DEFINED.—In this section,
21 the term “H-2B nonimmigrants” means aliens admitted
22 to the United States pursuant to section

1 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
2 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

3 SEC. 112. The determination of prevailing wage for
4 the purposes of the H-2B program shall be the greater of—
5 (1) the actual wage level paid by the employer to other em-
6 ployees with similar experience and qualifications for such
7 position in the same location; or (2) the prevailing wage
8 level for the occupational classification of the position in
9 the geographic area in which the H-2B nonimmigrant will
10 be employed, based on the best information available at the
11 time of filing the petition. In the determination of pre-
12 vailing wage for the purposes of the H-2B program, the
13 Secretary shall accept private wage surveys even in in-
14 stances where Occupational Employment Statistics survey
15 data are available unless the Secretary determines that the
16 methodology and data in the provided survey are not statis-
17 tically supported.

18 SEC. 113. None of the funds in this Act shall be used
19 to enforce the definition of corresponding employment found
20 in 20 CFR 655.5 or the three-fourths guarantee rule defini-
21 tion found in 20 CFR 655.20, or any references thereto.
22 Further, for the purpose of regulating admission of tem-
23 porary workers under the H-2B program, the definition of
24 temporary need shall be that provided in 8 CFR
25 214.2(h)(6)(ii)(B).

1 *SEC. 114. Notwithstanding any other provision of law,*
2 *the Secretary may furnish through grants, cooperative*
3 *agreements, contracts, and other arrangements, up to*
4 *\$2,000,000 of excess personal property to apprenticeship*
5 *programs for the purpose of training apprentices in those*
6 *programs.*

7 *SEC. 115. The proviso at the end of paragraph (1)*
8 *under the heading “Department of Labor—Employment*
9 *and Training Administration—State Unemployment In-*
10 *surance and Employment Service Operations” in title I of*
11 *division G of Public Law 113–235 is amended by striking*
12 *“six” and inserting “seven”.*

13 *SEC. 116. (a) The Act entitled “An Act to create a*
14 *Department of Labor”, approved March 4, 1913 (37 Stat.*
15 *736, chapter 141) shall be applied as if the following text*
16 *is part of such Act:*

17 **“SEC. 12. SECURITY DETAIL.”**

18 *“(a) IN GENERAL.—The Secretary of Labor is author-*
19 *ized to employ law enforcement officers or special agents*
20 *to—*

21 *“(1) provide protection for the Secretary of*
22 *Labor during the workday of the Secretary and dur-*
23 *ing any activity that is preliminary or postliminary*
24 *to the performance of official duties by the Secretary;*

1 “(2) provide protection, incidental to the protec-
2 tion provided to the Secretary, to a member of the im-
3 mediate family of the Secretary who is participating
4 in an activity or event relating to the official duties
5 of the Secretary;

6 “(3) provide continuous protection to the Sec-
7 retary (including during periods not described in
8 paragraph (1)) and to the members of the immediate
9 family of the Secretary if there is a unique and
10 articulable threat of physical harm, in accordance
11 with guidelines established by the Secretary; and

12 “(4) provide protection to the Deputy Secretary
13 of Labor or another senior officer representing the
14 Secretary of Labor at a public event if there is a
15 unique and articulable threat of physical harm, in
16 accordance with guidelines established by the Sec-
17 retary.

18 “(b) AUTHORITIES.—The Secretary of Labor may au-
19 thorize a law enforcement officer or special agent employed
20 under subsection (a), for the purpose of performing the du-
21 ties authorized under subsection (a), to—

22 “(1) carry firearms;

23 “(2) make arrests without a warrant for any of-
24 fense against the United States committed in the
25 presence of such officer or special agent;

1 “(3) perform protective intelligence work, includ-
2 ing identifying and mitigating potential threats and
3 conducting advance work to review security matters
4 relating to sites and events;

5 “(4) coordinate with local law enforcement agen-
6 cies; and

7 “(5) initiate criminal and other investigations
8 into potential threats to the security of the Secretary,
9 in coordination with the Inspector General of the De-
10 partment of Labor.

11 “(c) COMPLIANCE WITH GUIDELINES.—A law enforce-
12 ment officer or special agent employed under subsection (a)
13 shall exercise any authority provided under this section in
14 accordance with any—

15 “(1) guidelines issued by the Attorney General;
16 and

17 “(2) guidelines prescribed by the Secretary of
18 Labor.”.

19 (b) This section shall be effective on the date of enact-
20 ment of this Act.

21 SEC. 117. The Secretary is authorized to dispose of or
22 divest, by any means the Secretary determines appropriate,
23 including an agreement or partnership to construct a new
24 Job Corps center, all or a portion of the real property on
25 which the Treasure Island Job Corps Center is situated.

1 Any sale or other disposition will not be subject to any re-
2 quirement of any Federal law or regulation relating to the
3 disposition of Federal real property, including but not lim-
4 ited to subchapter III of chapter 5 of title 40 of the United
5 States Code and subchapter V of chapter 119 of title 42
6 of the United States Code. The net proceeds of such a sale
7 shall be transferred to the Secretary, which shall be avail-
8 able until expended to carry out the Job Corps Program.

9 SEC. 118. (a) From funds appropriated under this
10 title, not later than 180 days after the date of enactment
11 of this Act, the Secretary of Labor shall submit a report
12 to the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate on the implementation of the
14 plan to reduce improper payments published by the Depart-
15 ment of Labor in the fiscal year 2017 Agency Financial
16 Report.

17 (b) The report submitted under subsection (a) shall
18 identify barriers to the reduction of improper payments
19 that may require Congressional action to address.

20 SEC. 119. Of the amounts appropriated or otherwise
21 made available under paragraph (2) under the heading
22 "VETERANS EMPLOYMENT AND TRAINING" under title I,
23 \$2,000,000 may be used to carry out a pilot program for
24 preparing members of the Armed Forces transitioning to

1 civilian life to qualify for, and for assisting in placing them
2 in, apprenticeship programs.

3 SEC. 120. The Secretary, prior to July 1, 2019, shall
4 prepare and submit to the Committee on Appropriations
5 of the House of Representatives and the Committee on Ap-
6 propriations of the Senate a report that includes—

7 (1) a copy of the interagency agreement between
8 the Secretary of Labor and the Secretary of Agri-
9 culture relating to the Civilian Conservation Centers;
10 (2) a list of all active Civilian Conservation
11 Centers and contractors administering such Centers;
12 and

13 (3) a cumulative record of the funding provided
14 to Civilian Conservation Centers during the 10 years
15 preceding the date of the report, including, for each
16 Civilian Conservation Center—

17 (A) the funds allocated to the Civilian Con-
18 servation Center;

19 (B) the number of enrollment slots main-
20 tained, disaggregated by gender and by residen-
21 tial or nonresidential training type;

22 (C) the career technical training offerings
23 available;

24 (D) the staffing levels and staffing patterns
25 at the Civilian Conservation Center; and

1 “(E) the number of Career Technical Skills
2 Training slots available.”.

3 *This title may be cited as the “Department of Labor*
4 *Appropriations Act, 2019”.*

TITLE II

6 DEPARTMENT OF HEALTH AND HUMAN

SERVICES

8 *HEALTH RESOURCES AND SERVICES ADMINISTRATION*

9 PRIMARY HEALTH CARE

10 For carrying out titles II and III of the Public Health
11 Service Act (referred to in this Act as the “PHS Act”) with
12 respect to primary health care and the Native Hawaiian
13 Health Care Act of 1988, \$1,626,522,000: Provided, That
14 no more than \$1,000,000 shall be available until expended
15 for carrying out the provisions of section 224(o) of the PHS
16 Act: Provided further, That no more than \$114,893,000
17 shall be available until expended for carrying out sub-
18 sections (g) through (n) and (q) of section 224 of the PHS
19 Act, and for expenses incurred by the Department of Health
20 and Human Services (referred to in this Act as “HHS”)
21 pertaining to administrative claims made under such law:
22 Provided further, That of funds provided for the Health
23 Centers program, as defined by section 330 of the PHS Act,
24 by this Act or any other Act for fiscal year 2019, not less
25 than \$200,000,000 shall be obligated in fiscal year 2019 for

1 *improving quality of care or expanded service grants under*
2 *section 330 of the PHS Act to support and enhance behav-*
3 *ioral health, mental health, or substance use disorder serv-*
4 *ices.*

5 **HEALTH WORKFORCE**

6 *For carrying out titles III, VII, and VIII of the PHS*
7 *Act with respect to the health workforce, sections 1128E and*
8 *1921 of the Social Security Act, and the Health Care Qual-*
9 *ity Improvement Act of 1986, \$1,072,695,000, of which*
10 *\$111,916,000 shall be available to carry out sections 755*
11 *and 756 of the PHS Act: Provided, That sections 747(c)(2),*
12 *751(j)(2), 762(k), and the proportional funding amounts in*
13 *paragraphs (1) through (4) of section 756(f) of the PHS*
14 *Act shall not apply to funds made available under this*
15 *heading: Provided further, That for any program operating*
16 *under section 751 of the PHS Act on or before January*
17 *1, 2009, the Secretary of Health and Human Services (re-*
18 *ferred to in this title as the “Secretary”) may hereafter*
19 *waive any of the requirements contained in sections*
20 *751(d)(2)(A) and 751(d)(2)(B) of such Act for the full*
21 *project period of a grant under such section: Provided fur-*
22 *ther, That no funds shall be available for section 340G–1*
23 *of the PHS Act: Provided further, That fees collected for*
24 *the disclosure of information under section 427(b) of the*
25 *Health Care Quality Improvement Act of 1986 and sections*

1 1128E(d)(2) and 1921 of the Social Security Act shall be
2 sufficient to recover the full costs of operating the programs
3 authorized by such sections and shall remain available until
4 expended for the National Practitioner Data Bank: Pro-
5 vided further, That funds transferred to this account to
6 carry out section 846 and subpart 3 of part D of title III
7 of the PHS Act may be used to make prior year adjustments
8 to awards made under such sections: Provided further, That
9 \$105,000,000 shall remain available until expended for the
10 purposes of providing primary health services, be used to
11 assign National Health Service Corps (“NHSC”) members
12 to expand the delivery of substance use disorder treatment
13 services, notwithstanding the assignment priorities and
14 limitations in or under sections 333(a)(1)(D), 333(b), and
15 333A(a)(1)(B)(ii) of the PHS Act, and to make NHSC
16 Loan Repayment Program awards under section 338B of
17 such Act: Provided further, That for purposes of the pre-
18 vious proviso, section 331(a)(3)(D) of the PHS Act shall
19 be applied as if the term “primary health services” includes
20 clinical substance use disorder treatment services, including
21 those provided by masters level, licensed substance use dis-
22 order treatment counselors.

23 **MATERNAL AND CHILD HEALTH**

24 For carrying out titles III, XI, XII, and XIX of the
25 PHS Act with respect to maternal and child health, title

1 *V of the Social Security Act, and section 712 of the Amer-*
2 *ican Jobs Creation Act of 2004, \$924,789,000, of which*
3 *\$10,000,000 shall be available for carrying out section*
4 *330M of the PHS Act: Provided, That notwithstanding sec-*
5 *tions 502(a)(1) and 502(b)(1) of the Social Security Act,*
6 *not more than \$109,593,000 shall be available for carrying*
7 *out special projects of regional and national significance*
8 *pursuant to section 501(a)(2) of such Act and \$10,276,000*
9 *shall be available for projects described in subparagraphs*
10 *(A) through (F) of section 501(a)(3) of such Act.*

11 RYAN WHITE HIV/AIDS PROGRAM

12 *For carrying out title XXVI of the PHS Act with re-*
13 *spect to the Ryan White HIV/AIDS program,*
14 *\$2,318,781,000, of which \$1,970,881,000 shall remain*
15 *available to the Secretary through September 30, 2021, for*
16 *parts A and B of title XXVI of the PHS Act, and of which*
17 *not less than \$900,313,000 shall be for State AIDS Drug*
18 *Assistance Programs under the authority of section 2616*
19 *or 311(c) of such Act.*

20 HEALTH CARE SYSTEMS

21 *For carrying out titles III and XII of the PHS Act*
22 *with respect to health care systems, and the Stem Cell*
23 *Therapeutic and Research Act of 2005, \$113,693,000, of*
24 *which \$122,000 shall be available until expended for facili-*

1 ties renovations at the Gillis W. Long Hansen's Disease
2 Center.

3 RURAL HEALTH

4 *For carrying out titles III and IV of the PHS Act with*
5 *respect to rural health, section 427(a) of the Federal Coal*
6 *Mine Health and Safety Act of 1969, and sections 711 and*
7 *1820 of the Social Security Act, \$318,794,000, of which*
8 *\$49,609,000 from general revenues, notwithstanding section*
9 *1820(j) of the Social Security Act, shall be available for*
10 *carrying out the Medicare rural hospital flexibility grants*
11 *program: Provided, That of the funds made available under*
12 *this heading for Medicare rural hospital flexibility grants,*
13 *\$15,942,000 shall be available for the Small Rural Hospital*
14 *Improvement Grant Program for quality improvement and*
15 *adoption of health information technology and up to*
16 *\$1,000,000 shall be to carry out section 1820(g)(6) of the*
17 *Social Security Act, with funds provided for grants under*
18 *section 1820(g)(6) available for the purchase and imple-*
19 *mentation of telehealth services, including pilots and dem-*
20 *onstrations on the use of electronic health records to coordi-*
21 *nate rural veterans care between rural providers and the*
22 *Department of Veterans Affairs electronic health record sys-*
23 *tem: Provided further, That notwithstanding section*
24 *338J(k) of the PHS Act, \$10,000,000 shall be available for*
25 *State Offices of Rural Health: Provided further, That*

1 \$15,000,000 shall remain available through September 30,
2 2021 to support the Rural Residency Development Pro-
3 gram: Provided further, That \$120,000,000 shall be for the
4 Rural Communities Opioids Response Program: Provided
5 further, that of the funds made available under this head-
6 ing, \$1,000,000 shall be available through the Telehealth
7 Network grant to fund awards that use evidence-based prac-
8 tices that promote school safety and individual health, men-
9 tal health, and well-being by providing assessment and re-
10 ferrals for health, mental health, or substance use disorder
11 services to students who may be struggling with behavioral
12 or mental health issues and providing training and support
13 to teachers, school counselors, administrative staff, school re-
14 source officers, and other relevant staff to identify, refer,
15 and intervene to help students experiencing mental health
16 needs or who are considering harming themselves or others.

17 *FAMILY PLANNING*

18 For carrying out the program under title X of the PHS
19 Act to provide for voluntary family planning projects,
20 \$286,479,000: Provided, That amounts provided to said
21 projects under such title shall not be expended for abortions,
22 that all pregnancy counseling shall be nondirective, and
23 that such amounts shall not be expended for any activity
24 (including the publication or distribution of literature) that

1 *in any way tends to promote public support or opposition*
2 *to any legislative proposal or candidate for public office.*

3 *PROGRAM MANAGEMENT*

4 *For program support in the Health Resources and*
5 *Services Administration, \$155,000,000: Provided, That*
6 *funds made available under this heading may be used to*
7 *supplement program support funding provided under the*
8 *headings “Primary Health Care”, “Health Workforce”,*
9 *“Maternal and Child Health”, “Ryan White HIV/AIDS*
10 *Program”, “Health Care Systems”, and “Rural Health”.*

11 *VACCINE INJURY COMPENSATION PROGRAM TRUST FUND*

12 *For payments from the Vaccine Injury Compensation*
13 *Program Trust Fund (the “Trust Fund”), such sums as*
14 *may be necessary for claims associated with vaccine-related*
15 *injury or death with respect to vaccines administered after*
16 *September 30, 1988, pursuant to subtitle 2 of title XXI of*
17 *the PHS Act, to remain available until expended: Provided,*
18 *That for necessary administrative expenses, not to exceed*
19 *\$9,200,000 shall be available from the Trust Fund to the*
20 *Secretary.*

21 *CENTERS FOR DISEASE CONTROL AND PREVENTION*

22 *IMMUNIZATION AND RESPIRATORY DISEASES*

23 *For carrying out titles II, III, XVII, and XXI, and*
24 *section 2821 of the PHS Act, titles II and IV of the Immig-*
25 *ration and Nationality Act, and section 501 of the Refugee*

1 *Education Assistance Act, with respect to immunization*
2 *and respiratory diseases, \$474,055,000.*

3 *HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED*
4 *DISEASES, AND TUBERCULOSIS PREVENTION*

5 *For carrying out titles II, III, XVII, and XXIII of the*
6 *PHS Act with respect to HIV/AIDS, viral hepatitis, sexu-*
7 *ally transmitted diseases, and tuberculosis prevention,*
8 *\$1,132,278,000.*

9 *EMERGING AND ZOONOTIC INFECTIOUS DISEASES*

10 *For carrying out titles II, III, and XVII, and section*
11 *2821 of the PHS Act, titles II and IV of the Immigration*
12 *and Nationality Act, and section 501 of the Refugee Edu-*
13 *cation Assistance Act, with respect to emerging and zoonotic*
14 *infectious diseases, \$565,572,000: Provided, that of the*
15 *funds made available under this heading, \$1,000,000 shall*
16 *be available to enhance harmful algal bloom exposure ac-*
17 *tivities, including surveillance, mitigation, and event re-*
18 *sponse efforts, with a priority given to geographic locations*
19 *subject to a state of emergency designation related to toxic*
20 *algae blooms within the past 12 months.*

21 *CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION*
22 *For carrying out titles II, III, XI, XV, XVII, and XIX*
23 *of the PHS Act with respect to chronic disease prevention*
24 *and health promotion, \$911,821,000: Provided, That funds*
25 *appropriated under this account may be available for mak-*

1 *ing grants under section 1509 of the PHS Act for not less*
2 *than 21 States, tribes, or tribal organizations: Provided fur-*
3 *ther, That of the funds made available under this heading,*
4 *\$15,000,000 shall be available to continue and expand com-*
5 *munity specific extension and outreach programs to combat*
6 *obesity in counties with the highest levels of obesity: Pro-*
7 *vided further, That the proportional funding requirements*
8 *under section 1503(a) of the PHS Act shall not apply to*
9 *funds made available under this heading.*

10 *BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,*

11 *DISABILITIES AND HEALTH*

12 *For carrying out titles II, III, XI, and XVII of the*
13 *PHS Act with respect to birth defects, developmental dis-*
14 *abilities, disabilities and health, \$153,560,000.*

15 *PUBLIC HEALTH SCIENTIFIC SERVICES*

16 *For carrying out titles II, III, and XVII of the PHS*
17 *Act with respect to health statistics, surveillance, health*
18 *informatics, and workforce development, \$492,397,000.*

19 *ENVIRONMENTAL HEALTH*

20 *For carrying out titles II, III, and XVII of the PHS*
21 *Act with respect to environmental health, \$188,750,000.*

22 *INJURY PREVENTION AND CONTROL*

23 *For carrying out titles II, III, and XVII of the PHS*
24 *Act with respect to injury prevention and control,*
25 *\$648,559,000, of which \$475,579,000 shall remain available*

1 until September 30, 2020 for an evidence-based opioid drug
2 overdose prevention program.

3 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND

4 HEALTH

5 For carrying out titles II, III, and XVII of the PHS
6 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
7 of the Federal Mine Safety and Health Act, section 13 of
8 the Mine Improvement and New Emergency Response Act,
9 and sections 20, 21, and 22 of the Occupational Safety and
10 Health Act, with respect to occupational safety and health,
11 \$335,300,000.

12 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

13 COMPENSATION PROGRAM

14 For necessary expenses to administer the Energy Em-
15 ployees Occupational Illness Compensation Program Act,
16 \$55,358,000, to remain available until expended: Provided,
17 That this amount shall be available consistent with the pro-
18 vision regarding administrative expenses in section 151(b)
19 of division B, title I of Public Law 106-554.

20 GLOBAL HEALTH

21 For carrying out titles II, III, and XVII of the PHS
22 Act with respect to global health, \$488,621,000, of which:
23 (1) \$128,421,000 shall remain available through September
24 30, 2020 for international HIV/AIDS; and (2) \$50,000,000
25 shall remain available through September 30, 2021 for

1 *Global Disease Detection and Emergency Response: Pro-*
2 *vided, That funds may be used for purchase and insurance*
3 *of official motor vehicles in foreign countries.*

4 **PUBLIC HEALTH PREPAREDNESS AND RESPONSE**

5 *For carrying out titles II, III, and XVII of the PHS*
6 *Act with respect to public health preparedness and response,*
7 *and for expenses necessary to support activities related to*
8 *countering potential biological, nuclear, radiological, and*
9 *chemical threats to civilian populations, \$1,470,000,000, of*
10 *which \$610,000,000 shall remain available until expended*
11 *for the Strategic National Stockpile: Provided, That in the*
12 *event the Director of the Centers for Disease Control and*
13 *Prevention (referred to in this title as “CDC”) activates the*
14 *Emergency Operations Center, the Director of the CDC may*
15 *detail CDC staff without reimbursement for up to 90 days*
16 *to support the work of the CDC Emergency Operations Cen-*
17 *ter, so long as the Director provides a notice to the Commit-*
18 *tees on Appropriations of the House of Representatives and*
19 *the Senate within 15 days of the use of this authority and*
20 *a full report within 30 days after use of this authority*
21 *which includes the number of staff and funding level broken*
22 *down by the originating center and number of days de-*
23 *tailed: Provided further, That funds appropriated under*
24 *this heading may be used to support a contract for the oper-*
25 *ation and maintenance of an aircraft in direct support of*

1 activities throughout CDC to ensure the agency is prepared
2 to address public health preparedness emergencies.

3 **BUILDINGS AND FACILITIES**

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For acquisition of real property, equipment, construc-*
6 *tion, demolition, and renovation of facilities, \$30,000,000,*
7 *which shall remain available until September 30, 2023:*
8 *Provided, That funds previously set-aside by CDC for re-*
9 *pair and upgrade of the Lake Lynn Experimental Mine*
10 *and Laboratory shall be used to acquire a replacement mine*
11 *safety research facility: Provided further, That in addition,*
12 *the prior year unobligated balance of any amounts assigned*
13 *to former employees in accounts of CDC made available for*
14 *Individual Learning Accounts shall be credited to and*
15 *merged with the amounts made available under this head-*
16 *ing to support the replacement of the mine safety research*
17 *facility.*

18 **CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT**

19 *For carrying out titles II, III, XVII and XIX, and*
20 *section 2821 of the PHS Act and for cross-cutting activities*
21 *and program support for activities funded in other appro-*
22 *priations included in this Act for the Centers for Disease*
23 *Control and Prevention, \$113,570,000: Provided, That*
24 *paragraphs (1) through (3) of subsection (b) of section 2821*
25 *of the PHS Act shall not apply to funds appropriated under*

1 *this heading and in all other accounts of the CDC: Provided*
2 *further, That employees of CDC or the Public Health Serv-*
3 *ice, both civilian and commissioned officers, detailed to*
4 *States, municipalities, or other organizations under author-*
5 *ity of section 214 of the PHS Act, or in overseas assign-*
6 *ments, shall be treated as non-Federal employees for report-*
7 *ing purposes only and shall not be included within any*
8 *personnel ceiling applicable to the Agency, Service, or HHS*
9 *during the period of detail or assignment: Provided further,*
10 *That CDC may use up to \$10,000 from amounts appro-*
11 *priated to CDC in this Act for official reception and rep-*
12 *resentation expenses when specifically approved by the Di-*
13 *rector of CDC: Provided further, That in addition, such*
14 *sums as may be derived from authorized user fees, which*
15 *shall be credited to the appropriation charged with the cost*
16 *thereof: Provided further, That with respect to the previous*
17 *proviso, authorized user fees from the Vessel Sanitation Pro-*
18 *gram and the Respirator Certification Program shall be*
19 *available through September 30, 2020.*

20 NATIONAL INSTITUTES OF HEALTH

21 NATIONAL CANCER INSTITUTE

22 *For carrying out section 301 and title IV of the PHS*
23 *Act with respect to cancer, \$5,747,125,000, of which up to*
24 *\$30,000,000 may be used for facilities repairs and improve-*
25 *ments at the National Cancer Institute—Frederick Feder-*

1 ally Funded Research and Development Center in Fred-
2 erick, Maryland.

3 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

4 For carrying out section 301 and title IV of the PHS
5 Act with respect to cardiovascular, lung, and blood diseases,
6 and blood and blood products, \$3,490,171,000.

7 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL

8 RESEARCH

9 For carrying out section 301 and title IV of the PHS
10 Act with respect to dental and craniofacial diseases,
11 \$462,024,000.

12 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND

13 KIDNEY DISEASES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to diabetes and digestive and kidney dis-
16 ease, \$2,030,892,000.

17 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND

18 STROKE

19 For carrying out section 301 and title IV of the PHS
20 Act with respect to neurological disorders and stroke,
21 \$2,218,080,000: Provided, That \$250,000,000 shall be for
22 research related to opioid addiction, development of opioid
23 alternatives, pain management, and addiction treatment:
24 Provided further, That each for-profit recipient of funds
25 provided in the previous proviso shall be subject to a match-

*1 ing requirement of funds or documented in-kind contribu-
2 tions of not less than 50 percent of the total funds awarded
3 to such entity.*

4 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
5 DISEASES

6 *For carrying out section 301 and title IV of the PHS*
7 *Act with respect to allergy and infectious diseases,*
8 \$5,506,190,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

10 *For carrying out section 301 and title IV of the PHS*
11 *Act with respect to general medical sciences,*
12 *\$2,874,292,000, of which \$1,018,321,000 shall be from funds*
13 *available under section 241 of the PHS Act: Provided, That*
14 *not less than \$361,763,000 is provided for the Institutional*
15 *Development Awards program.*

16 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD
17 HEALTH AND HUMAN DEVELOPMENT

18 *For carrying out section 301 and title IV of the PHS
19 Act with respect to child health and human development,
20 \$1,507,251,000.*

21 NATIONAL EYE INSTITUTE

22 *For carrying out section 301 and title IV of the PHS
23 Act with respect to eye diseases and visual disorders,
24 \$796,955,000.*

1 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
2 SCIENCES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to environmental health sciences,
5 \$775,115,000.

6 NATIONAL INSTITUTE ON AGING

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to aging, \$3,084,809,000.

9 NATIONAL INSTITUTE OF ARTHRITIS AND
10 MUSCULOSKELETAL AND SKIN DISEASES

11 *For carrying out section 301 and title IV of the PHS*
12 *Act with respect to arthritis and musculoskeletal and skin*
13 *diseases, \$605,383,000.*

14 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
15 COMMUNICATION DISORDERS

16 *For carrying out section 301 and title IV of the PHS*
17 *Act with respect to deafness and other communication dis-*
18 *orders, \$474,653,000.*

19 NATIONAL INSTITUTE OF NURSING RESEARCH

20 *For carrying out section 301 and title IV of the PHS*
21 *Act with respect to nursing research, \$163,076,000.*

1 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
2 ALCOHOLISM

3 *For carrying out section 301 and title IV of the PHS*
4 *Act with respect to alcohol abuse and alcoholism,*
5 *\$525,867,000.*

6 NATIONAL INSTITUTE ON DRUG ABUSE

7 *For carrying out section 301 and title IV of the PHS*
8 *Act with respect to drug abuse, \$1,420,591,000: Provided,*
9 *That \$250,000,000 shall be for research related to opioid*
10 *addiction, development of opioid alternatives, pain man-*
11 *agement, and addiction treatment: Provided further, That*
12 *each for-profit recipient of funds provided in the previous*
13 *proviso shall be subject to a matching requirement of funds*
14 *or documented in-kind contributions of not less than 50 per-*
15 *cent of the total funds awarded to such entity.*

16 NATIONAL INSTITUTE OF MENTAL HEALTH

17 *For carrying out section 301 and title IV of the PHS*
18 *Act with respect to mental health, \$1,813,750,000.*

19 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

20 *For carrying out section 301 and title IV of the PHS*
21 *Act with respect to human genome research, \$575,882,000.*

1 *NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND*

2 *BIOENGINEERING*

3 *For carrying out section 301 and title IV of the PHS*

4 *Act with respect to biomedical imaging and bioengineering*

5 *research, \$389,672,000.*

6 *NATIONAL CENTER FOR COMPLEMENTARY AND*

7 *INTEGRATIVE HEALTH*

8 *For carrying out section 301 and title IV of the PHS*

9 *Act with respect to complementary and integrative health,*

10 *\$146,550,000.*

11 *NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH*

12 *DISPARITIES*

13 *For carrying out section 301 and title IV of the PHS*

14 *Act with respect to minority health and health disparities*

15 *research, \$314,845,000.*

16 *JOHN E. FOGARTY INTERNATIONAL CENTER*

17 *For carrying out the activities of the John E. Fogarty*

18 *International Center (described in subpart 2 of part E of*

19 *title IV of the PHS Act), \$78,150,000.*

20 *NATIONAL LIBRARY OF MEDICINE*

21 *For carrying out section 301 and title IV of the PHS*

22 *Act with respect to health information communications,*

23 *\$442,230,000: Provided, That of the amounts available for*

24 *improvement of information systems, \$4,000,000 shall be*

25 *available until September 30, 2020: Provided further, That*

1 in fiscal year 2019, the National Library of Medicine may
2 enter into personal services contracts for the provision of
3 services in facilities owned, operated, or constructed under
4 the jurisdiction of the National Institutes of Health (re-
5 ferred to in this title as “NIH”).

6 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
7 SCIENCES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to translational sciences, \$806,787,000:
10 Provided, That up to \$80,000,000 shall be available to im-
11 plement section 480 of the PHS Act, relating to the Cures
12 Acceleration Network: Provided further, That at least
13 \$560,031,000 is provided to the Clinical and Translational
14 Sciences Awards program.

15 *OFFICE OF THE DIRECTOR*

16 *For carrying out the responsibilities of the Office of*
17 *the Director, NIH, \$1,910,060,000: Provided, That funding*
18 *shall be available for the purchase of not to exceed 29 pas-*
19 *senger motor vehicles for replacement only: Provided fur-*
20 *ther, That all funds credited to the NIH Management Fund*
21 *shall remain available for one fiscal year after the fiscal*
22 *year in which they are deposited: Provided further, That*
23 *\$606,885,000 shall be available for the Common Fund es-*
24 *tablished under section 402A(c)(1) of the PHS Act: Pro-*
25 *vided further, That of the funds provided, \$10,000 shall be*

1 for official reception and representation expenses when spe-
2 cifically approved by the Director of the NIH: Provided fur-
3 ther, That the Office of AIDS Research within the Office
4 of the Director of the NIH may spend up to \$8,000,000
5 to make grants for construction or renovation of facilities
6 as provided for in section 2354(a)(5)(B) of the PHS Act:
7 Provided further, That \$50,000,000 shall be used to carry
8 out section 404I of the PHS Act (42 U.S.C. 283K), relating
9 to biomedical and behavioral research facilities.

10 *In addition to other funds appropriated for the Com-*
11 *mon Fund established under section 402A(c) of the PHS*
12 *Act, \$12,600,000 is appropriated to the Common Fund*
13 *from the 10-year Pediatric Research Initiative Fund de-*
14 *scribed in section 9008 of title 26, United States Code, for*
15 *the purpose of carrying out section 402(b)(7)(B)(ii) of the*
16 *PHS Act (relating to pediatric research), as authorized in*
17 *the Gabriella Miller Kids First Research Act.*

BUILDINGS AND FACILITIES

19 *For the study of, construction of, demolition of, renova-*
20 *tion of, and acquisition of equipment for, facilities of or*
21 *used by NIH, including the acquisition of real property,*
22 *\$200,000,000, to remain available through September 30,*
23 *2023.*

1 *NIH INNOVATION ACCOUNT, CURES ACT*

2 *For necessary expenses to carry out the purposes de-*
3 *scribed in section 1001(b)(4) of the 21st Century Cures Act,*
4 *in addition to amounts available for such purposes in the*
5 *appropriations provided to the NIH in this Act,*
6 *\$711,000,000, to remain available until expended: Pro-*
7 *vided, That such amounts are appropriated pursuant to*
8 *section 1001(b)(3) of such Act, are to be derived from*
9 *amounts transferred under section 1001(b)(2)(A) of such*
10 *Act, and may be transferred by the Director of the National*
11 *Institutes of Health to other accounts of the National Insti-*
12 *tutes of Health solely for the purposes provided in such Act:*
13 *Provided further, That upon a determination by the Direc-*
14 *tor that funds transferred pursuant to the previous proviso*
15 *are not necessary for the purposes provided, such amounts*
16 *may be transferred back to the Account: Provided further,*
17 *That the transfer authority provided under this heading is*
18 *in addition to any other transfer authority provided by*
19 *law.*

20 *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*21 *ADMINISTRATION*22 *MENTAL HEALTH*

23 *For carrying out titles III, V, and XIX of the PHS*
24 *Act with respect to mental health, and the Protection and*
25 *Advocacy for Individuals with Mental Illness Act,*

1 \$1,532,972,000: Provided, That notwithstanding section
2 520A(f)(2) of the PHS Act, no funds appropriated for car-
3 rying out section 520A shall be available for carrying out
4 section 1971 of the PHS Act: Provided further, That in ad-
5 dition to amounts provided herein, \$21,039,000 shall be
6 available under section 241 of the PHS Act to carry out
7 subpart I of part B of title XIX of the PHS Act to fund
8 section 1920(b) technical assistance, national data, data
9 collection and evaluation activities, and further that the
10 total available under this Act for section 1920(b) activities
11 shall not exceed 5 percent of the amounts appropriated for
12 subpart I of part B of title XIX: Provided further, That
13 up to 10 percent of the amounts made available to carry
14 out the Children's Mental Health Services program may be
15 used to carry out demonstration grants or contracts for
16 early interventions with persons not more than 25 years
17 of age at clinical high risk of developing a first episode of
18 psychosis: Provided further, That section 520E(b)(2) of the
19 PHS Act shall not apply to funds appropriated in this Act
20 for fiscal year 2019: Provided further, That States shall ex-
21 pend at least 10 percent of the amount each receives for
22 carrying out section 1911 of the PHS Act to support evi-
23 dence-based programs that address the needs of individuals
24 with early serious mental illness, including psychotic dis-
25 orders, regardless of the age of the individual at onset: Pro-

1 vided further, That \$150,000,000 shall be available until
2 September 30, 2021 for grants to communities and commu-
3 nity organizations who meet criteria for Certified Commu-
4 nity Behavioral Health Clinics pursuant to section 223(a)
5 of Public Law 113–93: Provided further, That none of the
6 funds provided for section 1911 of the PHS Act shall be
7 subject to section 241 of such Act: Provided further, That
8 of the funds made available under this heading, \$15,000,000
9 shall be to carry out section 224 of the Protecting Access
10 to Medicare Act of 2014 (Public Law 113–93; 42 U.S.C.
11 290aa 22 note).

12 SUBSTANCE ABUSE TREATMENT

13 For carrying out titles III and V of the PHS Act with
14 respect to substance abuse treatment and title XIX of such
15 Act with respect to substance abuse treatment and preven-
16 tion, \$3,730,806,000: Provided, That \$1,500,000,000 shall
17 be for State Opioid Response Grants for carrying out ac-
18 tivities pertaining to opioids undertaken by the State agen-
19 cy responsible for administering the substance abuse preven-
20 tion and treatment block grant under subpart II of part
21 B of title XIX of the PHS Act (42 U.S.C. 300x–21 et seq.):
22 Provided further, That of such amount \$50,000,000 shall
23 be made available to Indian Tribes or tribal organizations:
24 Provided further, That 15 percent of the remaining amount
25 shall be for the States with the highest mortality rate related

1 to opioid use disorders: Provided further, That of the
2 amounts provided for State Opioid Response Grants not
3 more than 2 percent shall be available for Federal adminis-
4 trative expenses, training, technical assistance, and evalua-
5 tion: Provided further, That of the amount not reserved by
6 the previous three provisos, the Secretary shall make alloca-
7 tions to States, territories, and the District of Columbia ac-
8 cording to a formula using national survey results that the
9 Secretary determines are the most objective and reliable
10 measure of drug use and drug-related deaths: Provided fur-
11 ther, That the Secretary shall submit the formula method-
12 ology to the Committees on Appropriations of the House
13 of Representatives and the Senate not less than 15 days
14 prior to publishing a Funding Opportunity Announcement:
15 Provided further, That prevention and treatment activities
16 funded through such grants may include education, treat-
17 ment (including the provision of medication), behavioral
18 health services for individuals in treatment programs, refer-
19 ral to treatment services, recovery support, and medical
20 screening associated with such treatment: Provided further,
21 That each State, as well as the District of Columbia, shall
22 receive not less than \$4,000,000: Provided further, That in
23 addition to amounts provided herein, the following amounts
24 shall be available under section 241 of the PHS Act: (1)
25 \$79,200,000 to carry out subpart II of part B of title XIX

1 of the PHS Act to fund section 1935(b) technical assistance,
2 national data, data collection and evaluation activities,
3 and further that the total available under this Act for sec-
4 tion 1935(b) activities shall not exceed 5 percent of the
5 amounts appropriated for subpart II of part B of title XIX;
6 and (2) \$2,000,000 to evaluate substance abuse treatment
7 programs: Provided further, That none of the funds pro-
8 vided for section 1921 of the PHS Act or State Opioid Re-
9 sponse Grants shall be subject to section 241 of such Act.

10 SUBSTANCE ABUSE PREVENTION

11 For carrying out titles III and V of the PHS Act with
12 respect to substance abuse prevention, \$200,219,000.

13 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

14 For program support and cross-cutting activities that
15 supplement activities funded under the headings “Mental
16 Health”, “Substance Abuse Treatment”, and “Substance
17 Abuse Prevention” in carrying out titles III, V, and XIX
18 of the PHS Act and the Protection and Advocacy for Indi-
19 viduals with Mental Illness Act in the Substance Abuse and
20 Mental Health Services Administration, \$128,830,000: Pro-
21 vided, That in addition to amounts provided herein,
22 \$31,428,000 shall be available under section 241 of the PHS
23 Act to supplement funds available to carry out national
24 surveys on drug abuse and mental health, to collect and
25 analyze program data, and to conduct public awareness

1 and technical assistance activities: Provided further, That,
2 in addition, fees may be collected for the costs of publica-
3 tions, data, data tabulations, and data analysis completed
4 under title V of the PHS Act and provided to a public or
5 private entity upon request, which shall be credited to this
6 appropriation and shall remain available until expended
7 for such purposes: Provided further, That amounts made
8 available in this Act for carrying out section 501(m) of the
9 PHS Act shall remain available through September 30,
10 2020: Provided further, That funds made available under
11 this heading may be used to supplement program support
12 funding provided under the headings “Mental Health”,
13 “Substance Abuse Treatment”, and “Substance Abuse Pre-
14 vention”.

15 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

16 HEALTHCARE RESEARCH AND QUALITY

17 For carrying out titles III and IX of the PHS Act,
18 part A of title XI of the Social Security Act, and section
19 1013 of the Medicare Prescription Drug, Improvement, and
20 Modernization Act of 2003, \$334,000,000: Provided, That
21 section 947(c) of the PHS Act shall not apply in fiscal year
22 2019: Provided further, That in addition, amounts received
23 from Freedom of Information Act fees, reimbursable and
24 interagency agreements, and the sale of data shall be cred-

1 cited to this appropriation and shall remain available until
2 September 30, 2020.

3 *CENTERS FOR MEDICARE AND MEDICAID SERVICES*

4 *GRANTS TO STATES FOR MEDICAID*

5 *For carrying out, except as otherwise provided, titles*
6 *XI and XIX of the Social Security Act, \$276,236,212,000,*
7 *to remain available until expended.*

8 *For making, after May 31, 2019, payments to States*
9 *under title XIX or in the case of section 1928 on behalf*
10 *of States under title XIX of the Social Security Act for the*
11 *last quarter of fiscal year 2019 for unanticipated costs in-*
12 *curred for the current fiscal year, such sums as may be nec-*
13 *essary.*

14 *For making payments to States or in the case of sec-*
15 *tion 1928 on behalf of States under title XIX of the Social*
16 *Security Act for the first quarter of fiscal year 2020,*
17 *\$137,931,797,000, to remain available until expended.*

18 *Payment under such title XIX may be made for any*
19 *quarter with respect to a State plan or plan amendment*
20 *in effect during such quarter, if submitted in or prior to*
21 *such quarter and approved in that or any subsequent quar-*
22 *ter.*

23 *PAYMENTS TO THE HEALTH CARE TRUST FUNDS*

24 *For payment to the Federal Hospital Insurance Trust*
25 *Fund and the Federal Supplementary Medical Insurance*

1 *Trust Fund, as provided under sections 217(g), 1844, and*
2 *1860D–16 of the Social Security Act, sections 103(c) and*
3 *111(d) of the Social Security Amendments of 1965, section*
4 *278(d)(3) of Public Law 97–248, and for administrative*
5 *expenses incurred pursuant to section 201(g) of the Social*
6 *Security Act, \$378,343,800,000.*

7 *In addition, for making matching payments under sec-*
8 *tion 1844 and benefit payments under section 1860D–16*
9 *of the Social Security Act that were not anticipated in*
10 *budget estimates, such sums as may be necessary.*

11 ~~PROGRAM MANAGEMENT~~

12 *For carrying out, except as otherwise provided, titles*
13 *XI, XVIII, XIX, and XXI of the Social Security Act, titles*
14 *XIII and XXVII of the PHS Act, the Clinical Laboratory*
15 *Improvement Amendments of 1988, and other responsibil-*
16 *ties of the Centers for Medicare and Medicaid Services, not*
17 *to exceed \$3,669,744,000, to be transferred from the Federal*
18 *Hospital Insurance Trust Fund and the Federal Supple-*
19 *mentary Medical Insurance Trust Fund, as authorized by*
20 *section 201(g) of the Social Security Act; together with all*
21 *funds collected in accordance with section 353 of the PHS*
22 *Act and section 1857(e)(2) of the Social Security Act, funds*
23 *retained by the Secretary pursuant to section 1893(h) of*
24 *the Social Security Act, and such sums as may be collected*
25 *from authorized user fees and the sale of data, which shall*

1 be credited to this account and remain available until ex-
2 pended: Provided, That all funds derived in accordance
3 with 31 U.S.C. 9701 from organizations established under
4 title XIII of the PHS Act shall be credited to and available
5 for carrying out the purposes of this appropriation: Pro-
6 vided further, That the Secretary is directed to collect fees
7 in fiscal year 2019 from Medicare Advantage organizations
8 pursuant to section 1857(e)(2) of the Social Security Act
9 and from eligible organizations with risk-sharing contracts
10 under section 1876 of that Act pursuant to section
11 1876(k)(4)(D) of that Act.

12 **HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT**

13 In addition to amounts otherwise available for pro-
14 gram integrity and program management, \$765,000,000, to
15 remain available through September 30, 2020, to be trans-
16 ferred from the Federal Hospital Insurance Trust Fund and
17 the Federal Supplementary Medical Insurance Trust Fund,
18 as authorized by section 201(g) of the Social Security Act,
19 of which \$600,464,000 shall be for the Centers for Medicare
20 and Medicaid Services Program integrity activities, of
21 which \$86,664,000 shall be for the Department of Health
22 and Human Services Office of Inspector General to carry
23 out fraud and abuse activities authorized by section
24 1817(k)(3) of such Act, and of which \$77,872,000 shall be
25 for the Department of Justice to carry out fraud and abuse

1 activities authorized by section 1817(k)(3) of such Act: Pro-
2 vided, That the report required by section 1817(k)(5) of the
3 Social Security Act for fiscal year 2019 shall include meas-
4 ures of the operational efficiency and impact on fraud,
5 waste, and abuse in the Medicare, Medicaid, and CHIP
6 programs for the funds provided by this appropriation:
7 Provided further, That of the amount provided under this
8 heading, \$311,000,000 is provided to meet the terms of sec-
9 tion 251(b)(2)(C)(ii) of the Balanced Budget and Emer-
10 gency Deficit Control Act of 1985, as amended, and
11 \$454,000,000 is additional new budget authority specified
12 for purposes of section 251(b)(2)(C) of such Act: Provided
13 further, That the Secretary shall provide not less than
14 \$17,621,000 for the Senior Medicare Patrol program to
15 combat health care fraud and abuse from the funds provided
16 to this account.

17 ADMINISTRATION FOR CHILDREN AND FAMILIES

18 PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT

19 AND FAMILY SUPPORT PROGRAMS

20 For carrying out, except as otherwise provided, titles
21 I, IV-D, X, XI, XIV, and XVI of the Social Security Act
22 and the Act of July 5, 1960, \$2,922,247,000, to remain
23 available until expended; and for such purposes for the first
24 quarter of fiscal year 2020, \$1,400,000,000, to remain
25 available until expended.

1 *For carrying out, after May 31 of the current fiscal
2 year, except as otherwise provided, titles I, IV-D, X, XI,
3 XIV, and XVI of the Social Security Act and the Act of
4 July 5, 1960, for the last 3 months of the current fiscal
5 year for unanticipated costs, incurred for the current fiscal
6 year, such sums as may be necessary.*

7 **LOW INCOME HOME ENERGY ASSISTANCE**

8 *For making payments under subsections (b) and (d)
9 of section 2602 of the Low Income Home Energy Assistance
10 Act of 1981, \$3,690,304,000: Provided, That all but
11 \$716,000,000 of this amount shall be allocated as though
12 the total appropriation for such payments for fiscal year
13 2019 was less than \$1,975,000,000: Provided further, That
14 notwithstanding section 2609A(a), of the amounts appro-
15 priated under section 2602(b), not more than \$2,988,000
16 of such amounts may be reserved by the Secretary for tech-
17 nical assistance, training, and monitoring of program ac-
18 tivities for compliance with internal controls, policies and
19 procedures and may, in addition to the authorities provided
20 in section 2609A(a)(1), use such funds through contracts
21 with private entities that do not qualify as nonprofit orga-
22 nizations.*

1 REFUGEE AND ENTRANT ASSISTANCE

2 (INCLUDING TRANSFER OF FUNDS)

3 *For necessary expenses for refugee and entrant assist-*
4 *ance activities authorized by section 414 of the Immigration*
5 *and Nationality Act and section 501 of the Refugee Edu-*
6 *cation Assistance Act of 1980, and for carrying out section*
7 *462 of the Homeland Security Act of 2002, section 235 of*
8 *the William Wilberforce Trafficking Victims Protection Re-*
9 *authorization Act of 2008, the Trafficking Victims Protec-*
10 *tion Act of 2000 (“TVPA”), and the Torture Victims Relief*
11 *Act of 1998, \$1,905,201,000, of which \$1,864,446,000 shall*
12 *remain available through September 30, 2021 for carrying*
13 *out such sections 414, 501, 462, and 235: Provided, That*
14 *amounts available under this heading to carry out the*
15 *TVPA shall also be available for research and evaluation*
16 *with respect to activities under such Act: Provided further,*
17 *That the limitation in section 205 of this Act regarding*
18 *transfers increasing any appropriation shall apply to*
19 *transfers to appropriations under this heading by sub-*
20 *stituting “15 percent” for “3 percent”.*

21 PAYMENTS TO STATES FOR THE CHILD CARE AND

22 DEVELOPMENT BLOCK GRANT

23 *For carrying out the Child Care and Development*
24 *Block Grant Act of 1990 (“CCDBG Act”), \$5,226,000,000*
25 *shall be used to supplement, not supplant State general rev-*

1 enue funds for child care assistance for low-income families:
2 Provided, That technical assistance under section
3 658I(a)(3) of such Act may be provided directly, or through
4 the use of contracts, grants, cooperative agreements, or
5 interagency agreements: Provided further, That all funds
6 made available to carry out section 418 of the Social Secu-
7 rity Act (42 U.S.C. 618), including funds appropriated for
8 that purpose in such section 418 or any other provision
9 of law, shall be subject to the reservation of funds authority
10 in paragraphs (4) and (5) of section 658O(a) of the CCDBG
11 Act: Provided further, That in addition to the amounts re-
12 quired to be reserved by the Secretary under section
13 658O(a)(2)(A) of such Act, \$156,780,000 shall be for Indian
14 tribes and tribal organizations.

15 SOCIAL SERVICES BLOCK GRANT

16 For making grants to States pursuant to section 2002
17 of the Social Security Act, \$1,700,000,000: Provided, That
18 notwithstanding subparagraph (B) of section 404(d)(2) of
19 such Act, the applicable percent specified under such sub-
20 paragraph for a State to carry out State programs pursu-
21 ant to title XX-A of such Act shall be 10 percent.

22 CHILDREN AND FAMILIES SERVICES PROGRAMS

23 For carrying out, except as otherwise provided, the
24 Runaway and Homeless Youth Act, the Head Start Act, the
25 Every Student Succeeds Act, the Child Abuse Prevention

1 and Treatment Act, sections 303 and 313 of the Family
2 Violence Prevention and Services Act, the Native American
3 Programs Act of 1974, title II of the Child Abuse Prevention
4 and Treatment and Adoption Reform Act of 1978 (adoption
5 opportunities), part B–1 of title IV and sections 429, 473A,
6 477(i), 1110, 1114A, and 1115 of the Social Security Act,
7 and the Community Services Block Grant Act (“CSBG
8 Act”); and for necessary administrative expenses to carry
9 out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the Social
10 Security Act, the Act of July 5, 1960, the Low-Income
11 Home Energy Assistance Act of 1981, the Child Care and
12 Development Block Grant Act of 1990, the Assets for Inde-
13 pendence Act, title IV of the Immigration and Nationality
14 Act, and section 501 of the Refugee Education Assistance
15 Act of 1980, \$12,288,225,000, of which \$75,000,000, to re-
16 main available through September 30, 2020, shall be for
17 grants to States for adoption and legal guardianship incen-
18 tive payments, as defined by section 473A of the Social Se-
19 curity Act and may be made for adoptions and legal
20 guardianships completed before September 30, 2019: Pro-
21 vided, That \$10,113,095,000, of which \$132,000,000 shall
22 be available through March 31, 2020, shall be for making
23 payments under the Head Start Act, of which:
24 (1) \$215,000,000 shall be available for a cost of
25 living adjustment notwithstanding section

1 *640(a)(3)(A) of such Act, and with respect to any
2 continuing appropriations act, funding available for
3 a cost of living adjustment shall not be construed as
4 an authority or condition under this Act;*

5 *(2) \$16,000,000 shall be available to supplement
6 funding otherwise available for research, evaluation,
7 and Federal administrative costs;*

8 *(3) \$25,000,000 shall be available for allocation
9 by the Secretary to supplement activities described in
10 paragraphs (7)(B) and (9) of section 641(c) of the
11 Head Start Act under the Designation Renewal Sys-
12 tem, established under the authority of sections
13 641(c)(7), 645A(b)(12), and 645A(d) of such Act, and
14 such funds shall not be included in the calculation of
15 “base grant” in subsequent fiscal years, as such term
16 is used in section 640(a)(7)(A) of such Act; and*

17 *(4) \$35,000,000 of the amount available through
18 March 31, 2020 shall be available for award by the
19 Secretary to grantees that apply for supplemental
20 funding to increase their hours of program operations
21 and for training and technical assistance for such ac-
22 tivities (of which up to one percent may be reserved
23 for research and evaluation in addition to amounts
24 described in paragraph (2));*

1 *Provided further, That notwithstanding the sixth proviso*
2 *under this heading in division H of Public Law 115–141,*
3 *any amount issued through a grant for the purposes de-*
4 *scribed in the following proviso shall be included in any*
5 *calculation of “base grant”, as such term is used in section*
6 *640(a)(7)(A) of the Head Start Act, that affects the alloca-*
7 *tion of funds appropriated in this Act: Provided further,*
8 *That the previous proviso applies to funds granted for*
9 *Early Head Start programs as described in section 645A*
10 *of the Head Start Act, for conversion of Head Start services*
11 *to Early Head Start services as described in section*
12 *645(a)(5)(A) of such Act, and for discretionary grants for*
13 *high quality infant and toddler care through Early Head*
14 *Start-Child Care Partnerships, to entities defined as eligible*
15 *under section 645A(d) of such Act: Provided further, That*
16 *the Secretary may reduce the reservation of funds under*
17 *section 640(a)(2)(C) of such Act in lieu of reducing the res-*
18 *ervation of funds under sections 640(a)(2)(B),*
19 *640(a)(2)(D), and 640(a)(2)(E) of such Act: Provided fur-*
20 *ther, That \$250,000,000 shall be available until December*
21 *31, 2019 for carrying out sections 9212 and 9213 of the*
22 *Every Student Succeeds Act: Provided further, That up to*
23 *3 percent of the funds in the preceding proviso shall be*
24 *available for technical assistance and evaluation related to*
25 *grants awarded under such section 9212: Provided further,*

1 That \$752,883,000 shall be for making payments under the
2 CSBG Act: Provided further, That \$28,233,000 shall be for
3 sections 680 and 678E(b)(2) of the CSBG Act, of which not
4 less than \$19,883,000 shall be for section 680(a)(2) and not
5 less than \$8,000,000 shall be for section 680(a)(3)(B) of
6 such Act: Provided further, That, notwithstanding section
7 675C(a)(3) of such Act, to the extent Community Services
8 Block Grant funds are distributed as grant funds by a State
9 to an eligible entity as provided under such Act, and have
10 not been expended by such entity, they shall remain with
11 such entity for carryover into the next fiscal year for ex-
12 penditure by such entity consistent with program purposes:
13 Provided further, That the Secretary shall establish proce-
14 dures regarding the disposition of intangible assets and pro-
15 gram income that permit such assets acquired with, and
16 program income derived from, grant funds authorized
17 under section 680 of the CSBG Act to become the sole prop-
18 erty of such grantees after a period of not more than 12
19 years after the end of the grant period for any activity con-
20 sistent with section 680(a)(2)(A) of the CSBG Act: Provided
21 further, That intangible assets in the form of loans, equity
22 investments and other debt instruments, and program in-
23 come may be used by grantees for any eligible purpose con-
24 sistent with section 680(a)(2)(A) of the CSBG Act: Provided
25 further, That these procedures shall apply to such grant

1 funds made available after November 29, 1999: Provided
2 further, That funds appropriated for section 680(a)(2) of
3 the CSBG Act shall be available for financing construction
4 and rehabilitation and loans or investments in private
5 business enterprises owned by community development cor-
6 porations: Provided further, That \$165,000,000 shall be for
7 carrying out section 303(a) of the Family Violence Preven-
8 tion and Services Act, of which \$5,000,000 shall be allocated
9 notwithstanding section 303(a)(2) of such Act for carrying
10 out section 309 of such Act: Provided further, That the per-
11 centages specified in section 112(a)(2) of the Child Abuse
12 Prevention and Treatment Act shall not apply to funds ap-
13 propriated under this heading: Provided further That
14 \$1,864,000 shall be for a human services case management
15 system for federally declared disasters, to include a com-
16 prehensive national case management contract and Federal
17 costs of administering the system: Provided further, That
18 up to \$2,000,000 shall be for improving the Public Assist-
19 ance Reporting Information System, including grants to
20 States to support data collection for a study of the system's
21 effectiveness.

22 **PROMOTING SAFE AND STABLE FAMILIES**

23 For carrying out, except as otherwise provided, section
24 436 of the Social Security Act, \$345,000,000 and, for car-
25 rying out, except as otherwise provided, section 437 of such

1 *Act, \$99,765,000: Provided, That of the funds available to*
2 *carry out section 437, \$59,765,000 shall be allocated con-*
3 *sistent with subsections (b) through (d) of such section: Pro-*
4 *vided further, That of the funds available to carry out sec-*
5 *tion 437, to assist in meeting the requirements described*
6 *in section 471(e)(4)(C), \$20,000,000 shall be for grants to*
7 *each State, territory, and Indian tribe operating title IV–*
8 *E plans for developing, enhancing, or evaluating kinship*
9 *navigator programs, as described in section 427(a)(1) of*
10 *such Act, and \$20,000,000, in addition to funds otherwise*
11 *appropriated in section 436 for such purposes, shall be for*
12 *competitive grants to regional partnerships as described in*
13 *section 437(f) and for developing enhancing, or evaluating*
14 *family-focused residential treatment programs: Provided*
15 *further, That section 437(b)(1) shall be applied to amounts*
16 *in the previous proviso by substituting “5 percent” for “3.3*
17 *percent”, and notwithstanding section 436(b)(1), such re-*
18 *served amounts may be used for identifying, establishing,*
19 *and disseminating practices to meet the criteria specified*
20 *in section 471(e)(4)(C): Provided further, That the reserva-*
21 *tion in section 437(b)(2) and the limitations in section*
22 *437(d) shall not apply to funds specified in the second pro-*
23 *viso: Provided further, That the minimum grant award for*
24 *kinship navigator programs in the case of States and terri-*

1 *tories shall be \$200,000, and, in the case of tribes, shall*
2 *be \$25,000.*

3 **PAYMENTS FOR FOSTER CARE AND PERMANENCY**

4 *For carrying out, except as otherwise provided, title*
5 *IV–E of the Social Security Act, \$6,035,000,000.*

6 *For carrying out, except as otherwise provided, title*
7 *IV–E of the Social Security Act, for the first quarter of fis-*
8 *cal year 2020, \$2,800,000,000.*

9 *For carrying out, after May 31 of the current fiscal*
10 *year, except as otherwise provided, section 474 of title IV–*
11 *E of the Social Security Act, for the last 3 months of the*
12 *current fiscal year for unanticipated costs, incurred for the*
13 *current fiscal year, such sums as may be necessary.*

14 **ADMINISTRATION FOR COMMUNITY LIVING**

15 **AGING AND DISABILITY SERVICES PROGRAMS**

16 **(INCLUDING TRANSFER OF FUNDS)**

17 *For carrying out, to the extent not otherwise provided,*
18 *the Older Americans Act of 1965 (“OAA”), titles III and*
19 *XXIX of the PHS Act, sections 1252 and 1253 of the PHS*
20 *Act, section 119 of the Medicare Improvements for Patients*
21 *and Providers Act of 2008, title XX–B of the Social Secu-*
22 *rity Act, the Developmental Disabilities Assistance and Bill*
23 *of Rights Act, parts 2 and 5 of subtitle D of title II of the*
24 *Help America Vote Act of 2002, the Assistive Technology*
25 *Act of 1998, titles II and VII (and section 14 with respect*

1 to such titles) of the Rehabilitation Act of 1973, and for
2 Department-wide coordination of policy and program ac-
3 tivities that assist individuals with disabilities,
4 \$2,100,400,000, together with \$49,115,000 to be transferred
5 from the Federal Hospital Insurance Trust Fund and the
6 Federal Supplementary Medical Insurance Trust Fund to
7 carry out section 4360 of the Omnibus Budget Reconcili-
8 ation Act of 1990: Provided, That amounts appropriated
9 under this heading may be used for grants to States under
10 section 361 of the OAA only for disease prevention and
11 health promotion programs and activities which have been
12 demonstrated through rigorous evaluation to be evidence-
13 based and effective: Provided further, That of amounts made
14 available under this heading to carry out sections 311, 331,
15 and 336 of the OAA, up to one percent of such amounts
16 shall be available for developing and implementing evi-
17 dence-based practices for enhancing senior nutrition: Pro-
18 vided further, That notwithstanding any other provision of
19 this Act, funds made available under this heading to carry
20 out section 311 of the OAA may be transferred to the Sec-
21 retary of Agriculture in accordance with such section: Pro-
22 vided further, That \$2,000,000 shall be for competitive
23 grants to support alternative financing programs that pro-
24 vide for the purchase of assistive technology devices, such
25 as a low-interest loan fund; an interest buy-down program;

1 a revolving loan fund; a loan guarantee; or an insurance
2 program: Provided further, That applicants shall provide
3 an assurance that, and information describing the manner
4 in which, the alternative financing program will expand
5 and emphasize consumer choice and control: Provided fur-
6 ther, That State agencies and community-based disability
7 organizations that are directed by and operated for individ-
8 uals with disabilities shall be eligible to compete: Provided
9 further, That none of the funds made available under this
10 heading may be used by an eligible system (as defined in
11 section 102 of the Protection and Advocacy for Individuals
12 with Mental Illness Act (42 U.S.C. 10802)) to continue to
13 pursue any legal action in a Federal or State court on be-
14 half of an individual or group of individuals with a devel-
15 opmental disability (as defined in section 102(8)(A) of the
16 Developmental Disabilities and Assistance and Bill of
17 Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is attrib-
18 utable to a mental impairment (or a combination of mental
19 and physical impairments), that has as the requested rem-
20 edy the closure of State operated intermediate care facilities
21 for people with intellectual or developmental disabilities,
22 unless reasonable public notice of the action has been pro-
23 vided to such individuals (or, in the case of mental incap-
24 acitation, the legal guardians who have been specifically
25 awarded authority by the courts to make healthcare and

1 residential decisions on behalf of such individuals) who are
2 affected by such action, within 90 days of instituting such
3 legal action, which informs such individuals (or such legal
4 guardians) of their legal rights and how to exercise such
5 rights consistent with current Federal Rules of Civil Proce-
6 dure: Provided further, That the limitations in the imme-
7 diately preceding proviso shall not apply in the case of an
8 individual who is neither competent to consent nor has a
9 legal guardian, nor shall the proviso apply in the case of
10 individuals who are a ward of the State or subject to public
11 guardianship.

12 *OFFICE OF THE SECRETARY*

13 *GENERAL DEPARTMENTAL MANAGEMENT*

14 For necessary expenses, not otherwise provided, for
15 general departmental management, including hire of six
16 passenger motor vehicles, and for carrying out titles III,
17 XVII, XXI, and section 229 of the PHS Act, the United
18 States-Mexico Border Health Commission Act, and research
19 studies under section 1110 of the Social Security Act,
20 \$480,629,000, together with \$64,828,000 from the amounts
21 available under section 241 of the PHS Act to carry out
22 national health or human services research and evaluation
23 activities: Provided, That of this amount, \$53,900,000 shall
24 be for minority AIDS prevention and treatment activities:
25 Provided further, That of the funds made available under

1 *this heading, \$101,000,000 shall be for making competitive*
2 *contracts and grants to public and private entities to fund*
3 *medically accurate and age appropriate programs that re-*
4 *duce teen pregnancy and for the Federal costs associated*
5 *with administering and evaluating such contracts and*
6 *grants, of which not more than 10 percent of the available*
7 *funds shall be for training and technical assistance, evalua-*
8 *tion, outreach, and additional program support activities,*
9 *and of the remaining amount 75 percent shall be for repli-*
10 *cating programs that have been proven effective through rig-*
11 *orous evaluation to reduce teenage pregnancy, behavioral*
12 *risk factors underlying teenage pregnancy, or other associ-*
13 *ated risk factors, and 25 percent shall be available for re-*
14 *search and demonstration grants to develop, replicate, re-*
15 *fine, and test additional models and innovative strategies*
16 *for preventing teenage pregnancy: Provided further, That*
17 *of the amounts provided under this heading from amounts*
18 *available under section 241 of the PHS Act, \$6,800,000*
19 *shall be available to carry out evaluations (including longi-*
20 *tudinal evaluations) of teenage pregnancy prevention ap-*
21 *proaches: Provided further, That of the funds made avail-*
22 *able under this heading, \$35,000,000 shall be for making*
23 *competitive grants which exclusively implement education*
24 *in sexual risk avoidance (defined as voluntarily refraining*
25 *from non-marital sexual activity): Provided further, That*

1 funding for such competitive grants for sexual risk avoid-
2 ance shall use medically accurate information referenced to
3 peer-reviewed publications by educational, scientific, gov-
4 ernmental, or health organizations; implement an evidence-
5 based approach integrating research findings with practical
6 implementation that aligns with the needs and desired out-
7 comes for the intended audience; and teach the benefits asso-
8 ciated with self-regulation, success sequencing for poverty
9 prevention, healthy relationships, goal setting, and resisting
10 sexual coercion, dating violence, and other youth risk behav-
11 iors such as underage drinking or illicit drug use without
12 normalizing teen sexual activity: Provided further, That no
13 more than 10 percent of the funding for such competitive
14 grants for sexual risk avoidance shall be available for tech-
15 nical assistance and administrative costs of such programs:
16 Provided further, That funds provided in this Act for em-
17 bryo adoption activities may be used to provide to individ-
18 uals adopting embryos, through grants and other mecha-
19 nisms, medical and administrative services deemed nec-
20 essary for such adoptions: Provided further, That such serv-
21 ices shall be provided consistent with 42 CFR 59.5(a)(4).

22 OFFICE OF MEDICARE HEARINGS AND APPEALS

23 For expenses necessary for the Office of Medicare Hear-
24 ings and Appeals, \$182,381,000 shall remain available
25 until September 30, 2020, to be transferred in appropriate

1 *part from the Federal Hospital Insurance Trust Fund and*
2 *the Federal Supplementary Medical Insurance Trust Fund.*

3 *OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH*

4 *INFORMATION TECHNOLOGY*

5 *For expenses necessary for the Office of the National*
6 *Coordinator for Health Information Technology, including*
7 *grants, contracts, and cooperative agreements for the devel-*
8 *opment and advancement of interoperable health informa-*
9 *tion technology, \$60,367,000.*

10 *OFFICE OF INSPECTOR GENERAL*

11 *For expenses necessary for the Office of Inspector Gen-*
12 *eral, including the hire of passenger motor vehicles for in-*
13 *vestigations, in carrying out the provisions of the Inspector*
14 *General Act of 1978, \$80,000,000: Provided, That of such*
15 *amount, necessary sums shall be available for providing*
16 *protective services to the Secretary and investigating non-*
17 *payment of child support cases for which non-payment is*
18 *a Federal offense under 18 U.S.C. 228.*

19 *OFFICE FOR CIVIL RIGHTS*

20 *For expenses necessary for the Office for Civil Rights,*
21 *\$38,798,000.*

22 *RETIREMENT PAY AND MEDICAL BENEFITS FOR*

23 *COMMISSIONED OFFICERS*

24 *For retirement pay and medical benefits of Public*
25 *Health Service Commissioned Officers as authorized by law,*

1 for payments under the Retired Serviceman's Family Pro-
2 tection Plan and Survivor Benefit Plan, and for medical
3 care of dependents and retired personnel under the Depend-
4 ents' Medical Care Act, such amounts as may be required
5 during the current fiscal year.

6 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

7 For expenses necessary to support activities related to
8 countering potential biological, nuclear, radiological, chem-
9 ical, and cybersecurity threats to civilian populations, and
10 for other public health emergencies, \$1,026,458,000, of
11 which \$561,700,000 shall remain available through Sep-
12 tember 30, 2020, for expenses necessary to support advanced
13 research and development pursuant to section 319L of the
14 PHS Act and other administrative expenses of the Bio-
15 medical Advanced Research and Development Authority:
16 Provided, That funds provided under this heading for the
17 purpose of acquisition of security countermeasures shall be
18 in addition to any other funds available for such purpose:
19 Provided further, That products purchased with funds pro-
20 vided under this heading may, at the discretion of the Sec-
21 retary, be deposited in the Strategic National Stockpile pur-
22 suant to section 319F-2 of the PHS Act: Provided further,
23 That \$5,000,000 of the amounts made available to support
24 emergency operations shall remain available through Sep-
25 tember 30, 2021.

1 *For expenses necessary for procuring security counter-*
2 *measures (as defined in section 319F-2(c)(1)(B) of the PHS*
3 *Act), \$735,000,000, to remain available until expended.*

4 *For an additional amount for expenses necessary to*
5 *prepare for or respond to an influenza pandemic,*
6 *\$285,000,000; of which \$250,000,000 shall be available*
7 *until expended, for activities including the development and*
8 *purchase of vaccine, antivirals, necessary medical supplies,*
9 *diagnostics, and other surveillance tools: Provided, That*
10 *notwithstanding section 496(b) of the PHS Act, funds may*
11 *be used for the construction or renovation of privately*
12 *owned facilities for the production of pandemic influenza*
13 *vaccines and other biologics, if the Secretary finds such con-*
14 *struction or renovation necessary to secure sufficient sup-*
15 *plies of such vaccines or biologics.*

16 *GENERAL PROVISIONS*

17 *SEC. 201. Funds appropriated in this title shall be*
18 *available for not to exceed \$50,000 for official reception and*
19 *representation expenses when specifically approved by the*
20 *Secretary.*

21 *SEC. 202. None of the funds appropriated in this title*
22 *shall be used to pay the salary of an individual, through*
23 *a grant or other extramural mechanism, at a rate in excess*
24 *of Executive Level II.*

1 *SEC. 203. None of the funds appropriated in this Act*
2 *may be expended pursuant to section 241 of the PHS Act,*
3 *except for funds specifically provided for in this Act, or for*
4 *other taps and assessments made by any office located in*
5 *HHS, prior to the preparation and submission of a report*
6 *by the Secretary to the Committees on Appropriations of*
7 *the House of Representatives and the Senate detailing the*
8 *planned uses of such funds.*

9 *SEC. 204. Notwithstanding section 241(a) of the PHS*
10 *Act, such portion as the Secretary shall determine, but not*
11 *more than 2.6 percent, of any amounts appropriated for*
12 *programs authorized under such Act shall be made available*
13 *for the evaluation (directly, or by grants or contracts) and*
14 *the implementation and effectiveness of programs funded in*
15 *this title.*

16 *(TRANSFER OF FUNDS)*

17 *SEC. 205. Not to exceed 1 percent of any discretionary*
18 *funds (pursuant to the Balanced Budget and Emergency*
19 *Deficit Control Act of 1985) which are appropriated for the*
20 *current fiscal year for HHS in this Act may be transferred*
21 *between appropriations, but no such appropriation shall be*
22 *increased by more than 3 percent by any such transfer: Pro-*
23 *vided, That the transfer authority granted by this section*
24 *shall not be used to create any new program or to fund*
25 *any project or activity for which no funds are provided in*

1 *this Act: Provided further, That the Committees on Appro-*
2 *priations of the House of Representatives and the Senate*
3 *are notified at least 15 days in advance of any transfer.*

4 *SEC. 206. In lieu of the timeframe specified in section*
5 *338E(c)(2) of the PHS Act, terminations described in such*
6 *section may occur up to 60 days after the execution of a*
7 *contract awarded in fiscal year 2019 under section 338B*
8 *of such Act.*

9 *SEC. 207. None of the funds appropriated in this Act*
10 *may be made available to any entity under title X of the*
11 *PHS Act unless the applicant for the award certifies to the*
12 *Secretary that it encourages family participation in the de-*
13 *cision of minors to seek family planning services and that*
14 *it provides counseling to minors on how to resist attempts*
15 *to coerce minors into engaging in sexual activities.*

16 *SEC. 208. Notwithstanding any other provision of law,*
17 *no provider of services under title X of the PHS Act shall*
18 *be exempt from any State law requiring notification or the*
19 *reporting of child abuse, child molestation, sexual abuse,*
20 *rape, or incest.*

21 *SEC. 209. None of the funds appropriated by this Act*
22 *(including funds appropriated to any trust fund) may be*
23 *used to carry out the Medicare Advantage program if the*
24 *Secretary denies participation in such program to an other-*
25 *wise eligible entity (including a Provider Sponsored Orga-*

1 nization) because the entity informs the Secretary that it
2 will not provide, pay for, provide coverage of, or provide
3 referrals for abortions: Provided, That the Secretary shall
4 make appropriate prospective adjustments to the capitation
5 payment to such an entity (based on an actuarially sound
6 estimate of the expected costs of providing the service to such
7 entity's enrollees): Provided further, That nothing in this
8 section shall be construed to change the Medicare program's
9 coverage for such services and a Medicare Advantage orga-
10 nization described in this section shall be responsible for
11 informing enrollees where to obtain information about all
12 Medicare covered services.

13 SEC. 210. None of the funds made available in this
14 title may be used, in whole or in part, to advocate or pro-
15 mote gun control.

16 SEC. 211. The Secretary shall make available through
17 assignment not more than 60 employees of the Public
18 Health Service to assist in child survival activities and to
19 work in AIDS programs through and with funds provided
20 by the Agency for International Development, the United
21 Nations International Children's Emergency Fund or the
22 World Health Organization.

23 SEC. 212. In order for HHS to carry out international
24 health activities, including HIV/AIDS and other infectious

1 disease, chronic and environmental disease, and other
2 health activities abroad during fiscal year 2019:

3 (1) *The Secretary may exercise authority equiva-*
4 *lent to that available to the Secretary of State in sec-*
5 *tion 2(c) of the State Department Basic Authorities*
6 *Act of 1956. The Secretary shall consult with the Sec-*
7 *retary of State and relevant Chief of Mission to en-*
8 *sure that the authority provided in this section is ex-*
9 *ercised in a manner consistent with section 207 of the*
10 *Foreign Service Act of 1980 and other applicable stat-*
11 *utes administered by the Department of State.*

12 (2) *The Secretary is authorized to provide such*
13 *funds by advance or reimbursement to the Secretary*
14 *of State as may be necessary to pay the costs of ac-*
15 *quisition, lease, alteration, renovation, and manage-*
16 *ment of facilities outside of the United States for the*
17 *use of HHS. The Department of State shall cooperate*
18 *fully with the Secretary to ensure that HHS has se-*
19 *cure, safe, functional facilities that comply with ap-*
20 *plicable regulation governing location, setback, and*
21 *other facilities requirements and serve the purposes*
22 *established by this Act. The Secretary is authorized,*
23 *in consultation with the Secretary of State, through*
24 *grant or cooperative agreement, to make available to*
25 *public or nonprofit private institutions or agencies in*

1 *participating foreign countries, funds to acquire,*
2 *lease, alter, or renovate facilities in those countries as*
3 *necessary to conduct programs of assistance for inter-*
4 *national health activities, including activities relating*
5 *to HIV/AIDS and other infectious diseases, chronic*
6 *and environmental diseases, and other health activi-*
7 *ties abroad.*

8 (3) *The Secretary is authorized to provide to*
9 *personnel appointed or assigned by the Secretary to*
10 *serve abroad, allowances and benefits similar to those*
11 *provided under chapter 9 of title I of the Foreign*
12 *Service Act of 1980, and 22 U.S.C. 4081 through*
13 *4086 and subject to such regulations prescribed by the*
14 *Secretary. The Secretary is further authorized to pro-*
15 *vide locality-based comparability payments (stated as*
16 *a percentage) up to the amount of the locality-based*
17 *comparability payment (stated as a percentage) that*
18 *would be payable to such personnel under section*
19 *5304 of title 5, United States Code if such personnel's*
20 *official duty station were in the District of Columbia.*
21 *Leaves of absence for personnel under this subsection*
22 *shall be on the same basis as that provided under sub-*
23 *chapter I of chapter 63 of title 5, United States Code,*
24 *or section 903 of the Foreign Service Act of 1980, to*
25 *individuals serving in the Foreign Service.*

2 SEC. 213. The Director of the NIH, jointly with the
3 Director of the Office of AIDS Research, may transfer up
4 to 3 percent among institutes and centers from the total
5 amounts identified by these two Directors as funding for
6 research pertaining to the human immunodeficiency virus:
7 Provided, That the Committees on Appropriations of the
8 House of Representatives and the Senate are notified at
9 least 15 days in advance of any transfer.

11 *SEC. 214. Of the amounts made available in this Act*
12 *for NIH, the amount for research related to the human im-*
13 *munodeficiency virus, as jointly determined by the Director*
14 *of NIH and the Director of the Office of AIDS Research,*
15 *shall be made available to the “Office of AIDS Research”*
16 *account. The Director of the Office of AIDS Research shall*
17 *transfer from such account amounts necessary to carry out*
18 *section 2353(d)(3) of the PHS Act.*

19 SEC. 215. (a) AUTHORITY.—Notwithstanding any
20 other provision of law, the Director of NIH (“Director”)
21 may use funds authorized under section 402(b)(12) of the
22 PHS Act to enter into transactions (other than contracts,
23 cooperative agreements, or grants) to carry out research
24 identified pursuant to or research and activities described
25 in such section 402(b)(12).

(b) *PEER REVIEW.*—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the PHS Act.

11 SEC. 216. Not to exceed \$45,000,000 of funds appro-
12 priated by this Act to the institutes and centers of the Na-
13 tional Institutes of Health may be used for alteration, re-
14 pair, or improvement of facilities, as necessary for the prop-
15 er and efficient conduct of the activities authorized herein,
16 at not to exceed \$3,500,000 per project.

17 (TRANSFER OF FUNDS)

18 *SEC. 217. Of the amounts made available for NIH, 1*
19 *percent of the amount made available for National Research*
20 *Service Awards (“NRSA”) shall be made available to the*
21 *Administrator of the Health Resources and Services Admin-*
22 *istration to make NRSA awards for research in primary*
23 *medical care to individuals affiliated with entities who have*
24 *received grants or contracts under sections 736, 739, or 747*
25 *of the PHS Act, and 1 percent of the amount made avail-*

1 able for NRSA shall be made available to the Director of
2 the Agency for Healthcare Research and Quality to make
3 NRSA awards for health service research.

4 SEC. 218. (a) The Biomedical Advanced Research and
5 Development Authority (“BARDA”) may enter into a con-
6 tract, for more than one but no more than 10 program
7 years, for purchase of research services or of security coun-
8 termeasures, as that term is defined in section 319F–
9 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
10 if—

11 (1) funds are available and obligated—

12 (A) for the full period of the contract or for
13 the first fiscal year in which the contract is in
14 effect; and

15 (B) for the estimated costs associated with
16 a necessary termination of the contract; and

17 (2) the Secretary determines that a multi-year
18 contract will serve the best interests of the Federal
19 Government by encouraging full and open competi-
20 tion or promoting economy in administration, per-
21 formance, and operation of BARDA’s programs.

22 (b) A contract entered into under this section—

23 (1) shall include a termination clause as de-
24 scribed by subsection (c) of section 3903 of title 41,
25 United States Code; and

1 (2) shall be subject to the congressional notice re-
2 quirement stated in subsection (d) of such section.

3 SEC. 219. (a) The Secretary shall publish in the fiscal
4 year 2020 budget justification and on Departmental Web
5 sites information concerning the employment of full-time
6 equivalent Federal employees or contractors for the purposes
7 of implementing, administering, enforcing, or otherwise
8 carrying out the provisions of the ACA, and the amend-
9 ments made by that Act, in the proposed fiscal year and
10 each fiscal year since the enactment of the ACA.

11 (b) With respect to employees or contractors supported
12 by all funds appropriated for purposes of carrying out the
13 ACA (and the amendments made by that Act), the Secretary
14 shall include, at a minimum, the following information:

15 (1) For each such fiscal year, the section of such
16 Act under which such funds were appropriated, a
17 statement indicating the program, project, or activity
18 receiving such funds, the Federal operating division
19 or office that administers such program, and the
20 amount of funding received in discretionary or man-
21 datory appropriations.

22 (2) For each such fiscal year, the number of full-
23 time equivalent employees or contracted employees as-
24 signed to each authorized and funded provision de-
25 tailed in accordance with paragraph (1).

1 (c) In carrying out this section, the Secretary may ex-
2 clude from the report employees or contractors who—

3 (1) are supported through appropriations en-
4 acted in laws other than the ACA and work on pro-
5 grams that existed prior to the passage of the ACA;

6 (2) spend less than 50 percent of their time on
7 activities funded by or newly authorized in the ACA;
8 or

9 (3) work on contracts for which FTE reporting
10 is not a requirement of their contract, such as fixed-
11 price contracts.

12 SEC. 220. The Secretary shall publish, as part of the
13 fiscal year 2020 budget of the President submitted under
14 section 1105(a) of title 31, United States Code, information
15 that details the uses of all funds used by the Centers for
16 Medicare and Medicaid Services specifically for Health In-
17 surance Exchanges for each fiscal year since the enactment
18 of the ACA and the proposed uses for such funds for fiscal
19 year 2020. Such information shall include, for each such
20 fiscal year, the amount of funds used for each activity speci-
21 fied under the heading “Health Insurance Exchange Trans-
22 parency” in the report accompanying this Act.

23 SEC. 221. (a) The Secretary shall provide to the Com-
24 mittees on Appropriations of the House of Representatives
25 and the Senate:

1 (1) *Detailed monthly enrollment figures from the
2 Exchanges established under the Patient Protection
3 and Affordable Care Act of 2010 pertaining to enroll-
4 ments during the open enrollment period; and*

5 (2) *Notification of any new or competitive grant
6 awards, including supplements, authorized under sec-
7 tion 330 of the Public Health Service Act.*

8 (b) *The Committees on Appropriations of the House
9 and Senate must be notified at least 2 business days in
10 advance of any public release of enrollment information or
11 the award of such grants.*

12 SEC. 222. *None of the funds made available by this
13 Act from the Federal Hospital Insurance Trust Fund or
14 the Federal Supplemental Medical Insurance Trust Fund,
15 or transferred from other accounts funded by this Act to
16 the “Centers for Medicare and Medicaid Services—Program
17 Management” account, may be used for payments under
18 section 1342(b)(1) of Public Law 111–148 (relating to risk
19 corridors).*

20 SEC. 223. *The Secretary shall include in the fiscal year
21 2020 budget justification an analysis of how section 2713
22 of the PHS Act will impact eligibility for discretionary
23 HHS programs.*

2 SEC. 224. (a) Within 45 days of enactment of this Act,
3 the Secretary shall transfer funds appropriated under sec-
4 tion 4002 of the ACA to the accounts specified, in the
5 amounts specified, and for the activities specified under the
6 heading “Prevention and Public Health Fund” in the re-
7 port accompanying this Act.

(b) Notwithstanding section 4002(c) of the ACA, the Secretary may not further transfer these amounts.

10 (c) Funds transferred for activities authorized under
11 section 2821 of the PHS Act shall be made available with-
12 out reference to section 2821(b) of such Act.

13 SEC. 225. Effective during the period beginning on No-
14 vember 1, 2015 and ending January 1, 2021, any provision
15 of law that refers (including through cross-reference to an-
16 other provision of law) to the current recommendations of
17 the United States Preventive Services Task Force with re-
18 spect to breast cancer screening, mammography, and pre-
19 vention shall be administered by the Secretary involved as
20 if—

21 (1) such reference to such current recommenda-
22 tions were a reference to the recommendations of such
23 Task Force with respect to breast cancer screening,
24 mammography, and prevention last issued before
25 2009; and

1 (2) such recommendations last issued before 2009
2 applied to any screening mammography modality
3 under section 1861(jj) of the Social Security Act (42
4 U.S.C. 1395x(jj)).

5 SEC. 226. In making Federal financial assistance, the
6 provisions relating to indirect costs in part 75 of title 45,
7 Code of Federal Regulations, including with respect to the
8 approval of deviations from negotiated rates, shall continue
9 to apply to the National Institutes of Health to the same
10 extent and in the same manner as such provisions were ap-
11 plied in the third quarter of fiscal year 2017. None of the
12 funds appropriated in this or prior Acts or otherwise made
13 available to the Department of Health and Human Services
14 or to any department or agency may be used to develop
15 or implement a modified approach to such provisions, or
16 to intentionally or substantially expand the fiscal effect of
17 the approval of such deviations from negotiated rates be-
18 yond the proportional effect of such approvals in such quar-
19 ter.

20 SEC. 227. In addition to the amounts otherwise avail-
21 able for “Centers for Medicare and Medicaid Services, Pro-
22 gram Management”, the Secretary of Health and Human
23 Services may transfer up to \$305,000,000 to such account
24 from the Federal Hospital Insurance Trust Fund and the
25 Federal Supplementary Medical Insurance Trust Fund to

1 support program management activity related to the Medi-
2 care Program: Provided, That except for the foregoing pur-
3 pose, such funds may not be used to support any provision
4 of Public Law 111–148 or Public Law 111–152 (or any
5 amendment made by either such Public Law) or to supplant
6 any other amounts within such account.

7 (TRANSFER OF FUNDS)

8 SEC. 228. The NIH Director may transfer funds spe-
9 cifically appropriated for opioid addiction, opioid alter-
10 natives, pain management, and addiction treatment to
11 other Institutes and Centers of the NIH to be used for the
12 same purpose 15 days after notifying the Committees on
13 Appropriations: Provided, That the transfer authority pro-
14 vided in the previous proviso is in addition to any other
15 transfer authority provided by law.

16 SEC. 229. None of the funds made available by this
17 Act to carry out the Child Care and Development Block
18 Grant Act of 1990 may be provided to any child care pro-
19 vider if a list of providers (as mentioned in part 98 of title
20 45 of the Code of Federal Regulations, applicable to the De-
21 partment of Health and Human Services, Administration
22 of Children and Families, and in the final rule published
23 in the Federal Register, Vol. 81, No. 190, on Sept. 30, 2016)
24 indicates that a serious injury or death occurred at the pro-
25 vider due to a substantiated health or safety violation.

1 (RESCISSION)

2 SEC. 230. *Of the unobligated balances available in the*
3 *“Nonrecurring Expenses Fund” established in section 223*
4 *of division G of Public Law 110–161, \$350,000,000 are*
5 *hereby rescinded.*

6 SEC. 231. Not later than the 15th day of each month,
7 the Department of Health and Human Services shall pro-
8 vide the Committees on Appropriations of the House of Rep-
9 resentatives and Senate a report on staffing described in
10 the report accompanying this Act.

11 SEC. 232. *Funds appropriated in this Act that are*
12 *available for salaries and expenses of employees of the De-*
13 *partment of Health and Human Services shall also be*
14 *available to pay travel and related expenses of such an em-*
15 *ployee or of a member of his or her family, when such em-*
16 *ployee is assigned to duty, in the United States or in a*
17 *U.S. territory, during a period and in a location that are*
18 *the subject of a determination of a public health emergency*
19 *under section 319 of the Public Health Service Act and such*
20 *travel is necessary to obtain medical care for an illness,*
21 *injury, or medical condition that cannot be adequately ad-*
22 *dressed in that location at that time. For purposes of this*
23 *section, the term “U.S. territory” means Guam, the Com-*
24 *monwealth of Puerto Rico, the Northern Mariana Islands,*

1 *the Virgin Islands, American Samoa, or the Trust Territory*
2 *of the Pacific Islands.*

3 SEC. 233. (a) *There is appropriated under the heading*
4 *“National Institute for Occupational Safety and Health”*
5 *under the heading “Centers for Disease Control and Preven-*
6 *tion”, in addition to any other amounts made available*
7 *under such heading, \$1,000,000 to implement the Fire-*
8 *fighter Cancer Registry Act of 2018 (Public Law 115–194).*

9 (b) *Notwithstanding any other provision of this Act,*
10 *the total amount appropriated under the heading “General*
11 *Departmental Management” under the heading “Office of*
12 *the Secretary” is hereby reduced by \$1,000,000.*

13 SEC. 234. (a) *There are appropriated under the head-*
14 *ing “Mental Health” under the heading “Substance Abuse*
15 *and Mental Health Services”, in addition to any other*
16 *amounts made available under such heading and in order*
17 *to provide additional funding for the National Suicide Pre-*
18 *vention Lifeline, \$2,802,000.*

19 (b) *Notwithstanding any other provision of this Act,*
20 *the total amount appropriated under the heading “Sub-*
21 *stance Abuse Treatment” under the heading “Substance*
22 *Abuse and Mental Health Services” is hereby reduced by*
23 *\$2,802,000.*

24 SEC. 235. (a) *There are appropriated under the head-*
25 *ing “Environmental Health” under the heading “Centers*

1 for Disease Control and Prevention,” in addition to any
2 other amounts made available under such heading,
3 \$1,000,000 to implement section 399V–6(c) of the PHS Act.

4 (b) Notwithstanding any other provision of this Act,
5 the total amount appropriated under the heading “National
6 Institute for Occupational Safety and Health” under the
7 heading “Centers for Disease Control and Prevention” is
8 hereby reduced by \$1,000,000.

9 SEC. 236. Using amounts appropriated under this di-
10 vision, the Comptroller General of the United States shall,
11 not later than 18 months after the date of enactment of this
12 Act, conduct a review and submit a report to Congress on
13 barriers to obtaining and paying for adequate medical care
14 for survivors of childhood cancer. Such report shall identify
15 existing barriers to the availability of complete and coordi-
16 nated survivorship care for survivors of childhood cancer
17 and of expert pediatric palliative care, and recommenda-
18 tions to provide improved access and payment plans for
19 childhood cancer survivorship programs and palliative
20 care, including psychosocial services and coverage of such
21 services.

22 SEC. 237. (a) There are appropriated under the head-
23 ing “Emerging and Zoonotic Infectious Diseases” under the
24 heading “Centers for Disease Control and Prevention”, in
25 addition to any other amounts made available under such

1 heading and in order to provide additional funding for
2 Lyme disease activities, \$1,300,000.

3 (b) Notwithstanding any other provision of this Act,
4 the total amount appropriated under the heading “Chronic
5 Disease Prevention and Health Promotion” under the head-
6 ing “Centers for Disease Control and Prevention” is hereby
7 reduced by \$1,300,000.

8 SEC. 238. Not later than 180 days after the enactment
9 of this Act, and using funds appropriated under this title,
10 the Director of the National Institute for Occupational
11 Safety and Health shall submit to Congress a report that—

12 (1) includes a description of those active and
13 non-active coal miner populations that are currently
14 covered by the Coal Workers’ Health Surveillance pro-
15 gram;

16 (2) identifies and describes potential barriers
17 that limit active and non-active coal miner participa-
18 tion in such program; and

19 (3) describes existing or planned outreach efforts
20 to improve the participation of active and non-active
21 coal miners in periodic health surveillance.

22 SEC. 239. Not later than November 1, 2018, the Sec-
23 retary shall provide, to the Committees on Appropriations
24 of the Senate and the House of Representatives, the Com-
25 mittee on Health, Education, Labor, and Pensions of the

1 Senate, and the Committee on Energy and Commerce of
2 the House of Representatives, a status update on the rule-
3 making required under sections 3001(c)(5)(D), and
4 3022(a)(3), of the PHS Act.

5 *STUDY ON TRAUMATIC BRAIN INJURY*

6 *SEC. 240. (a) STUDY.—The Comptroller General of the*
7 *United States, in meaningful consultation with experts on*
8 *the intersections of domestic violence, disabilities, trauma,*
9 *and mental health, shall conduct a study to evaluate the*
10 *status of—*

11 *(1) research on the relationship between intimate*
12 *partner violence and traumatic brain injury experi-*
13 *enced by victims; and*

14 *(2) public awareness and education campaigns*
15 *related to the effects of intimate partner violence on*
16 *victims' brain health and its connection to traumatic*
17 *brain injury experienced by victims.*

18 *(b) CONTENT.—The study conducted under subsection*
19 *(a) shall include—*

20 *(1) a review on the outcomes of any previous re-*
21 *search, the status of existing research activities, and*
22 *efforts to address knowledge gaps across agencies of*
23 *the Federal Government; and*

24 *(2) recommendations to—*

1 (A) encourage increased research to address
2 existing knowledge gaps relating to the relation-
3 ship between intimate partner violence and trau-
4 matic brain injury experienced by victims;

5 (B) increase awareness of the effects of inti-
6 mate partner violence on the brain health of vic-
7 tims for health care and other treatment pro-
8 viders;

9 (C) increase victim service providers'
10 awareness of the effects of intimate partner vio-
11 lence on victims' brain health, enhance their ca-
12 pacity to identify victims with traumatic brain
13 injuries and provide services that support vic-
14 tims' healing and recovery; and

15 (D) increase awareness of the links between
16 intimate partner violence and the brain health of
17 victims' for the general public.

18 (c) REPORT.—Not later than one year after the date
19 of the enactment of this Act, the Comptroller General shall
20 submit to the Committee on Health, Education, Labor, and
21 Pensions of the Senate, the Committee on the Judiciary of
22 the Senate, the Committee on Appropriations of the Senate,
23 the Committee on Energy and Commerce of the House of
24 Representatives, the Committee on Ways and Means of the
25 House of Representatives, and the Committee on Appro-

1 *priations of the House of Representatives a report on the*
2 *study conducted under subsection (a).*

3 *SEC. 241. Not later than 1 year after the date of enact-*
4 *ment of this Act, and using funds appropriated under this*
5 *division, the Director of the NIH shall conduct a com-*
6 *prehensive study and submit to Congress a report that—*

7 *(1) includes a portfolio analysis of current fund-*
8 *ing levels of the NIH related to mental health and*
9 *substance use disorder; and*

10 *(2) identifies the process by which the NIH set*
11 *funding priorities for mental health and substance use*
12 *disorder programs, including how NIH takes into ac-*
13 *count newly developed public health needs, disease*
14 *burden, emerging scientific opportunities, and sci-*
15 *entific progress.*

16 *SEC. 242. Not later than 180 days after the date of*
17 *enactment of this Act, the Administrator of the Substance*
18 *Abuse and Mental Health Services Administration shall*
19 *submit to Congress a report on agency activities related to*
20 *medication-assisted treatment. The report submitted by the*
21 *Administrator under this section shall include a description*
22 *of how the agency is taking steps to overcome barriers to*
23 *medication-assisted treatment for adolescents and young*
24 *adults.*

1 SEC. 243. Out of amounts appropriated under the
2 heading “Administration for Community Living”,
3 \$300,000 shall be available for the Secretary to establish
4 the Advisory Council to Support Grandparents Raising
5 Grandchildren under section 3 of the Supporting Grand-
6 parents Raising Grandchildren Act (Public Law 115–196).

7 SEC. 244. Of the funds appropriated under the heading
8 “Refugee and Entrant Assistance” for carrying out Victims
9 of Trafficking programs, the amount made available to con-
10 tinue carrying out the SOAR (Stop, Observe, Ask, Respond)
11 to Health and Wellness Program, to train health care and
12 social service providers on how to identify, treat, and re-
13 spond appropriately to human trafficking, shall be not less
14 than the amount made available for such program in fiscal
15 year 2018.

16 SEC. 245. Using amounts made available under this
17 title, the Assistant Secretary for Mental Health and Sub-
18 stance Use shall provide technical assistance to any State
19 or county impacted by a volcanic eruption covered by a
20 major disaster declared by the President in calendar year
21 2018 in accordance with section 401 of the Robert T. Staf-
22 ford Disaster Relief and Emergency Assistance Act. Such
23 technical assistance shall be—

1 (1) to conduct a needs assessment for supporting
2 the mental health of the impacted children and families; and

4 (2) to develop mental health crisis recovery plans
5 for the impacted children and families.

6 SEC. 246. (a) There are appropriated under the head-
7 ing “Birth Defects, Developmental Disabilities, Disabilities
8 and Health” under the heading “Centers for Disease Con-
9 trol and Prevention”, in addition to any other amounts
10 made available under such heading and in order to provide
11 additional funding for activities related to neonatal absti-
12 nence syndrome, \$2,000,000: Provided, That funds shall
13 make use of existing State biosurveillance and other surveil-
14 lance tools to improve voluntary, de-identified prenatal and
15 newborn health data, which may include opioid-related in-
16 formation during pregnancy and early motherhood, to re-
17 duce risks associated with neonatal abstinence syndrome
18 and optimize care.

19 (b) Notwithstanding any other provision of this Act,
20 the total amount appropriated under the heading “Chronic
21 Disease Prevention and Health Promotion” under the head-
22 ing “Centers for Disease Control and Prevention” is hereby
23 reduced by \$2,000,000.

24 SEC. 247. (a) There are appropriated under the head-
25 ing “Public Health Scientific Services” under the heading

1 “Centers for Disease Control and Prevention”, in addition
2 to any other amounts made available under such heading,
3 \$5,000,000 to be available for the establishment of the Na-
4 tional Neurological Conditions Surveillance System as au-
5 thorized in 21st Century Cures Act (Public Law 114–255).

6 (b) Notwithstanding any other provision of this Act,
7 the total amount appropriated under the heading “Sub-
8 stance Abuse and Mental Health Services Administration”
9 is hereby reduced by \$5,000,000

10 SEC. 248. From amounts appropriated under this
11 title, under the heading “Maternal and Child Health”, up
12 to \$1,000,000 shall be used for awarding grants for the pur-
13 chase and implementation of telehealth services, including
14 pilots and demonstrations for the use of electronic health
15 records or other necessary technology and equipment (in-
16 cluding ultra sound machines or other technology and
17 equipment that is useful for caring for pregnant women)
18 to coordinate obstetric care between pregnant women living
19 in rural areas and obstetric care providers.

20 SEC. 249. Of the funds appropriated under the heading
21 “Office of the Director” under the heading “National Insti-
22 tutes of Health”, \$5,000,000 shall be transferred to and
23 merged with the appropriation for the “Office of the Inspec-
24 tor General” for oversight of grant programs and operations
25 of the National Institutes of Health, including agency ef-

1 forts to ensure the integrity of its grant application evalua-
2 tion and selection processes, and shall be in addition to
3 funds otherwise made available for oversight of the National
4 Institutes of Health: Provided, That funds may be trans-
5 ferred from one specified activity to another with 15 days
6 prior approval of the Committees of Appropriations of the
7 House of Representatives and the Senate: Provided further,
8 That the Inspector General shall consult with the House and
9 Senate Committees on Appropriations before submitting to
10 the Committees an audit plan for fiscal years 2019 and
11 2020 no later than 30 days after the date of enactment of
12 this Act.

13 SEC. 250. (a) In addition to amounts appropriated
14 under the heading “Children and Families Services Pro-
15 grams” under the heading “Administration for Children
16 and Families”, there is appropriated \$10,000,000 for pur-
17 poses of carrying out title I of the Child Abuse Prevention
18 and Treatment Act.

19 (b) Notwithstanding any other provision of this Act,
20 the total amount appropriated under the heading “Children
21 and Families Services Programs” is hereby reduced by
22 \$10,000,000.

23 SEC. 251. Not later than 90 days after the enactment
24 of this Act, the Secretary of Health and Human Services
25 shall submit a report to the Committee on Appropriations

1 and the Committee on Finance of the Senate and the Com-
2 mittee on Appropriations and the Committee on Ways and
3 Means of the House of Representatives, detailing the cir-
4 cumstances in which the Centers for Medicare & Medicaid
5 Services may be providing Medicare or Medicaid payments
6 to, or otherwise funding, entities that process genome or
7 exome data in the People's Republic of China or the Rus-
8 sian Federation. The report shall outline the extent to which
9 payments or other funding have been provided to such enti-
10 ties over the past 5 years, including amounts paid to each
11 entity, the implications of such payments, including
12 vulnerabilities, and specific recommendations on steps to
13 ensure that payments are lawful and appropriate in the
14 future. In developing the report, the Secretary shall also co-
15 ordinate with other relevant agencies, as determined by the
16 Secretary, to examine the potential effect of allowing bene-
17 ficiaries' genome or exome data to be processed in the Peo-
18 ple's Republic of China or the Russian Federation on
19 United States national security, United States intellectual
20 property protections, HIPAA privacy protections, future
21 biomedical development capabilities and competitiveness,
22 and global competitiveness for United States laboratories.

23 SEC. 252. Of the funds made available under this Act,
24 not more than \$1,000,000 shall be used by the Secretary
25 of Health and Human Services to issue a regulation requir-

1 *ing that direct-to-consumer prescription drug and biologi-*
2 *cal product advertisements include an appropriate disclo-*
3 *sue of pricing information with respect to such products.*

4 *This title may be cited as the “Department of Health*
5 *and Human Services Appropriations Act, 2019”.*

1 **TITLE III**2 **DEPARTMENT OF EDUCATION**3 **EDUCATION FOR THE DISADVANTAGED**

4 *For carrying out title I and subpart 2 of part B of
5 title II of the Elementary and Secondary Education Act
6 of 1965 (referred to in this Act as “ESEA”) and section
7 418A of the Higher Education Act of 1965 (referred to in
8 this Act as “HEA”), \$16,568,790,000, of which
9 \$5,650,990,000 shall become available on July 1, 2019, and
10 shall remain available through September 30, 2020, and of
11 which \$10,841,177,000 shall become available on October 1,
12 2019, and shall remain available through September 30,
13 2020, for academic year 2019–2020: Provided, That
14 \$6,459,401,000 shall be for basic grants under section 1124
15 of the ESEA: Provided further, That up to \$5,000,000 of
16 these funds shall be available to the Secretary of Education
17 (referred to in this title as “Secretary”) on October 1, 2018,
18 to obtain annually updated local educational agency-level
19 census poverty data from the Bureau of the Census: Pro-
20 vided further, That \$1,362,301,000 shall be for concentra-
21 tion grants under section 1124A of the ESEA: Provided fur-
22 ther, That \$4,031,550,000 shall be for targeted grants under
23 section 1125 of the ESEA: Provided further, That
24 \$4,031,550,000 shall be for education finance incentive
25 grants under section 1125A of the ESEA: Provided further,*

1 That \$217,000,000 shall be for carrying out subpart 2 of
2 part B of title II: Provided further, That \$44,623,000 shall
3 be for carrying out section 418A of the HEA.

4 *IMPACT AID*

5 For carrying out programs of financial assistance to
6 federally affected schools authorized by title VII of the
7 ESEA, \$1,439,112,000, of which \$1,294,242,000 shall be for
8 basic support payments under section 7003(b), \$48,316,000
9 shall be for payments for children with disabilities under
10 section 7003(d), \$17,406,000, to remain available for obli-
11 gation through September 30, 2020, shall be for construction
12 under section 7007(b), \$74,313,000 shall be for Federal
13 property payments under section 7002, and \$4,835,000, to
14 remain available until expended, shall be for facilities
15 maintenance under section 7008: Provided, That for pur-
16 poses of computing the amount of a payment for an eligible
17 local educational agency under section 7003(a) for school
18 year 2018–2019, children enrolled in a school of such agen-
19 cy that would otherwise be eligible for payment under sec-
20 tion 7003(a)(1)(B) of such Act, but due to the deployment
21 of both parents or legal guardians, or a parent or legal
22 guardian having sole custody of such children, or due to
23 the death of a military parent or legal guardian while on
24 active duty (so long as such children reside on Federal prop-
25 erty as described in section 7003(a)(1)(B)), are no longer

1 eligible under such section, shall be considered as eligible
2 students under such section, provided such students remain
3 in average daily attendance at a school in the same local
4 educational agency they attended prior to their change in
5 eligibility status.

6 *SCHOOL IMPROVEMENT PROGRAMS*

7 *For carrying out school improvement activities authorized*
8 *by part B of title I, part A of title II, subpart 1 of*
9 *part A of title IV, part B of title IV, part B of title V,*
10 *and parts B and C of title VI of the ESEA; the McKinney-*
11 *Vento Homeless Assistance Act; section 203 of the Educational*
12 *Technical Assistance Act of 2002; the Compact of Free*
13 *Association Amendments Act of 2003; and the Civil*
14 *Rights Act of 1964, \$5,291,967,000, of which*
15 *\$3,463,402,000 shall become available on July 1, 2019, and*
16 *remain available through September 30, 2020, and of which*
17 *\$1,681,441,000 shall become available on October 1, 2019,*
18 *and shall remain available through September 30, 2020, for*
19 *academic year 2019–2020: Provided, That \$378,000,000*
20 *shall be for part B of title I: Provided further, That*
21 *\$1,211,673,000 shall be for part B of title IV: Provided fur-*
22 *ther, That \$36,397,000 shall be for part B of title VI and*
23 *may be used for construction, renovation, and moderniza-*
24 *tion of any elementary school, secondary school, or structure*
25 *related to an elementary school or secondary school, run by*

1 *the Department of Education of the State of Hawaii, that*
2 *serves a predominantly Native Hawaiian student body:*
3 *Provided further, That \$35,453,000 shall be for part C of*
4 *title VI and shall be awarded on a competitive basis, and*
5 *also may be used for construction: Provided further, That*
6 *\$52,000,000 shall be available to carry out section 203 of*
7 *the Educational Technical Assistance Act of 2002 and the*
8 *Secretary shall make such arrangements as determined to*
9 *be necessary to ensure that the Bureau of Indian Education*
10 *has access to services provided under this section: Provided*
11 *further, That \$16,699,000 shall be available to carry out*
12 *the Supplemental Education Grants program for the Fed-*
13 *erated States of Micronesia and the Republic of the Mar-*
14 *shall Islands: Provided further, That the Secretary may re-*
15 *serve up to 5 percent of the amount referred to in the pre-*
16 *vious proviso to provide technical assistance in the imple-*
17 *mentation of these grants: Provided further, That*
18 *\$180,840,000 shall be for part B of title V: Provided further,*
19 *That \$1,225,000,000 shall be available for grants under sub-*
20 *part 1 of part A of title IV.*

21 **INDIAN EDUCATION**

22 *For expenses necessary to carry out, to the extent not*
23 *otherwise provided, title VI, part A of the ESEA,*
24 *\$180,239,000, of which \$67,993,000 shall be for subpart 2*

1 of part A of title VI and \$6,865,000 shall be for subpart
2 3 of part A of title VI.

3 *INNOVATION AND IMPROVEMENT*

4 *For carrying out activities authorized by subparts 1,*
5 3 and 4 of part B of title II, and parts C, D, and E and
6 subparts 1 and 4 of part F of title IV of the ESEA,
7 \$1,042,256,000: Provided, That \$278,515,000 shall be for
8 subparts 1, 3 and 4 of part B of title II and shall be made
9 available without regard to sections 2201, 2231(b) and
10 2241: Provided further, That \$628,741,000 shall be for parts
11 C, D, and E and subpart 4 of part F of title IV, and shall
12 be made available without regard to sections 4311, 4409(a),
13 and 4601 of the ESEA: Provided further, That section
14 4303(d)(3)(A)(i) shall not apply to the funds available for
15 part C of title IV: Provided further, That of the funds avail-
16 able for part C of title IV, the Secretary shall use
17 \$55,000,000 to carry out section 4304, of which not more
18 than \$10,000,000 shall be available to carry out section
19 4304(k), \$140,000,000, to remain available through March
20 31, 2020, to carry out section 4305(b), and not more than
21 \$15,000,000 to carry out the activities in section
22 4305(a)(3): Provided further, That notwithstanding section
23 4601(b), \$135,000,000 shall be available through December
24 31, 2019 for subpart 1 of part F of title IV.

1 *SAFE SCHOOLS AND CITIZENSHIP EDUCATION*

2 *For carrying out activities authorized by subparts 2*
3 *and 3 of part F of title IV of the ESEA, \$190,754,000: Pro-*
4 *vided, That \$95,000,000 shall be available for section 4631,*
5 *of which up to \$5,000,000, to remain available until ex-*
6 *pended, shall be for the Project School Emergency Response*
7 *to Violence (“Project Serve”) program and not more than*
8 *\$10,000,000 may be for a demonstration program to test*
9 *and evaluate innovative partnerships between institutions*
10 *of higher education and high-needs State or local edu-*
11 *cational agencies to train school counselors, social workers,*
12 *psychologists, or other mental health professionals qualified*
13 *to provide school-based mental health services, with the goal*
14 *of expanding the pipeline of these workers into low-income*
15 *public elementary schools and secondary schools in order*
16 *to address the shortages of mental health service profes-*
17 *sionals in such schools: Provided further, That \$17,500,000*
18 *shall be available for section 4625: Provided further, That*
19 *\$78,254,000 shall be available through December 31, 2019,*
20 *for section 4624.*

21 *ENGLISH LANGUAGE ACQUISITION*

22 *For carrying out part A of title III of the ESEA,*
23 *\$737,400,000, which shall become available on July 1, 2019,*
24 *and shall remain available through September 30, 2020, ex-*
25 *cept that 6.5 percent of such amount shall be available on*

1 October 1, 2018, and shall remain available through Sep-
2 tember 30, 2020, to carry out activities under section
3 3111(c)(1)(C).

4 **SPECIAL EDUCATION**

5 For carrying out the Individuals with Disabilities
6 Education Act (IDEA) and the Special Olympics Sport
7 and Empowerment Act of 2004, \$13,493,684,000, of which
8 \$3,970,585,000 shall become available on July 1, 2019, and
9 shall remain available through September 30, 2020, and of
10 which \$9,283,383,000 shall become available on October 1,
11 2019, and shall remain available through September 30,
12 2020, for academic year 2019–2020: Provided, That the
13 amount for section 611(b)(2) of the IDEA shall be equal
14 to the lesser of the amount available for that activity during
15 fiscal year 2018, increased by the amount of inflation as
16 specified in section 619(d)(2)(B) of the IDEA, or the per-
17 cent change in the funds appropriated under section 611(i)
18 of the IDEA, but not less than the amount for that activity
19 during fiscal year 2018: Provided further, That the Sec-
20 retary shall, without regard to section 611(d) of the IDEA,
21 distribute to all other States (as that term is defined in
22 section 611(g)(2)), subject to the third proviso, any amount
23 by which a State's allocation under section 611, from funds
24 appropriated under this heading, is reduced under section
25 612(a)(18)(B), according to the following: 85 percent on the

1 basis of the States' relative populations of children aged 3
2 through 21 who are of the same age as children with disabil-
3 ities for whom the State ensures the availability of a free
4 appropriate public education under this part, and 15 per-
5 cent to States on the basis of the States' relative populations
6 of those children who are living in poverty: Provided fur-
7 ther, That the Secretary may not distribute any funds
8 under the previous proviso to any State whose reduction
9 in allocation from funds appropriated under this heading
10 made funds available for such a distribution: Provided fur-
11 ther, That the States shall allocate such funds distributed
12 under the second proviso to local educational agencies in
13 accordance with section 611(f): Provided further, That the
14 amount by which a State's allocation under section 611(d)
15 of the IDEA is reduced under section 612(a)(18)(B) and
16 the amounts distributed to States under the previous pro-
17 visos in fiscal year 2012 or any subsequent year shall not
18 be considered in calculating the awards under section
19 611(d) for fiscal year 2013 or for any subsequent fiscal
20 years: Provided further, That, notwithstanding the provi-
21 sion in section 612(a)(18)(B) regarding the fiscal year in
22 which a State's allocation under section 611(d) is reduced
23 for failure to comply with the requirement of section
24 612(a)(18)(A), the Secretary may apply the reduction spec-
25 ified in section 612(a)(18)(B) over a period of consecutive

1 fiscal years, not to exceed five, until the entire reduction
2 is applied: Provided further, That the Secretary may, in
3 any fiscal year in which a State's allocation under section
4 611 is reduced in accordance with section 612(a)(18)(B),
5 reduce the amount a State may reserve under section
6 611(e)(1) by an amount that bears the same relation to the
7 maximum amount described in that paragraph as the re-
8 duction under section 612(a)(18)(B) bears to the total allo-
9 cation the State would have received in that fiscal year
10 under section 611(d) in the absence of the reduction: Pro-
11 vided further, That the Secretary shall either reduce the al-
12 location of funds under section 611 for any fiscal year fol-
13 lowing the fiscal year for which the State fails to comply
14 with the requirement of section 612(a)(18)(A) as authorized
15 by section 612(a)(18)(B), or seek to recover funds under sec-
16 tion 452 of the General Education Provisions Act (20
17 U.S.C. 1234a): Provided further, That the funds reserved
18 under 611(c) of the IDEA may be used to provide technical
19 assistance to States to improve the capacity of the States
20 to meet the data collection requirements of sections 616 and
21 618 and to administer and carry out other services and ac-
22 tivities to improve data collection, coordination, quality,
23 and use under parts B and C of the IDEA: Provided fur-
24 ther, That the Secretary may use funds made available for
25 the State Personnel Development Grants program under

1 part D, subpart 1 of IDEA to evaluate program perform-
2 ance under such subpart.

3 **REHABILITATION SERVICES**

4 *For carrying out, to the extent not otherwise provided,*
5 *the Rehabilitation Act of 1973 and the Helen Keller Na-*
6 *tional Center Act, \$3,656,189,000, of which \$3,521,990,000*
7 *shall be for grants for vocational rehabilitation services*
8 *under title I of the Rehabilitation Act: Provided, That the*
9 *Secretary may use amounts provided in this Act that re-*
10 *main available subsequent to the reallocation of funds to*
11 *States pursuant to section 110(b) of the Rehabilitation Act*
12 *for innovative activities aimed at improving the outcomes*
13 *of individuals with disabilities as defined in section*
14 *7(20)(B) of the Rehabilitation Act, including activities*
15 *aimed at improving the education and post-school outcomes*
16 *of children receiving Supplemental Security Income*
17 *(“SSI”) and their families that may result in long-term*
18 *improvement in the SSI child recipient’s economic status*
19 *and self-sufficiency: Provided further, That States may*
20 *award subgrants for a portion of the funds to other public*
21 *and private, nonprofit entities: Provided further, That any*
22 *funds made available subsequent to reallocation for innova-*
23 *tive activities aimed at improving the outcomes of individ-*
24 *uals with disabilities shall remain available until Sep-*
25 *tember 30, 2020.*

1 *SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES*2 *AMERICAN PRINTING HOUSE FOR THE BLIND*

3 *For carrying out the Act to promote the Education of
4 the Blind of March 3, 1879, \$30,431,000.*

5 *NATIONAL TECHNICAL INSTITUTE FOR THE DEAF*

6 *For the National Technical Institute for the Deaf
7 under titles I and II of the Education of the Deaf Act of
8 1986, \$76,500,000: Provided, That from the total amount
9 available, the Institute may at its discretion use funds for
10 the endowment program as authorized under section 207
11 of such Act.*

12 *GALLAUDET UNIVERSITY*

13 *For the Kendall Demonstration Elementary School,
14 the Model Secondary School for the Deaf, and the partial
15 support of Gallaudet University under titles I and II of
16 the Education of the Deaf Act of 1986, \$133,000,000: Pro-
17 vided, That from the total amount available, the University
18 may at its discretion use funds for the endowment program
19 as authorized under section 207 of such Act.*

20 *CAREER, TECHNICAL, AND ADULT EDUCATION*

21 *For carrying out, to the extent not otherwise provided,
22 the Carl D. Perkins Career and Technical Education Act
23 of 2006 and the Adult Education and Family Literacy Act
24 (“AEFLA”), \$1,855,686,000, of which \$1,064,686,000 shall
25 become available on July 1, 2019, and shall remain avail-*

1 able through September 30, 2020, and of which
2 \$791,000,000 shall become available on October 1, 2019,
3 and shall remain available through September 30, 2020:
4 Provided, That of the amounts made available for AEFLA,
5 \$13,712,000 shall be for national leadership activities under
6 section 242.

7 *STUDENT FINANCIAL ASSISTANCE*

8 *For carrying out subparts 1, 3, and 10 of part A, and*
9 *part C of title IV of the HEA, \$24,445,352,000, which shall*
10 *remain available through September 30, 2020.*

11 *The maximum Pell Grant for which a student shall*
12 *be eligible during award year 2019–2020 shall be \$5,135.*

13 *STUDENT AID ADMINISTRATION*

14 *For Federal administrative expenses to carry out part*
15 *D of title I, and subparts 1, 3, 9, and 10 of part A, and*
16 *parts B, C, D, and E of title IV of the HEA, and subpart*
17 *1 of part A of title VII of the Public Health Service Act,*
18 *\$1,678,943,000, to remain available through September 30,*
19 *2020: Provided, That the Secretary shall allocate new stu-*
20 *dent loan borrower accounts to eligible student loan*
21 *servicers on the basis of their performance compared to all*
22 *loan servicers utilizing established common metrics, and on*
23 *the basis of the capacity of each servicer to process new and*
24 *existing accounts: Provided further, That the Secretary*
25 *shall allow student loan borrowers who are consolidating*

1 Federal student loans to select from any student loan
2 servicer to service their new consolidated student loan under
3 the current student loan servicing contracts: Provided fur-
4 ther, That in order to promote accountability and high-
5 quality service to borrowers, the Secretary shall not award
6 funding for any contract solicitation for a new Federal stu-
7 dent loan servicing environment, including the solicitation
8 for the FSA Next Generation Processing and Servicing En-
9 vironment as amended by the Department of Education on
10 February 20, 2018, unless such an environment provides
11 for the participation of multiple student loan servicers that
12 contract directly with the Department of Education to
13 manage a unique portfolio of borrower accounts and the full
14 life-cycle of loans from disbursement to pay-off with certain
15 limited exceptions, and allocates student loan borrower ac-
16 counts to eligible student loan servicers based on perform-
17 ance: Provided further, That such servicers described in the
18 previous proviso shall be evaluated based on their ability
19 to meet contract requirements, future performance on the
20 contracts, and history of compliance with applicable con-
21 sumer protections laws: Provided further, That to the extent
22 Federal Student Aid (FSA) permits student loan servicing
23 subcontracting, FSA shall hold such subcontractors account-
24 able for meeting the requirements of the contract: Provided
25 further, That FSA shall create a fee structure with contrac-

*1 tors that provides more support to borrowers at risk of being
2 distressed: Provided further, That funds appropriated under
3 this heading may be available for payments for student loan
4 servicing to an institution of higher education that services
5 outstanding Federal Perkins Loans under part E of title
6 IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa
7 et seq.).*

8 *HIGHER EDUCATION*

9 For carrying out, to the extent not otherwise provided,
10 titles II, III, IV, V, VI, and VII of the HEA, the Mutual
11 Educational and Cultural Exchange Act of 1961, and sec-
12 tion 117 of the Carl D. Perkins Career and Technical Edu-
13 cation Act of 2006, \$2,260,551,000: Provided, That notwith-
14 standing any other provision of law, funds made available
15 in this Act to carry out title VI of the HEA and section
16 102(b)(6) of the Mutual Educational and Cultural Ex-
17 change Act of 1961 may be used to support visits and study
18 in foreign countries by individuals who are participating
19 in advanced foreign language training and international
20 studies in areas that are vital to United States national
21 security and who plan to apply their language skills and
22 knowledge of these countries in the fields of government, the
23 professions, or international development: Provided further,
24 That of the funds referred to in the preceding proviso up
25 to 1 percent may be used for program evaluation, national

1 outreach, and information dissemination activities: Pro-
2 vided further, That up to 1.5 percent of the funds made
3 available under chapter 2 of subpart 2 of part A of title
4 IV of the HEA may be used for evaluation.

5 *HOWARD UNIVERSITY*

6 For partial support of Howard University,
7 \$236,518,000, of which not less than \$3,405,000 shall be for
8 a matching endowment grant pursuant to the Howard Uni-
9 versity Endowment Act and shall remain available until
10 expended.

11 *COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS*
12 *PROGRAM*

13 For Federal administrative expenses to carry out ac-
14 tivities related to existing facility loans pursuant to section
15 121 of the HEA, \$435,000.

16 *HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL*
17 *FINANCING PROGRAM ACCOUNT*

18 For the cost of guaranteed loans, \$20,150,000, as au-
19 thorized pursuant to part D of title III of the HEA, which
20 shall remain available through September 30, 2020: Pro-
21 vided, That such costs, including the cost of modifying such
22 loans, shall be as defined in section 502 of the Congressional
23 Budget Act of 1974: Provided further, That these funds are
24 available to subsidize total loan principal, any part of
25 which is to be guaranteed, not to exceed \$580,000,000: Pro-

1 vided further, That these funds may be used to support
2 loans to public and private Historically Black Colleges and
3 Universities without regard to the limitations within sec-
4 tion 344(a) of the HEA.

5 In addition, \$10,000,000 shall be made available to
6 provide for the deferment of loans made under part D of
7 title III of the HEA to eligible institutions that are private
8 Historically Black Colleges and Universities, which apply
9 for the deferment of such a loan and demonstrate financial
10 need for such deferment by having a score of 2.6 or less
11 on the Department of Education's financial responsibility
12 test: Provided, That during the period of deferment of such
13 a loan, interest on the loan will not accrue or be capitalized,
14 and the period of deferment shall be for at least a period
15 of 3-fiscal years and not more than 6-fiscal years: Provided
16 further, That when determining priority for such institu-
17 tions to receive such a deferment, the Secretary shall give
18 priority to institutions that operated in a financial deficit
19 for at least one of the previous 5 years according to audits
20 provided to the Department, or were sanctioned for finan-
21 cial related reasons by the agency or association that ac-
22 credited such institutions: Provided further, That the Sec-
23 retary shall create and execute an outreach plan to work
24 with States and the Capital Financing Advisory Board to
25 improve outreach to States and help additional public His-

1 torically Black Colleges and Universities participate in the
2 program.

3 In addition, for administrative expenses to carry out
4 the Historically Black College and University Capital Fi-
5 nancing Program entered into pursuant to part D of title
6 III of the HEA, \$334,000.

7 INSTITUTE OF EDUCATION SCIENCES

8 For carrying out activities authorized by the Edu-
9 cation Sciences Reform Act of 2002, the National Assess-
10 ment of Educational Progress Authorization Act, section
11 208 of the Educational Technical Assistance Act of 2002,
12 and section 664 of the Individuals with Disabilities Edu-
13 cation Act, \$615,462,000, which shall remain available
14 through September 30, 2020: Provided, That funds available
15 to carry out section 208 of the Educational Technical As-
16 sistance Act may be used to link Statewide elementary and
17 secondary data systems with early childhood, postsec-
18 ondary, and workforce data systems, or to further develop
19 such systems: Provided further, That up to \$6,000,000 of
20 the funds available to carry out section 208 of the Edu-
21 cational Technical Assistance Act may be used for awards
22 to public or private organizations or agencies to support
23 activities to improve data coordination, quality, and use
24 at the local, State, and national levels.

1 *DEPARTMENTAL MANAGEMENT*2 *PROGRAM ADMINISTRATION*

3 *For carrying out, to the extent not otherwise provided,*
4 *the Department of Education Organization Act, including*
5 *rental of conference rooms in the District of Columbia and*
6 *hire of three passenger motor vehicles, \$430,000,000: Pro-*
7 *vided, That, notwithstanding any other provision of law,*
8 *none of the funds provided by this Act or provided by pre-*
9 *vious Appropriations Acts to the Department of Education*
10 *available for obligation or expenditure in the current fiscal*
11 *year may be used for any activity relating to implementing*
12 *a reorganization that decentralizes, reduces the staffing*
13 *level, or alters the responsibilities, structure, authority, or*
14 *functionality of the Budget Service of the Department of*
15 *Education, relative to the organization and operation of the*
16 *Budget Service as in effect on January 1, 2018.*

17 *OFFICE FOR CIVIL RIGHTS*

18 *For expenses necessary for the Office for Civil Rights,*
19 *as authorized by section 203 of the Department of Edu-*
20 *cation Organization Act, \$125,000,000.*

21 *OFFICE OF INSPECTOR GENERAL*

22 *For expenses necessary for the Office of Inspector Gen-*
23 *eral, as authorized by section 212 of the Department of*
24 *Education Organization Act, \$61,143,000.*

1 *GENERAL PROVISIONS*

2 *SEC. 301. No funds appropriated in this Act may be*
3 *used to prevent the implementation of programs of vol-*
4 *untary prayer and meditation in the public schools.*

5 *(TRANSFER OF FUNDS)*

6 *SEC. 302. Not to exceed 1 percent of any discretionary*
7 *funds (pursuant to the Balanced Budget and Emergency*
8 *Deficit Control Act of 1985) which are appropriated for the*
9 *Department of Education in this Act may be transferred*
10 *between appropriations, but no such appropriation shall be*
11 *increased by more than 3 percent by any such transfer: Pro-*
12 *vided, That the transfer authority granted by this section*
13 *shall not be used to create any new program or to fund*
14 *any project or activity for which no funds are provided in*
15 *this Act: Provided further, That the Committees on Appro-*
16 *priations of the House of Representatives and the Senate*
17 *are notified at least 15 days in advance of any transfer.*

18 *SEC. 303. Section 105(f)(1)(B)(ix) of the Compact of*
19 *Free Association Amendments Act of 2003 (48 U.S.C.*
20 *1921d(f)(1)(B)(ix)) shall be applied by substituting “2019”*
21 *for “2009”.*

22 *SEC. 304. Funds appropriated in this Act and consoli-*
23 *dated for evaluation purposes under section 8601(c) of the*
24 *ESEA shall be available from July 1, 2019, through Sep-*
25 *tember 30, 2020.*

1 SEC. 305. (a) An institution of higher education that
2 maintains an endowment fund supported with funds appro-
3 priated for title III or V of the HEA for fiscal year 2019
4 may use the income from that fund to award scholarships
5 to students, subject to the limitation in section
6 331(c)(3)(B)(i) of the HEA. The use of such income for such
7 purposes, prior to the enactment of this Act, shall be consid-
8 ered to have been an allowable use of that income, subject
9 to that limitation.

10 (b) Subsection (a) shall be in effect until titles III and
11 V of the HEA are reauthorized.

12 SEC. 306. Section 114(f) of the HEA (20 U.S.C.
13 1011c(f)) is amended by striking “2018” and inserting
14 “2019”.

15 SEC. 307. Section 458(a) of the HEA (20 U.S.C.
16 1087h(a)) is amended in paragraph (4) by striking “2018”
17 and inserting “2019”.

18 (RESCISSION)

19 *SEC. 308. Of the unobligated balances available under*
20 *the heading “Student Financial Assistance” for carrying*
21 *out subpart 1 of part A of title IV of the HEA, \$600,000,000*
22 *are hereby rescinded.*

23 SEC. 309. Section 401(b)(7)(A)(iv)(IX) of the Higher
24 Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(IX))

1 is amended by striking “\$1,409,000,000” and inserting
2 “\$1,370,000,000”.

3 SEC. 310. (a) An institution of higher education may,
4 with explicit written consent of an applicant who has com-
5 pleted a FAFSA under such section 483(a), provide such
6 information collected from the applicant’s FAFSA as is nec-
7 essary to a scholarship granting organization, including a
8 tribal organization (defined in section 4 of the Indian Self-
9 Determination and Education Assistance Act (25 U.S.C.
10 5304)), or to an organization assisting the applicant in ap-
11 plying for and receiving Federal, State, local, or tribal as-
12 sistance, that is designated by the applicant to assist the
13 applicant in applying for and receiving financial assist-
14 ance for any component of the applicant’s cost of attendance
15 (defined in section 472 of the HEA) at that institution.

16 (b) An organization that receives information pursu-
17 ant to subsection (a) shall not sell or otherwise share such
18 information.

19 (c) This section shall be in effect until title IV of the
20 HEA is reauthorized.

21 SEC. 311. For an additional amount for “Department
22 of Education—Federal Direct Student Loan Program Ac-
23 count”, \$350,000,000, to remain available until expended,
24 shall be for the cost, as defined under section 502 of the
25 Congressional Budget Act of 1974, of the Secretary of Edu-

1 cation providing loan cancellation in the same manner as
2 under section 455(m) of the Higher Education Act of 1965
3 (20 U.S.C. 1087e(m)), for borrowers of loans made under
4 part D of title IV of such Act who would qualify for loan
5 cancellation under section 455(m) except some, or all, of
6 the 120 required payments under section 455(m)(1)(A) do
7 not qualify for purposes of the program because they were
8 monthly payments made in accordance with graduated or
9 extended repayment plans as described under subparagraph
10 (B) or (C) of section 455(d)(1) or the corresponding repay-
11 ment plan for a consolidation loan made under section
12 455(g) and that were less than the amount calculated under
13 section 455(d)(1)(A), based on a 10-year repayment period:
14 Provided, That the monthly payment made 12 months be-
15 fore the borrower applied for loan cancellation as described
16 in the matter preceding this proviso and the most recent
17 monthly payment made by the borrower at the time of such
18 application were each not less than the monthly amount
19 that would be calculated under, and for which the borrower
20 would otherwise qualify for, clause (i) or (iv) of section
21 455(m)(1)(A) regarding income-based or income-contingent
22 repayment plans, with exception for a borrower who would
23 have otherwise been eligible under this section but dem-
24 onstrates an unusual fluctuation of income over the past
25 5 years: Provided further, That the total loan volume, in-

1 cluding outstanding principal, fees, capitalized interest, or
2 accrued interest, at application that is eligible for such loan
3 cancellation by such borrowers shall not exceed
4 \$500,000,000: Provided further, That the Secretary shall de-
5 velop and make available a simple method for borrowers
6 to apply for loan cancellation under this section within 60
7 days of enactment of this Act: Provided further, That the
8 Secretary shall provide loan cancellation under this section
9 to eligible borrowers on a first-come, first-serve basis, based
10 on the date of application and subject to both the limitation
11 on total loan volume at application for such loan cancella-
12 tion specified in the second proviso and the availability of
13 appropriations under this section: Provided further, That
14 no borrower may, for the same service, receive a reduction
15 of loan obligations under both this section and section 428J,
16 428K, 428L, or 460 of such Act.

17 SEC. 312. Of the amounts made available under this
18 title under the heading “Student Aid Administration”,
19 \$2,300,000 shall be used by the Secretary of Education to
20 conduct outreach to borrowers of loans made under part D
21 of title IV of the Higher Education Act of 1965 who may
22 intend to qualify for loan cancellation under section 455(m)
23 of such Act (20 U.S.C. 1087e(m)), to ensure that borrowers
24 are meeting the terms and conditions of such loan cancella-
25 tion: Provided, That the Secretary shall specifically conduct

1 outreach to assist borrowers who would qualify for loan can-
2 cellation under section 455(m) of such Act except that the
3 borrower has made some, or all, of the 120 required pay-
4 ments under a repayment plan that is not described under
5 section 455(m)(A) of such Act, to encourage borrowers to
6 enroll in a qualifying repayment plan: Provided further,
7 That the Secretary shall also communicate to all Direct
8 Loan borrowers the full requirements of section 455(m) of
9 such Act and improve the filing of employment certification
10 by providing improved outreach and information such as
11 outbound calls, electronic communications, ensuring promi-
12 nent access to program requirements and benefits on each
13 servicer's website, and creating an option for all borrowers
14 to complete the entire payment certification process elec-
15 tronically and on a centralized website.

16 SEC. 313. Using funds appropriated under the heading
17 "PROGRAM ADMINISTRATION" under the heading "DEPART-
18 MENTAL MANAGEMENT" under the heading "DEPART-
19 MENT OF EDUCATION", and not later than 180 days
20 after the date of enactment of this Act, the Secretary of Edu-
21 cation shall submit, to the Committee on Appropriations,
22 the Committee on Commerce, Science, and Transportation,
23 and the Committee on Health, Education, Labor, and Pen-
24 sions of the Senate and the Committee on Appropriations,
25 the Committee on Science, Space, and Technology, and the

1 Committee on Education and the Workforce of the House
2 of Representatives, a report on how the Department of Edu-
3 cation is coordinating with the National Aeronautics and
4 Space Administration and the National Science Founda-
5 tion to promote science, technology, engineering, and mathe-
6 matics programs that benefit students in grades pre-kinder-
7 garten through 12.

8 SEC. 314. (a) It is the sense of the Senate that dedi-
9 cated funding for coding courses in kindergarten through
10 grade 12 education should be a top priority.

11 (b) It is the sense of the Senate that the Secretary of
12 Education should use the authority granted under section
13 114(e) of the Carl D. Perkins Career and Technical Edu-
14 cation Act of 2006, as in effect on July 1, 2019, to award
15 innovation and modernization grants. The use of such inno-
16 vation and modernization grant funds for coding programs
17 are especially important for rural and underserved areas
18 that don't have access to coding resources in order to close
19 the skills gap. These grants are opportunities for rural
20 America to learn to read and write code to prepare students
21 for the jobs of the future.

22 SEC. 315. (a) The Comptroller General of the United
23 States shall conduct a study on the condition of the public
24 school facilities of the United States.

1 (b) In conducting the study under subsection (a), the
2 Comptroller General shall study the following factors re-
3 lated to supporting a 21st century education:

4 (1) Structural integrity.

5 (2) Plumbing.

6 (3) Heating, ventilation, and air conditioning
7 systems.

8 (4) Compliance with fire and safety codes.

9 (5) Compliance with Federal laws, including the
10 Americans with Disabilities Act of 1990 (42 U.S.C.
11 12101 et seq.).

12 (6) Lighting.

13 (7) Indoor air quality.

14 (8) Environmental conditions, such as exposure
15 to asbestos, lead, and mold.

16 (9) Physical security.

17 (10) Sufficient space for instruction.

18 (c) Not later than 18 months after the date of enact-
19 ment of this Act, the Comptroller General shall submit to
20 the Committee on Appropriations and the Committee on
21 Health, Education, Labor, and Pensions of the Senate, and
22 the Committee on Appropriations and the Committee on
23 Education and the Workforce of the House of Representa-
24 tives, the findings of the study under this section.

1 *This title may be cited as the “Department of Edu-*
2 *cation Appropriations Act, 2019”.*

1 **TITLE IV**2 **RELATED AGENCIES**3 **COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE**4 **BLIND OR SEVERELY DISABLED**5 **SALARIES AND EXPENSES**

6 *For expenses necessary for the Committee for Purchase*
7 *From People Who Are Blind or Severely Disabled estab-*
8 *lished under section 8502 of title 41, United States Code,*
9 *\$8,250,000: Provided, That in order to authorize any cen-*
10 *tral nonprofit agency designated pursuant to section*
11 *8503(c) of title 41, United States Code, to perform contract*
12 *requirements of the Committee as prescribed under section*
13 *51–3.2 of title 41, Code of Federal Regulations, the Com-*
14 *mittee shall enter into a written agreement with any such*
15 *central nonprofit agency: Provided further, That such*
16 *agreement entered into under the preceding proviso shall*
17 *contain such auditing, oversight, and reporting provisions*
18 *as necessary to implement chapter 85 of title 41, United*
19 *States Code: Provided further, That such agreement shall*
20 *include the elements listed under this heading in the explan-*
21 *atory statement accompanying Public Law 114–113: Pro-*
22 *vided further, That a fee may not be charged under section*
23 *51–3.5 of title 41, Code of Federal Regulations, unless such*
24 *fee is under the terms of the written agreement between the*
25 *Committee and any such central nonprofit agency: Pro-*

1 vided further, That no less than \$1,250,000 shall be avail-
2 able for the Office of Inspector General.

3 *CORPORATION FOR NATIONAL AND COMMUNITY SERVICE*

4 *OPERATING EXPENSES*

5 *For necessary expenses for the Corporation for Na-*
6 *tional and Community Service (referred to in this title as*
7 *“CNCS”) to carry out the Domestic Volunteer Service Act*
8 *of 1973 (referred to in this title as “1973 Act”) and the*
9 *National and Community Service Act of 1990 (referred to*
10 *in this title as “1990 Act”), \$770,629,000, notwithstanding*
11 *sections 198B(b)(3), 198S(g), 501(a)(4)(C), and*
12 *501(a)(4)(F) of the 1990 Act: Provided, That of the amounts*
13 *provided under this heading: (1) up to 1 percent of program*
14 *grant funds may be used to defray the costs of conducting*
15 *grant application reviews, including the use of outside peer*
16 *reviewers and electronic management of the grants cycle;*
17 *(2) \$17,538,000 shall be available to provide assistance to*
18 *State commissions on national and community service,*
19 *under section 126(a) of the 1990 Act and notwithstanding*
20 *section 501(a)(5)(B) of the 1990 Act; (3) \$32,000,000 shall*
21 *be available to carry out subtitle E of the 1990 Act; and*
22 *(4) \$5,400,000 shall be available for expenses authorized*
23 *under section 501(a)(4)(F) of the 1990 Act, which, notwith-*
24 *standing the provisions of section 198P shall be awarded*
25 *by CNCS on a competitive basis: Provided further, That*

1 *for the purposes of carrying out the 1990 Act, satisfying*
2 *the requirements in section 122(c)(1)(D) may include a de-*
3 *termination of need by the local community.*

4 *PAYMENT TO THE NATIONAL SERVICE TRUST*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For payment to the National Service Trust established*
7 *under subtitle D of title I of the 1990 Act, \$198,163,000,*
8 *to remain available until expended: Provided, That CNCS*
9 *may transfer additional funds from the amount provided*
10 *within "Operating Expenses" allocated to grants under sub-*
11 *title C of title I of the 1990 Act to the National Service*
12 *Trust upon determination that such transfer is necessary*
13 *to support the activities of national service participants*
14 *and after notice is transmitted to the Committees on Appro-*
15 *priations of the House of Representatives and the Senate:*
16 *Provided further, That amounts appropriated for or trans-*
17 *ferred to the National Service Trust may be invested under*
18 *section 145(b) of the 1990 Act without regard to the require-*
19 *ment to apportion funds under 31 U.S.C. 1513(b).*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of administration as provided*
22 *under section 501(a)(5) of the 1990 Act and under section*
23 *504(a) of the 1973 Act, including payment of salaries, au-*
24 *thorized travel, hire of passenger motor vehicles, the rental*
25 *of conference rooms in the District of Columbia, the employ-*

1 ment of experts and consultants authorized under 5 U.S.C.
2 3109, and not to exceed \$2,500 for official reception and
3 representation expenses, \$83,737,000.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector Gen-
6 eral in carrying out the Inspector General Act of 1978,
7 \$5,750,000.

8 ADMINISTRATIVE PROVISIONS

9 SEC. 401. CNCS shall make any significant changes
10 to program requirements, service delivery or policy only
11 through public notice and comment rulemaking. For fiscal
12 year 2019, during any grant selection process, an officer
13 or employee of CNCS shall not knowingly disclose any cov-
14 ered grant selection information regarding such selection,
15 directly or indirectly, to any person other than an officer
16 or employee of CNCS that is authorized by CNCS to receive
17 such information.

18 SEC. 402. AmeriCorps programs receiving grants
19 under the National Service Trust program shall meet an
20 overall minimum share requirement of 24 percent for the
21 first 3 years that they receive AmeriCorps funding, and
22 thereafter shall meet the overall minimum share require-
23 ment as provided in section 2521.60 of title 45, Code of
24 Federal Regulations, without regard to the operating costs
25 match requirement in section 121(e) or the member support

1 *Federal share limitations in section 140 of the 1990 Act,*
2 *and subject to partial waiver consistent with section*
3 *2521.70 of title 45, Code of Federal Regulations.*

4 *SEC. 403. Donations made to CNCS under section 196*
5 *of the 1990 Act for the purposes of financing programs and*
6 *operations under titles I and II of the 1973 Act or subtitle*
7 *B, C, D, or E of title I of the 1990 Act shall be used to*
8 *supplement and not supplant current programs and oper-*
9 *ations.*

10 *SEC. 404. In addition to the requirements in section*
11 *146(a) of the 1990 Act, use of an educational award for*
12 *the purpose described in section 148(a)(4) shall be limited*
13 *to individuals who are veterans as defined under section*
14 *101 of the Act.*

15 *SEC. 405. For the purpose of carrying out section*
16 *189D of the 1990 Act—*

17 *(1) entities described in paragraph (a) of such*
18 *section shall be considered “qualified entities” under*
19 *section 3 of the National Child Protection Act of 1993*
20 *(“NCPA”);*

21 *(2) individuals described in such section shall be*
22 *considered “volunteers” under section 3 of NCPA; and*

23 *(3) State Commissions on National and Commu-*
24 *nity Service established pursuant to section 178 of the*
25 *1990 Act, are authorized to receive criminal history*

1 *record information, consistent with Public Law 92–*
2 *544.*

3 *SEC. 406. Notwithstanding sections 139(b), 146 and*
4 *147 of the 1990 Act, an individual who successfully com-*
5 *pletes a term of service of not less than 1,200 hours during*
6 *a period of not more than one year may receive a national*
7 *service education award having a value of 70 percent of*
8 *the value of a national service education award determined*
9 *under section 147(a) of the Act.*

10 **CORPORATION FOR PUBLIC BROADCASTING**

11 *For payment to the Corporation for Public Broad-*
12 *casting (“CPB”), as authorized by the Communications Act*
13 *of 1934, an amount which shall be available within limita-*
14 *tions specified by that Act, for the fiscal year 2021,*
15 *\$445,000,000: Provided, That none of the funds made avail-*
16 *able to CPB by this Act shall be used to pay for receptions,*
17 *parties, or similar forms of entertainment for Government*
18 *officials or employees: Provided further, That none of the*
19 *funds made available to CPB by this Act shall be available*
20 *or used to aid or support any program or activity from*
21 *which any person is excluded, or is denied benefits, or is*
22 *discriminated against, on the basis of race, color, national*
23 *origin, religion, or sex: Provided further, That none of the*
24 *funds made available to CPB by this Act shall be used to*
25 *apply any political test or qualification in selecting, ap-*

1 pointing, promoting, or taking any other personnel action
2 with respect to officers, agents, and employees of CPB: Pro-
3 vided further, That none of the funds made available to
4 CPB by this Act shall be used to support the Television Fu-
5 ture Fund or any similar purpose.

6 In addition, for the costs associated with replacing and
7 upgrading the public broadcasting interconnection system
8 and other technologies and services that create infrastruc-
9 ture and efficiencies within the public media system,
10 \$20,000,000.

11 **FEDERAL MEDIATION AND CONCILIATION SERVICE**

12 **SALARIES AND EXPENSES**

13 For expenses necessary for the Federal Mediation and
14 Conciliation Service (“Service”) to carry out the functions
15 vested in it by the Labor-Management Relations Act, 1947,
16 including hire of passenger motor vehicles; for expenses nec-
17 essary for the Labor-Management Cooperation Act of 1978;
18 and for expenses necessary for the Service to carry out the
19 functions vested in it by the Civil Service Reform Act,
20 \$46,650,000, including up to \$900,000 to remain available
21 through September 30, 2020, for activities authorized by the
22 Labor-Management Cooperation Act of 1978: Provided,
23 That notwithstanding 31 U.S.C. 3302, fees charged, up to
24 full-cost recovery, for special training activities and other
25 conflict resolution services and technical assistance, includ-

1 *ing those provided to foreign governments and international*
2 *organizations, and for arbitration services shall be credited*
3 *to and merged with this account, and shall remain avail-*
4 *able until expended: Provided further, That fees for arbitra-*
5 *tion services shall be available only for education, training,*
6 *and professional development of the agency workforce: Pro-*
7 *vided further, That the Director of the Service is authorized*
8 *to accept and use on behalf of the United States gifts of*
9 *services and real, personal, or other property in the aid of*
10 *any projects or functions within the Director's jurisdiction.*

11 **FEDERAL MINE SAFETY AND HEALTH REVIEW**

12 **COMMISSION**

13 **SALARIES AND EXPENSES**

14 *For expenses necessary for the Federal Mine Safety*
15 *and Health Review Commission, \$17,184,000.*

16 **INSTITUTE OF MUSEUM AND LIBRARY SERVICES**

17 **OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND**

18 **ADMINISTRATION**

19 *For carrying out the Museum and Library Services*
20 *Act of 1996 and the National Museum of African American*
21 *History and Culture Act, \$242,000,000.*

22 **MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION**

23 **SALARIES AND EXPENSES**

24 *For expenses necessary to carry out section 1900 of the*
25 *Social Security Act, \$8,480,000.*

1 *MEDICARE PAYMENT ADVISORY COMMISSION*2 *SALARIES AND EXPENSES*

3 *For expenses necessary to carry out section 1805 of the
4 Social Security Act, \$12,545,000, to be transferred to this
5 appropriation from the Federal Hospital Insurance Trust
6 Fund and the Federal Supplementary Medical Insurance
7 Trust Fund.*

8 *NATIONAL COUNCIL ON DISABILITY*9 *SALARIES AND EXPENSES*

10 *For expenses necessary for the National Council on
11 Disability as authorized by title IV of the Rehabilitation
12 Act of 1973, \$3,250,000.*

13 *NATIONAL LABOR RELATIONS BOARD*14 *SALARIES AND EXPENSES*

15 *For expenses necessary for the National Labor Rela-
16 tions Board to carry out the functions vested in it by the
17 Labor-Management Relations Act, 1947, and other laws,
18 \$274,224,000: Provided, That no part of this appropriation
19 shall be available to organize or assist in organizing agri-
20 cultural laborers or used in connection with investigations,
21 hearings, directives, or orders concerning bargaining units
22 composed of agricultural laborers as referred to in section
23 2(3) of the Act of July 5, 1935, and as amended by the
24 Labor-Management Relations Act, 1947, and as defined in
25 section 3(f) of the Act of June 25, 1938, and including in*

1 said definition employees engaged in the maintenance and
2 operation of ditches, canals, reservoirs, and waterways
3 when maintained or operated on a mutual, nonprofit basis
4 and at least 95 percent of the water stored or supplied there-
5 by is used for farming purposes.

6 ADMINISTRATIVE PROVISIONS

7 SEC. 407. None of the funds provided by this Act or
8 previous Acts making appropriations for the National
9 Labor Relations Board may be used to issue any new ad-
10 ministrative directive or regulation that would provide em-
11 ployees any means of voting through any electronic means
12 in an election to determine a representative for the purposes
13 of collective bargaining.

14 NATIONAL MEDIATION BOARD

15 SALARIES AND EXPENSES

16 For expenses necessary to carry out the provisions of
17 the Railway Labor Act, including emergency boards ap-
18 pointed by the President, \$13,800,000.

19 OCCUPATIONAL SAFETY AND HEALTH REVIEW

20 COMMISSION

21 SALARIES AND EXPENSES

22 For expenses necessary for the Occupational Safety
23 and Health Review Commission, \$13,225,000.

1 *RAILROAD RETIREMENT BOARD*2 *DUAL BENEFITS PAYMENTS ACCOUNT*

3 *For payment to the Dual Benefits Payments Account,*
4 *authorized under section 15(d) of the Railroad Retirement*
5 *Act of 1974, \$19,000,000, which shall include amounts be-*
6 *coming available in fiscal year 2019 pursuant to section*
7 *224(c)(1)(B) of Public Law 98–76; and in addition, an*
8 *amount, not to exceed 2 percent of the amount provided*
9 *herein, shall be available proportional to the amount by*
10 *which the product of recipients and the average benefit re-*
11 *ceived exceeds the amount available for payment of vested*
12 *dual benefits: Provided, That the total amount provided*
13 *herein shall be credited in 12 approximately equal amounts*
14 *on the first day of each month in the fiscal year.*

15 *FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT*16 *ACCOUNTS*

17 *For payment to the accounts established in the Treas-*
18 *ury for the payment of benefits under the Railroad Retire-*
19 *ment Act for interest earned on unnegotiated checks,*
20 *\$150,000, to remain available through September 30, 2020,*
21 *which shall be the maximum amount available for payment*
22 *pursuant to section 417 of Public Law 98–76.*

23 *LIMITATION ON ADMINISTRATION*

24 *For necessary expenses for the Railroad Retirement*
25 *Board (“Board”) for administration of the Railroad Retire-*

1 ment Act and the Railroad Unemployment Insurance Act,
2 \$123,500,000, to be derived in such amounts as determined
3 by the Board from the railroad retirement accounts and
4 from moneys credited to the railroad unemployment insur-
5 ance administration fund: Provided, That notwithstanding
6 section 7(b)(9) of the Railroad Retirement Act this limita-
7 tion may be used to hire attorneys only through the excepted
8 service: Provided further, That the previous proviso shall
9 not change the status under Federal employment laws of
10 any attorney hired by the Railroad Retirement Board prior
11 to January 1, 2013: Provided further, That \$10,000,000,
12 to remain available until expended, shall be used to supple-
13 ment, not supplant, existing resources devoted to operations
14 and improvements for the Board's Information Technology
15 Investment Initiatives.

16 **LIMITATION ON THE OFFICE OF INSPECTOR GENERAL**

17 For expenses necessary for the Office of Inspector Gen-
18 eral for audit, investigatory and review activities, as au-
19 thorized by the Inspector General Act of 1978, not more
20 than \$11,000,000, to be derived from the railroad retire-
21 ment accounts and railroad unemployment insurance ac-
22 count.

1 *SOCIAL SECURITY ADMINISTRATION*2 *PAYMENTS TO SOCIAL SECURITY TRUST FUNDS*

3 *For payment to the Federal Old-Age and Survivors In-*
4 *surance Trust Fund and the Federal Disability Insurance*
5 *Trust Fund, as provided under sections 201(m) and*
6 *1131(b)(2) of the Social Security Act, \$11,000,000.*

7 *SUPPLEMENTAL SECURITY INCOME PROGRAM*

8 *For carrying out titles XI and XVI of the Social Secu-*
9 *rity Act, section 401 of Public Law 92-603, section 212*
10 *of Public Law 93-66, as amended, and section 405 of Public*
11 *Law 95-216, including payment to the Social Security*
12 *trust funds for administrative expenses incurred pursuant*
13 *to section 201(g)(1) of the Social Security Act,*
14 *\$41,390,721,000, to remain available until expended: Pro-*
15 *vided, That any portion of the funds provided to a State*
16 *in the current fiscal year and not obligated by the State*
17 *during that year shall be returned to the Treasury: Pro-*
18 *vided further, That not more than \$101,000,000 shall be*
19 *available for research and demonstrations under sections*
20 *1110, 1115, and 1144 of the Social Security Act, and re-*
21 *main available through September 30, 2021.*

22 *For making, after June 15 of the current fiscal year,*
23 *benefit payments to individuals under title XVI of the So-*
24 *cial Security Act, for unanticipated costs incurred for the*
25 *current fiscal year, such sums as may be necessary.*

1 *For making benefit payments under title XVI of the*
2 *Social Security Act for the first quarter of fiscal year 2020,*
3 *\$19,700,000,000, to remain available until expended.*

4 **LIMITATION ON ADMINISTRATIVE EXPENSES**

5 *For necessary expenses, including the hire of two pas-*
6 *senger motor vehicles, and not to exceed \$20,000 for official*
7 *reception and representation expenses, not more than*
8 *\$12,816,945,000 may be expended, as authorized by section*
9 *201(g)(1) of the Social Security Act, from any one or all*
10 *of the trust funds referred to in such section: Provided, That*
11 *not less than \$2,300,000 shall be for the Social Security*
12 *Advisory Board: Provided further, That \$85,000,000 shall*
13 *remain available until expended for information technology*
14 *modernization, including related hardware and software*
15 *infrastructure and equipment, and for administrative ex-*
16 *penses directly associated with information technology mod-*
17 *ernization: Provided further, That \$100,000,000 shall re-*
18 *main available through September 30, 2020, for activities*
19 *to address the disability hearings backlog within the Office*
20 *of Hearings Operations: Provided further, That unobligated*
21 *balances of funds provided under this paragraph at the end*
22 *of fiscal year 2019 not needed for fiscal year 2019 shall*
23 *remain available until expended to invest in the Social Se-*
24 *curity Administration information technology and tele-*
25 *communications hardware and software infrastructure, in-*

1 cluding related equipment and non-payroll administrative
2 expenses associated solely with this information technology
3 and telecommunications infrastructure: Provided further,
4 That the Commissioner of Social Security shall notify the
5 Committees on Appropriations of the House of Representa-
6 tives and the Senate prior to making unobligated balances
7 available under the authority in the previous proviso: Pro-
8 vided further, That reimbursement to the trust funds under
9 this heading for expenditures for official time for employees
10 of the Social Security Administration pursuant to 5 U.S.C.
11 7131, and for facilities or support services for labor organi-
12 zations pursuant to policies, regulations, or procedures re-
13 ferred to in section 7135(b) of such title shall be made by
14 the Secretary of the Treasury, with interest, from amounts
15 in the general fund not otherwise appropriated, as soon as
16 possible after such expenditures are made.

17 Of the total amount made available under this head-
18 ing, not more than \$1,683,000,000, to remain available
19 through March 31, 2020, is for the costs associated with con-
20 tinuing disability reviews under titles II and XVI of the
21 Social Security Act, including work-related continuing dis-
22 ability reviews to determine whether earnings derived from
23 services demonstrate an individual's ability to engage in
24 substantial gainful activity, for the cost associated with
25 conducting redeterminations of eligibility under title XVI

1 *of the Social Security Act, for the cost of co-operative dis-*
2 *ability investigation units, and for the cost associated with*
3 *the prosecution of fraud in the programs and operations*
4 *of the Social Security Administration by Special Assistant*
5 *United States Attorneys: Provided, That, of such amount,*
6 *\$273,000,000 is provided to meet the terms of section*
7 *251(b)(2)(B)(ii)(III) of the Balanced Budget and Emer-*
8 *gency Deficit Control Act of 1985, as amended, and*
9 *\$1,410,000,000 is additional new budget authority specified*
10 *for purposes of section 251(b)(2)(B) of such Act: Provided*
11 *further, That the Commissioner shall provide to the Con-*
12 *gress (at the conclusion of the fiscal year) a report on the*
13 *obligation and expenditure of these funds, similar to the*
14 *reports that were required by section 103(d)(2) of Public*
15 *Law 104-121 for fiscal years 1996 through 2002.*

16 *In addition, \$134,000,000 to be derived from adminis-*
17 *tration fees in excess of \$5.00 per supplementary payment*
18 *collected pursuant to section 1616(d) of the Social Security*
19 *Act or section 212(b)(3) of Public Law 93-66, which shall*
20 *remain available until expended. To the extent that the*
21 *amounts collected pursuant to such sections in fiscal year*
22 *2019 exceed \$134,000,000, the amounts shall be available*
23 *in fiscal year 2020 only to the extent provided in advance*
24 *in appropriations Acts.*

1 *In addition, up to \$1,000,000 to be derived from fees*
2 *collected pursuant to section 303(c) of the Social Security*
3 *Protection Act, which shall remain available until ex-*
4 *pended.*

5 *OFFICE OF INSPECTOR GENERAL*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For expenses necessary for the Office of Inspector Gen-*
8 *eral in carrying out the provisions of the Inspector General*
9 *Act of 1978, \$30,000,000, together with not to exceed*
10 *\$75,500,000, to be transferred and expended as authorized*
11 *by section 201(g)(1) of the Social Security Act from the*
12 *Federal Old-Age and Survivors Insurance Trust Fund and*
13 *the Federal Disability Insurance Trust Fund.*

14 *In addition, an amount not to exceed 3 percent of the*
15 *total provided in this appropriation may be transferred*
16 *from the "Limitation on Administrative Expenses", Social*
17 *Security Administration, to be merged with this account,*
18 *to be available for the time and purposes for which this*
19 *account is available: Provided, That notice of such transfers*
20 *shall be transmitted promptly to the Committees on Appro-*
21 *priations of the House of Representatives and the Senate*
22 *at least 15 days in advance of any transfer.*

1 *TITLE V*2 *GENERAL PROVISIONS*3 *(TRANSFER OF FUNDS)*

4 *SEC. 501. The Secretaries of Labor, Health and*
5 *Human Services, and Education are authorized to transfer*
6 *unexpended balances of prior appropriations to accounts*
7 *corresponding to current appropriations provided in this*
8 *Act. Such transferred balances shall be used for the same*
9 *purpose, and for the same periods of time, for which they*
10 *were originally appropriated.*

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

14 *SEC. 503. (a) No part of any appropriation contained*
15 *in this Act or transferred pursuant to section 4002 of Public*
16 *Law 111-148 shall be used, other than for normal and rec-*
17 *ognized executive-legislative relationships, for publicity or*
18 *propaganda purposes, for the preparation, distribution, or*
19 *use of any kit, pamphlet, booklet, publication, electronic*
20 *communication, radio, television, or video presentation de-*
21 *signed to support or defeat the enactment of legislation be-*
22 *fore the Congress or any State or local legislature or legisla-*
23 *tive body, except in presentation to the Congress or any*
24 *State or local legislature itself, or designed to support or*
25 *defeat any proposed or pending regulation, administrative*

1 action, or order issued by the executive branch of any State
2 or local government, except in presentation to the executive
3 branch of any State or local government itself.

4 (b) No part of any appropriation contained in this
5 Act or transferred pursuant to section 4002 of Public Law
6 111–148 shall be used to pay the salary or expenses of any
7 grant or contract recipient, or agent acting for such recipi-
8 ent, related to any activity designed to influence the enact-
9 ment of legislation, appropriations, regulation, administra-
10 tive action, or Executive order proposed or pending before
11 the Congress or any State government, State legislature or
12 local legislature or legislative body, other than for normal
13 and recognized executive-legislative relationships or partici-
14 pation by an agency or officer of a State, local or tribal
15 government in policymaking and administrative processes
16 within the executive branch of that government.

17 (c) The prohibitions in subsections (a) and (b) shall
18 include any activity to advocate or promote any proposed,
19 pending or future Federal, State or local tax increase, or
20 any proposed, pending, or future requirement or restriction
21 on any legal consumer product, including its sale or mar-
22 keting, including but not limited to the advocacy or pro-
23 motion of gun control.

24 SEC. 504. The Secretaries of Labor and Education are
25 authorized to make available not to exceed \$28,000 and

1 \$20,000, respectively, from funds available for salaries and
2 expenses under titles I and III, respectively, for official re-
3 ception and representation expenses; the Director of the
4 Federal Mediation and Conciliation Service is authorized
5 to make available for official reception and representation
6 expenses not to exceed \$5,000 from the funds available for
7 “Federal Mediation and Conciliation Service, Salaries and
8 Expenses”; and the Chairman of the National Mediation
9 Board is authorized to make available for official reception
10 and representation expenses not to exceed \$5,000 from funds
11 available for “National Mediation Board, Salaries and Ex-
12 penses”.

13 SEC. 505. When issuing statements, press releases, re-
14 quests for proposals, bid solicitations and other documents
15 describing projects or programs funded in whole or in part
16 with Federal money, all grantees receiving Federal funds
17 included in this Act, including but not limited to State and
18 local governments and recipients of Federal research grants,
19 shall clearly state—

20 (1) the percentage of the total costs of the pro-
21 gram or project which will be financed with Federal
22 money;
23 (2) the dollar amount of Federal funds for the
24 project or program; and

1 (3) percentage and dollar amount of the total
2 costs of the project or program that will be financed
3 by non-governmental sources.

4 SEC. 506. (a) None of the funds appropriated in this
5 Act, and none of the funds in any trust fund to which funds
6 are appropriated in this Act, shall be expended for any
7 abortion.

8 (b) None of the funds appropriated in this Act, and
9 none of the funds in any trust fund to which funds are
10 appropriated in this Act, shall be expended for health bene-
11 fits coverage that includes coverage of abortion.

12 (c) The term "health benefits coverage" means the
13 package of services covered by a managed care provider or
14 organization pursuant to a contract or other arrangement.

15 SEC. 507. (a) The limitations established in the pre-
16 ceding section shall not apply to an abortion—

17 (1) if the pregnancy is the result of an act of
18 rape or incest; or

19 (2) in the case where a woman suffers from a
20 physical disorder, physical injury, or physical illness,
21 including a life-endangering physical condition
22 caused by or arising from the pregnancy itself, that
23 would, as certified by a physician, place the woman
24 in danger of death unless an abortion is performed.

1 (b) Nothing in the preceding section shall be construed
2 as prohibiting the expenditure by a State, locality, entity,
3 or private person of State, local, or private funds (other
4 than a State's or locality's contribution of Medicaid match-
5 ing funds).

6 (c) Nothing in the preceding section shall be construed
7 as restricting the ability of any managed care provider
8 from offering abortion coverage or the ability of a State or
9 locality to contract separately with such a provider for such
10 coverage with State funds (other than a State's or locality's
11 contribution of Medicaid matching funds).

12 (d)(1) None of the funds made available in this Act
13 may be made available to a Federal agency or program,
14 or to a State or local government, if such agency, program,
15 or government subjects any institutional or individual
16 health care entity to discrimination on the basis that the
17 health care entity does not provide, pay for, provide cov-
18 erage of, or refer for abortions.

19 (2) In this subsection, the term "health care entity"
20 includes an individual physician or other health care pro-
21 fessional, a hospital, a provider-sponsored organization, a
22 health maintenance organization, a health insurance plan,
23 or any other kind of health care facility, organization, or
24 plan.

1 SEC. 508. (a) None of the funds made available in this
2 Act may be used for—

3 (1) the creation of a human embryo or embryos
4 for research purposes; or
5 (2) research in which a human embryo or em-
6 bryos are destroyed, discarded, or knowingly subjected
7 to risk of injury or death greater than that allowed
8 for research on fetuses in utero under 45 CFR
9 46.204(b) and section 498(b) of the Public Health
10 Service Act (42 U.S.C. 289g(b)).

11 (b) For purposes of this section, the term “human em-
12 bryo or embryos” includes any organism, not protected as
13 a human subject under 45 CFR 46 as of the date of the
14 enactment of this Act, that is derived by fertilization, par-
15 thenogenesis, cloning, or any other means from one or more
16 human gametes or human diploid cells.

17 SEC. 509. (a) None of the funds made available in this
18 Act may be used for any activity that promotes the legaliza-
19 tion of any drug or other substance included in schedule
20 I of the schedules of controlled substances established under
21 section 202 of the Controlled Substances Act except for nor-
22 mal and recognized executive-congressional communica-
23 tions.

24 (b) The limitation in subsection (a) shall not apply
25 when there is significant medical evidence of a therapeutic

1 advantage to the use of such drug or other substance or that
2 federally sponsored clinical trials are being conducted to de-
3 termine therapeutic advantage.

4 SEC. 510. None of the funds made available in this
5 Act may be used to promulgate or adopt any final standard
6 under section 1173(b) of the Social Security Act providing
7 for, or providing for the assignment of, a unique health
8 identifier for an individual (except in an individual's ca-
9 pacity as an employer or a health care provider), until leg-
10 islation is enacted specifically approving the standard.

11 SEC. 511. None of the funds made available in this
12 Act may be obligated or expended to enter into or renew
13 a contract with an entity if—

14 (1) such entity is otherwise a contractor with the
15 United States and is subject to the requirement in 38
16 U.S.C. 4212(d) regarding submission of an annual
17 report to the Secretary of Labor concerning employ-
18 ment of certain veterans; and

19 (2) such entity has not submitted a report as re-
20 quired by that section for the most recent year for
21 which such requirement was applicable to such entity.

22 SEC. 512. None of the funds made available in this
23 Act may be transferred to any department, agency, or in-
24 strumentality of the United States Government, except pur-

1 suant to a transfer made by, or transfer authority provided
2 in, this Act or any other appropriation Act.

3 SEC. 513. None of the funds made available by this
4 Act to carry out the Library Services and Technology Act
5 may be made available to any library covered by paragraph
6 (1) of section 224(f) of such Act, as amended by the Chil-
7 dren's Internet Protection Act, unless such library has made
8 the certifications required by paragraph (4) of such section.

9 SEC. 514. (a) None of the funds provided under this
10 Act, or provided under previous appropriations Acts to the
11 agencies funded by this Act that remain available for obli-
12 gation or expenditure in fiscal year 2019, or provided from
13 any accounts in the Treasury of the United States derived
14 by the collection of fees available to the agencies funded by
15 this Act, shall be available for obligation or expenditure
16 through a reprogramming of funds that—

- 17 (1) creates new programs;
- 18 (2) eliminates a program, project, or activity;
- 19 (3) increases funds or personnel by any means
20 for any project or activity for which funds have been
21 denied or restricted;
- 22 (4) relocates an office or employees;
- 23 (5) reorganizes or renames offices;
- 24 (6) reorganizes programs or activities; or

1 (7) contracts out or privatizes any functions or
2 activities presently performed by Federal employees;
3 unless the Committees on Appropriations of the House of
4 Representatives and the Senate are consulted 15 days in
5 advance of such reprogramming or of an announcement of
6 intent relating to such reprogramming, whichever occurs
7 earlier, and are notified in writing 10 days in advance of
8 such reprogramming.

9 (b) None of the funds provided under this Act, or pro-
10 vided under previous appropriations Acts to the agencies
11 funded by this Act that remain available for obligation or
12 expenditure in fiscal year 2019, or provided from any ac-
13 counts in the Treasury of the United States derived by the
14 collection of fees available to the agencies funded by this
15 Act, shall be available for obligation or expenditure through
16 a reprogramming of funds in excess of \$500,000 or 10 per-
17 cent, whichever is less, that—

18 (1) augments existing programs, projects (in-
19 cluding construction projects), or activities;
20 (2) reduces by 10 percent funding for any exist-
21 ing program, project, or activity, or numbers of per-
22 sonnel by 10 percent as approved by Congress; or
23 (3) results from any general savings from a re-
24 duction in personnel which would result in a change

1 in existing programs, activities, or projects as ap-
2 proved by Congress;
3 unless the Committees on Appropriations of the House of
4 Representatives and the Senate are consulted 15 days in
5 advance of such reprogramming or of an announcement of
6 intent relating to such reprogramming, whichever occurs
7 earlier, and are notified in writing 10 days in advance of
8 such reprogramming.

9 SEC. 515. (a) None of the funds made available in this
10 Act may be used to request that a candidate for appoint-
11 ment to a Federal scientific advisory committee disclose the
12 political affiliation or voting history of the candidate or
13 the position that the candidate holds with respect to polit-
14 ical issues not directly related to and necessary for the work
15 of the committee involved.

16 (b) None of the funds made available in this Act may
17 be used to disseminate information that is deliberately false
18 or misleading.

19 SEC. 516. Within 45 days of enactment of this Act,
20 each department and related agency funded through this
21 Act shall submit an operating plan that details at the pro-
22 gram, project, and activity level any funding allocations
23 for fiscal year 2019 that are different than those specified
24 in this Act, the accompanying detailed table in the report

1 accompanying this Act or the fiscal year 2019 budget re-
2 quest.

3 SEC. 517. The Secretaries of Labor, Health and
4 Human Services, and Education shall each prepare and
5 submit to the Committees on Appropriations of the House
6 of Representatives and the Senate a report on the number
7 and amount of contracts, grants, and cooperative agree-
8 ments exceeding \$500,000 in value and awarded by the De-
9 partment on a non-competitive basis during each quarter
10 of fiscal year 2019, but not to include grants awarded on
11 a formula basis or directed by law. Such report shall in-
12 clude the name of the contractor or grantee, the amount of
13 funding, the governmental purpose, including a justifica-
14 tion for issuing the award on a non-competitive basis. Such
15 report shall be transmitted to the Committees within 30
16 days after the end of the quarter for which the report is
17 submitted.

18 SEC. 518. None of the funds appropriated in this Act
19 shall be expended or obligated by the Commissioner of So-
20 cial Security, for purposes of administering Social Security
21 benefit payments under title II of the Social Security Act,
22 to process any claim for credit for a quarter of coverage
23 based on work performed under a social security account
24 number that is not the claimant's number and the perform-
25 ance of such work under such number has formed the basis

1 for a conviction of the claimant of a violation of section
2 208(a)(6) or (7) of the Social Security Act.

3 SEC. 519. None of the funds appropriated by this Act
4 may be used by the Commissioner of Social Security or the
5 Social Security Administration to pay the compensation of
6 employees of the Social Security Administration to admin-
7 ister Social Security benefit payments, under any agree-
8 ment between the United States and Mexico establishing to-
9 talization arrangements between the social security system
10 established by title II of the Social Security Act and the
11 social security system of Mexico, which would not otherwise
12 be payable but for such agreement.

13 SEC. 520. Notwithstanding any other provision of this
14 Act, no funds appropriated in this Act shall be used to pur-
15 chase sterile needles or syringes for the hypodermic injection
16 of any illegal drug: Provided, That such limitation does not
17 apply to the use of funds for elements of a program other
18 than making such purchases if the relevant State or local
19 health department, in consultation with the Centers for Dis-
20 ease Control and Prevention, determines that the State or
21 local jurisdiction, as applicable, is experiencing, or is at
22 risk for, a significant increase in hepatitis infections or an
23 HIV outbreak due to injection drug use, and such program
24 is operating in accordance with State and local law.

1 *SEC. 521. (a) None of the funds made available in this
2 Act may be used to maintain or establish a computer net-
3 work unless such network blocks the viewing, downloading,
4 and exchanging of pornography.*

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

9 *SEC. 522. None of the funds made available under this
10 or any other Act, or any prior Appropriations Act, may
11 be provided to the Association of Community Organizations
12 for Reform Now (ACORN), or any of its affiliates, subsidi-
13 aries, allied organizations, or successors.*

14 *SEC. 523. For purposes of carrying out Executive
15 Order 13589, Office of Management and Budget Memo-
16 randum M-12-12 dated May 11, 2012, and requirements
17 contained in the annual appropriations bills relating to
18 conference attendance and expenditures:*

19 *(1) the operating divisions of HHS shall be con-
20 sidered independent agencies; and*

21 *(2) attendance at and support for scientific con-
22 ferences shall be tabulated separately from and not
23 included in agency totals.*

24 *SEC. 524. Federal agencies funded under this Act shall
25 clearly state within the text, audio, or video used for adver-*

1 *tising or educational purposes, including emails or Internet*
2 *postings, that the communication is printed, published, or*
3 *produced and disseminated at U.S. taxpayer expense. The*
4 *funds used by a Federal agency to carry out this require-*
5 *ment shall be derived from amounts made available to the*
6 *agency for advertising or other communications regarding*
7 *the programs and activities of the agency.*

8 SEC. 525. (a) *Federal agencies may use Federal discre-*
9 *tionary funds that are made available in this Act to carry*
10 *out up to 10 Performance Partnership Pilots. Such Pilots*
11 *shall be governed by the provisions of section 526 of division*
12 *H of Public Law 113–76, except that in carrying out such*
13 *Pilots section 526 shall be applied by substituting “FISCAL*
14 *YEAR 2019” for “FISCAL YEAR 2014” in the title of sub-*
15 *section (b) and by substituting “September 30, 2023” for*
16 *“September 30, 2018” each place it appears: Provided, That*
17 *such pilots shall include communities that have experienced*
18 *civil unrest.*

19 (b) *In addition, Federal agencies may use Federal dis-*
20 *cretionary funds that are made available in this Act to par-*
21 *ticipate in Performance Partnership Pilots that are being*
22 *carried out pursuant to the authority provided by section*
23 *526 of division H of Public Law 113–76, section 524 of*
24 *division G of Public Law 113–235, section 525 of division*
25 *H of Public Law 114–113, section 525 of division H of Pub-*

1 lic Law 115–31, and section 525 of division H of Public
2 Law 115–141.

3 (c) Pilot sites selected under authorities in this Act and
4 prior appropriations Acts may be granted by relevant agen-
5 cies up to an additional 5 years to operate under such au-
6 thorities.

7 SEC. 526. Not later than 30 days after the end of each
8 calendar quarter, beginning with the first month of fiscal
9 year 2019, the Departments of Labor, Health and Human
10 Services and Education and the Social Security Adminis-
11 tration shall provide the Committees on Appropriations of
12 the House of Representatives and Senate a report on the
13 status of balances of appropriations: Provided, That for bal-
14 ances that are unobligated and uncommitted, committed,
15 and obligated but unexpended, the monthly reports shall
16 separately identify the amounts attributable to each source
17 year of appropriation (beginning with fiscal year 2012, or,
18 to the extent feasible, earlier fiscal years) from which bal-
19 ances were derived.

20 (RESCISSION)

21 SEC. 527. Of any available amounts appropriated
22 under section 2104(a)(22) of the Social Security Act (42
23 U.S.C. 1397dd) that are unobligated as of September 25,
24 2019, \$3,345,000,000 are hereby rescinded as of such date.

1 *SEC. 528. Of the amounts deposited in the Child En-*
2 *rollment Contingency Fund for fiscal year 2019 under sec-*
3 *tion 2104(n)(2) of the Social Security Act and the income*
4 *derived from investment of those funds pursuant to section*
5 *2104(n)(2)(C) of that Act, \$3,398,000,000 shall not be*
6 *available for obligation in this fiscal year.*

7 *SEC. 529. It is the sense of Congress that—*

8 *(1) computer science education programs, includ-*
9 *ing coding academies, can provide important benefits*
10 *to local industries and the economy and help meet in-*
11 *demand workforce needs; and*

12 *(2) the Department of Education and Depart-*
13 *ment of Labor should work together with industry to*
14 *improve and expand computer science education pro-*
15 *grams and opportunities, including through appren-*
16 *ticeships.*

17 *This division may be cited as the “Departments of*
18 *Labor, Health and Human Services, and Education, and*
19 *Related Agencies Appropriations Act, 2019”.*

Attest:

Secretary.

115TH CONGRESS
2D SESSION

H.R. 6157

AMENDMENT