

115TH CONGRESS
2D SESSION

H. R. 6147

AN ACT

Making appropriations for the Department of the Interior,
environment, and related agencies for the fiscal year
ending September 30, 2019, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Interior, Environment,
3 Financial Services, and General Government Appropria-
4 tions Act, 2019”.

5 **DIVISION A—DEPARTMENT OF THE INTE-**
6 **RIOR, ENVIRONMENT, AND RELATED**
7 **AGENCIES APPROPRIATIONS ACT, 2019**

8 The following sums are appropriated, out of any money
9 in the Treasury not otherwise appropriated, for the De-
10 partment of the Interior, environment, and related agen-
11 cies for the fiscal year ending September 30, 2019, and
12 for other purposes, namely:

13 **TITLE I**

14 **DEPARTMENT OF THE INTERIOR**

15 **BUREAU OF LAND MANAGEMENT**

16 **MANAGEMENT OF LANDS AND RESOURCES**

17 For necessary expenses for protection, use, improve-
18 ment, development, disposal, cadastral surveying, classi-
19 fication, acquisition of easements and other interests in
20 lands, and performance of other functions, including main-
21 tenance of facilities, as authorized by law, in the manage-
22 ment of lands and their resources under the jurisdiction
23 of the Bureau of Land Management, including the general
24 administration of the Bureau, and assessment of mineral
25 potential of public lands pursuant to section 1010(a) of
26 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,247,883,000,

1 to remain available until expended, including all such
2 amounts as are collected from permit processing fees, as
3 authorized but made subject to future appropriation by
4 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
5 U.S.C. 191), except that amounts from permit processing
6 fees may be used for any bureau-related expenses associ-
7 ated with the processing of oil and gas applications for
8 permits to drill and related use of authorizations.

9 In addition, \$39,696,000 is for Mining Law Adminis-
10 tration program operations, including the cost of admin-
11 istering the mining claim fee program, to remain available
12 until expended, to be reduced by amounts collected by the
13 Bureau and credited to this appropriation from mining
14 claim maintenance fees and location fees that are hereby
15 authorized for fiscal year 2019, so as to result in a final
16 appropriation estimated at not more than \$1,247,883,000,
17 and \$2,000,000, to remain available until expended, from
18 communication site rental fees established by the Bureau
19 for the cost of administering communication site activities.

20 LAND ACQUISITION

21 For expenses necessary to carry out sections 205,
22 206, and 318(d) of Public Law 94–579, including admin-
23 istrative expenses and acquisition of lands or waters, or
24 interests therein, \$17,392,000, to be derived from the

1 Land and Water Conservation Fund and to remain avail-
2 able until expended.

3 OREGON AND CALIFORNIA GRANT LANDS

4 For expenses necessary for management, protection,
5 and development of resources and for construction, oper-
6 ation, and maintenance of access roads, reforestation, and
7 other improvements on the revested Oregon and California
8 Railroad grant lands, on other Federal lands in the Or-
9 egon and California land-grant counties of Oregon, and
10 on adjacent rights-of-way; and acquisition of lands or in-
11 terests therein, including existing connecting roads on or
12 adjacent to such grant lands; \$106,985,000, to remain
13 available until expended: *Provided*, That 25 percent of the
14 aggregate of all receipts during the current fiscal year
15 from the revested Oregon and California Railroad grant
16 lands is hereby made a charge against the Oregon and
17 California land-grant fund and shall be transferred to the
18 General Fund in the Treasury in accordance with the sec-
19 ond paragraph of subsection (b) of title II of the Act of
20 August 28, 1937 (43 U.S.C. 2605).

21 RANGE IMPROVEMENTS

22 For rehabilitation, protection, and acquisition of
23 lands and interests therein, and improvement of Federal
24 rangelands pursuant to section 401 of the Federal Land
25 Policy and Management Act of 1976 (43 U.S.C. 1751),

1 notwithstanding any other Act, sums equal to 50 percent
2 of all moneys received during the prior fiscal year under
3 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
4 315b, 315m) and the amount designated for range im-
5 provements from grazing fees and mineral leasing receipts
6 from Bankhead-Jones lands transferred to the Depart-
7 ment of the Interior pursuant to law, but not less than
8 \$10,000,000, to remain available until expended: *Pro-*
9 *vided*, That not to exceed \$600,000 shall be available for
10 administrative expenses.

11 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

12 For administrative expenses and other costs related
13 to processing application documents and other authoriza-
14 tions for use and disposal of public lands and resources,
15 for costs of providing copies of official public land docu-
16 ments, for monitoring construction, operation, and termi-
17 nation of facilities in conjunction with use authorizations,
18 and for rehabilitation of damaged property, such amounts
19 as may be collected under Public Law 94–579 (43 U.S.C.
20 1701 et seq.), and under section 28 of the Mineral Leasing
21 Act (30 U.S.C. 185), to remain available until expended:
22 *Provided*, That notwithstanding any provision to the con-
23 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
24 1735(a)), any moneys that have been or will be received
25 pursuant to that section, whether as a result of forfeiture,

1 compromise, or settlement, if not appropriate for refund
2 pursuant to section 305(c) of that Act (43 U.S.C.
3 1735(c)), shall be available and may be expended under
4 the authority of this Act by the Secretary to improve, pro-
5 tect, or rehabilitate any public lands administered through
6 the Bureau of Land Management which have been dam-
7 aged by the action of a resource developer, purchaser, per-
8 mittee, or any unauthorized person, without regard to
9 whether all moneys collected from each such action are
10 used on the exact lands damaged which led to the action:
11 *Provided further*, That any such moneys that are in excess
12 of amounts needed to repair damage to the exact land for
13 which funds were collected may be used to repair other
14 damaged public lands.

15 MISCELLANEOUS TRUST FUNDS

16 In addition to amounts authorized to be expended
17 under existing laws, there is hereby appropriated such
18 amounts as may be contributed under section 307 of Pub-
19 lic Law 94–579 (43 U.S.C. 1737), and such amounts as
20 may be advanced for administrative costs, surveys, ap-
21 praisals, and costs of making conveyances of omitted lands
22 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
23 remain available until expended.

ADMINISTRATIVE PROVISIONS

1 The Bureau of Land Management may carry out the
2 operations funded under this Act by direct expenditure,
3 contracts, grants, cooperative agreements and reimburs-
4 able agreements with public and private entities, including
5 with States. Appropriations for the Bureau shall be avail-
6 able for purchase, erection, and dismantlement of tem-
7 porary structures, and alteration and maintenance of nec-
8 essary buildings and appurtenant facilities to which the
9 United States has title; up to \$100,000 for payments, at
10 the discretion of the Secretary, for information or evidence
11 concerning violations of laws administered by the Bureau;
12 miscellaneous and emergency expenses of enforcement ac-
13 tivities authorized or approved by the Secretary and to be
14 accounted for solely on the Secretary's certificate, not to
15 exceed \$10,000: *Provided*, That notwithstanding Public
16 Law 90–620 (44 U.S.C. 501), the Bureau may, under co-
17 operative cost-sharing and partnership arrangements au-
18 thorized by law, procure printing services from cooperators
19 in connection with jointly produced publications for which
20 the cooperators share the cost of printing either in cash
21 or in services, and the Bureau determines the cooperator
22 is capable of meeting accepted quality standards: *Provided*
23 *further*, That projects to be funded pursuant to a written
24 commitment by a State government to provide an identi-
25

1 fied amount of money in support of the project may be
 2 carried out by the Bureau on a reimbursable basis. Appro-
 3 priations herein made shall not be available for the de-
 4 struction of healthy, unadopted, wild horses and burros
 5 in the care of the Bureau or its contractors or for the
 6 sale of wild horses and burros that results in their destruc-
 7 tion for processing into commercial products.

8 UNITED STATES FISH AND WILDLIFE SERVICE

9 RESOURCE MANAGEMENT

10 For necessary expenses of the United States Fish and
 11 Wildlife Service, as authorized by law, and for scientific
 12 and economic studies, general administration, and for the
 13 performance of other authorized functions related to such
 14 resources, \$1,288,808,000 (reduced by \$500,000) (in-
 15 creased by \$500,000) (increased by \$1,000,000), to re-
 16 main available until September 30, 2020: *Provided*, That
 17 not to exceed \$10,941,000 shall be used for implementing
 18 subsections (a), (b), (c), and (e) of section 4 of the Endan-
 19 gered Species Act of 1973 (16 U.S.C. 1533) (except for
 20 processing petitions, developing and issuing proposed and
 21 final regulations, and taking any other steps to implement
 22 actions described in subsection (c)(2)(A), (c)(2)(B)(i), or
 23 (c)(2)(B)(ii)): *Provided further*, That \$12,022,000 shall be
 24 provided to the National Fish and Wildlife Foundation
 25 pursuant to section 3709 of title 16, United States Code,

1 for the benefit of, and in connection with, the activities
2 and services of the United States Fish and Wildlife Serv-
3 ice.

4 CONSTRUCTION

5 For construction, improvement, acquisition, or re-
6 moval of buildings and other facilities required in the con-
7 servation, management, investigation, protection, and uti-
8 lization of fish and wildlife resources, and the acquisition
9 of lands and interests therein; \$59,734,000 (reduced by
10 \$3,850,000), to remain available until expended.

11 LAND ACQUISITION

12 For expenses necessary to carry out chapter 2003 of
13 title 54, United States Code, including administrative ex-
14 penses, and for acquisition of land or waters, or interest
15 therein, in accordance with statutory authority applicable
16 to the United States Fish and Wildlife Service,
17 \$47,438,000, to be derived from the Land and Water Con-
18 servation Fund and to remain available until expended,
19 of which, notwithstanding section 200306 of title 54,
20 United States Code, not more than \$10,000,000 shall be
21 for land conservation partnerships authorized by the
22 Highlands Conservation Act of 2004, including not to ex-
23 ceed \$320,000 for administrative expenses: *Provided*, That
24 none of the funds appropriated for specific land acquisi-

1 tion projects may be used to pay for any administrative
2 overhead, planning or other management costs.

3 COOPERATIVE ENDANGERED SPECIES CONSERVATION
4 FUND

5 For expenses necessary to carry out section 6 of the
6 Endangered Species Act of 1973 (16 U.S.C. 1535),
7 \$53,495,000, to remain available until expended, of which
8 \$22,695,000 is to be derived from the Cooperative Endan-
9 gered Species Conservation Fund; and of which
10 \$30,800,000 is to be derived from the Land and Water
11 Conservation Fund.

12 NATIONAL WILDLIFE REFUGE FUND

13 For expenses necessary to implement the Act of Octo-
14 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

15 NORTH AMERICAN WETLANDS CONSERVATION FUND

16 For expenses necessary to carry out the provisions
17 of the North American Wetlands Conservation Act (16
18 U.S.C. 4401 et seq.), \$42,000,000, to remain available
19 until expended.

20 NEOTROPICAL MIGRATORY BIRD CONSERVATION

21 For expenses necessary to carry out the Neotropical
22 Migratory Bird Conservation Act (16 U.S.C. 6101 et
23 seq.), \$3,910,000, to remain available until expended.

1 MULTINATIONAL SPECIES CONSERVATION FUND

2 For expenses necessary to carry out the African Ele-
3 phant Conservation Act (16 U.S.C. 4201 et seq.), the
4 Asian Elephant Conservation Act of 1997 (16 U.S.C.
5 4261 et seq.), the Rhinoceros and Tiger Conservation Act
6 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
7 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
8 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
9 et seq.), \$11,061,000, to remain available until expended.

10 STATE AND TRIBAL WILDLIFE GRANTS

11 For wildlife conservation grants to States and to the
12 District of Columbia, Puerto Rico, Guam, the United
13 States Virgin Islands, the Northern Mariana Islands,
14 American Samoa, and Indian tribes under the provisions
15 of the Fish and Wildlife Act of 1956 and the Fish and
16 Wildlife Coordination Act, for the development and imple-
17 mentation of programs for the benefit of wildlife and their
18 habitat, including species that are not hunted or fished,
19 \$63,571,000, to remain available until expended: *Pro-*
20 *vided*, That of the amount provided herein, \$4,209,000 is
21 for a competitive grant program for Indian tribes not sub-
22 ject to the remaining provisions of this appropriation: *Pro-*
23 *vided further*, That \$6,362,000 is for a competitive grant
24 program to implement approved plans for States, terri-
25 tories, and other jurisdictions and at the discretion of af-

1 fected States, the regional Associations of fish and wildlife
2 agencies, not subject to the remaining provisions of this
3 appropriation: *Provided further*, That the Secretary shall,
4 after deducting \$10,571,000 and administrative expenses,
5 apportion the amount provided herein in the following
6 manner: (1) to the District of Columbia and to the Com-
7 monwealth of Puerto Rico, each a sum equal to not more
8 than one-half of 1 percent thereof; and (2) to Guam,
9 American Samoa, the United States Virgin Islands, and
10 the Commonwealth of the Northern Mariana Islands, each
11 a sum equal to not more than one-fourth of 1 percent
12 thereof: *Provided further*, That the Secretary shall appor-
13 tion the remaining amount in the following manner: (1)
14 one-third of which is based on the ratio to which the land
15 area of such State bears to the total land area of all such
16 States; and (2) two-thirds of which is based on the ratio
17 to which the population of such State bears to the total
18 population of all such States: 3 *Provided further*, That the
19 amounts apportioned under this paragraph shall be ad-
20 justed equitably so that no State shall be apportioned a
21 sum which is less than 1 percent of the amount available
22 for apportionment under this paragraph for any fiscal year
23 or more than 5 percent of such amount: *Provided further*,
24 That the Federal share of planning grants shall not exceed
25 75 percent of the total costs of such projects and the Fed-

1 eral share of implementation grants shall not exceed 65
2 percent of the total costs of such projects: *Provided fur-*
3 *ther*, That the non-Federal share of such projects may not
4 be derived from Federal grant programs: *Provided further*,
5 That any amount apportioned in 2019 to any State, terri-
6 tory, or other jurisdiction that remains unobligated as of
7 September 30, 2020, shall be reapportioned, together with
8 funds appropriated in 2021, in the manner provided here-
9 in.

10 ADMINISTRATIVE PROVISIONS

11 The United States Fish and Wildlife Service may
12 carry out the operations of Service programs by direct ex-
13 penditure, contracts, grants, cooperative agreements and
14 reimbursable agreements with public and private entities.
15 Appropriations and funds available to the United States
16 Fish and Wildlife Service shall be available for repair of
17 damage to public roads within and adjacent to reservation
18 areas caused by operations of the Service; options for the
19 purchase of land at not to exceed \$1 for each option; facili-
20 ties incident to such public recreational uses on conserva-
21 tion areas as are consistent with their primary purpose;
22 and the maintenance and improvement of aquaria, build-
23 ings, and other facilities under the jurisdiction of the Serv-
24 ice and to which the United States has title, and which
25 are used pursuant to law in connection with management,

1 and investigation of fish and wildlife resources: *Provided*,
2 That notwithstanding 44 U.S.C. 501, the Service may,
3 under cooperative cost sharing and partnership arrange-
4 ments authorized by law, procure printing services from
5 cooperators in connection with jointly produced publica-
6 tions for which the cooperators share at least one-half the
7 cost of printing either in cash or services and the Service
8 determines the cooperator is capable of meeting accepted
9 quality standards: *Provided further*, That the Service may
10 accept donated aircraft as replacements for existing air-
11 craft: *Provided further*, That notwithstanding 31 U.S.C.
12 3302, all fees collected for non-toxic shot review and ap-
13 proval shall be deposited under the heading “United
14 States Fish and Wildlife Service—Resource Management”
15 and shall be available to the Secretary, without further
16 appropriation, to be used for expenses of processing of
17 such non-toxic shot type or coating applications and revis-
18 ing regulations as necessary, and shall remain available
19 until expended.

20 NATIONAL PARK SERVICE

21 OPERATION OF THE NATIONAL PARK SYSTEM

22 For expenses necessary for the management, oper-
23 ation, and maintenance of areas and facilities adminis-
24 tered by the National Park Service and for the general
25 administration of the National Park Service,

1 \$2,527,810,000 (reduced by \$300,000) (increased by
 2 \$300,000), of which \$10,032,000 for planning and inter-
 3 agency coordination in support of Everglades restoration
 4 and \$149,461,000 for maintenance, repair, or rehabilita-
 5 tion projects for constructed assets and \$166,575,000 for
 6 cyclic maintenance projects for constructed assets and cul-
 7 tural resources shall remain available until September 30,
 8 2020: *Provided*, That funds appropriated under this head-
 9 ing in this Act are available for the purposes of section
 10 5 of Public Law 95–348.

11 NATIONAL RECREATION AND PRESERVATION

12 For expenses necessary to carry out recreation pro-
 13 grams, natural programs, cultural programs, heritage
 14 partnership programs, environmental compliance, inter-
 15 national park affairs, and grant administration, not other-
 16 wise provided for, \$63,638,000.

17 HISTORIC PRESERVATION FUND

18 For expenses necessary in carrying out the National
 19 Historic Preservation Act (division A of subtitle III of title
 20 54, United States Code), \$91,910,000 (increased by
 21 \$5,000,000) (increased by \$2,500,000) (increased by
 22 \$2,000,000), to be derived from the Historic Preservation
 23 Fund and to remain available until September 30, 2020,
 24 of which \$13,000,000 (reduced by \$20,000,000)(increased
 25 by \$20,000,000) shall be for Save America’s Treasures

1 grants for preservation of national significant sites, struc-
2 tures and artifacts as authorized by section 7303 of the
3 Omnibus Public Land Management Act of 2009 (54
4 U.S.C. 3089): *Provided*, That an individual Save Amer-
5 ica's Treasures grant shall be matched by non-Federal
6 funds: *Provided further*, That individual projects shall only
7 be eligible for one grant: *Provided further*, That all
8 projects to be funded shall be approved by the Secretary
9 of the Interior in consultation with the House and Senate
10 Committees on Appropriations: *Provided further*, That of
11 the funds provided for the Historic Preservation Fund,
12 \$500,000 (increased by \$500,000) is for competitive
13 grants for the survey and nomination of properties to the
14 National Register of Historic Places and as National His-
15 toric Landmarks associated with communities currently
16 under-represented, as determined by the Secretary,
17 \$13,000,000 (increased by \$2,500,000) is for competitive
18 grants to preserve the sites and stories of the Civil Rights
19 movement, and \$5,000,000 (increased by \$2,000,000) (in-
20 creased by \$1,000,000) is for grants to Historically Black
21 Colleges and Universities: *Provided further*, That such
22 competitive grants shall be made without imposing the
23 matching requirements in section 302902(b)(3) of title 54,
24 United States Code, to States and Indian tribes as defined
25 in chapter 3003 of such title, Native Hawaiian organiza-

1 tions, local governments, including Certified Local Govern-
2 ments, and non-profit organizations.

3 CONSTRUCTION

4 For construction, improvements, repair, or replace-
5 ment of physical facilities, and compliance and planning
6 for programs and areas administered by the National
7 Park Service, \$366,333,000, to remain available until ex-
8 pended: *Provided*, That notwithstanding any other provi-
9 sion of law, for any project initially funded in fiscal year
10 2019 with a future phase indicated in the National Park
11 Service 5-Year Line Item Construction Plan, a single pro-
12 curement may be issued which includes the full scope of
13 the project: *Provided further*, That the solicitation and
14 contract shall contain the clause availability of funds
15 found at 48 CFR 52.232–18: *Provided further*, That Na-
16 tional Park Service Donations, Park Concessions Fran-
17 chise Fees, and Recreation Fees may be made available
18 for the cost of adjustments and changes within the origi-
19 nal scope of effort for projects funded by the National
20 Park Service Construction appropriation: *Provided further*,
21 That the Secretary of the Interior shall consult with the
22 Committees on Appropriations, in accordance with current
23 reprogramming thresholds, prior to making any charges
24 authorized by this section.

1 LAND ACQUISITION AND STATE ASSISTANCE

2 For expenses necessary to carry out chapter 2003 of
3 title 54, United States Code, including administrative ex-
4 penses, and for acquisition of lands or waters, or interest
5 therein, in accordance with the statutory authority appli-
6 cable to the National Park Service, \$172,363,000, to be
7 derived from the Land and Water Conservation Fund and
8 to remain available until expended, of which \$124,006,000
9 is for the State assistance program and of which
10 \$10,000,000 shall be for the American Battlefield Protec-
11 tion Program grants as authorized by chapter 3081 of title
12 54, United States Code.

13 CENTENNIAL CHALLENGE

14 For expenses necessary to carry out the provisions
15 of section 101701 of title 54, United States Code, relating
16 to challenge cost share agreements, \$30,000,000, to re-
17 main available until expended, for Centennial Challenge
18 projects and programs: *Provided*, That not less than 50
19 percent of the total cost of each project or program shall
20 be derived from non-Federal sources in the form of do-
21 nated cash, assets, or a pledge of donation guaranteed by
22 an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

1 National Park Service funds may be transferred to
2 the Federal Highway Administration (FHWA), Depart-
3 ment of Transportation, for purposes authorized under 23
4 U.S.C. 204. Transfers may include a reasonable amount
5 for FHWA administrative support costs.

6 UNITED STATES GEOLOGICAL SURVEY

7 SURVEYS, INVESTIGATIONS, AND RESEARCH

8 For expenses necessary for the United States Geo-
9 logical Survey to perform surveys, investigations, and re-
10 search covering topography, geology, hydrology, biology,
11 and the mineral and water resources of the United States,
12 its territories and possessions, and other areas as author-
13 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
14 to their mineral and water resources; give engineering su-
15 pervision to power permittees and Federal Energy Regu-
16 latory Commission licensees; administer the minerals ex-
17 ploration program (30 U.S.C. 641); conduct inquiries into
18 the economic conditions affecting mining and materials
19 processing industries (30 U.S.C. 3, 21a, and 1603; 50
20 U.S.C. 98g(1)) and related purposes as authorized by law;
21 and to publish and disseminate data relative to the fore-
22 going activities; \$1,167,291,000 (reduced by \$250,000)
23 (increased by \$250,000) (reduced by \$100,000) (increased
24 by \$100,000) (increased by \$4,798,500) (increased by
25 \$1,000,000), to remain available until September 30,

1 2020; of which \$84,337,000 shall remain available until
2 expended for satellite operations; and of which
3 \$15,164,000 shall be available until expended for deferred
4 maintenance and capital improvement projects that exceed
5 \$100,000 in cost: *Provided*, That none of the funds pro-
6 vided for the ecosystem research activity shall be used to
7 conduct new surveys on private property, unless specifi-
8 cally authorized in writing by the property owner: *Pro-*
9 *vided further*, That no part of this appropriation shall be
10 used to pay more than one-half the cost of topographic
11 mapping or water resources data collection and investiga-
12 tions carried on in cooperation with States and municipali-
13 ties.

14 ADMINISTRATIVE PROVISIONS

15 From within the amount appropriated for activities
16 of the United States Geological Survey such sums as are
17 necessary shall be available for contracting for the fur-
18 nishing of topographic maps and for the making of geo-
19 physical or other specialized surveys when it is administra-
20 tively determined that such procedures are in the public
21 interest; construction and maintenance of necessary build-
22 ings and appurtenant facilities; acquisition of lands for
23 gauging stations, observation wells, and seismic equip-
24 ment; expenses of the United States National Committee
25 for Geological Sciences; and payment of compensation and

1 expenses of persons employed by the Survey duly ap-
2 pointed to represent the United States in the negotiation
3 and administration of interstate compacts: *Provided*, That
4 activities funded by appropriations herein made may be
5 accomplished through the use of contracts, grants, or co-
6 operative agreements as defined in section 6302 of title
7 31, United States Code: *Provided further*, That the United
8 States Geological Survey may enter into contracts or coop-
9 erative agreements directly with individuals or indirectly
10 with institutions or nonprofit organizations, without re-
11 gard to 41 U.S.C. 6101, for the temporary or intermittent
12 services of students or recent graduates, who shall be con-
13 sidered employees for the purpose of chapters 57 and 81
14 of title 5, United States Code, relating to compensation
15 for travel and work injuries, and chapter 171 of title 28,
16 United States Code, relating to tort claims, but shall not
17 be considered to be Federal employees for any other pur-
18 poses.

19 BUREAU OF OCEAN ENERGY MANAGEMENT

20 OCEAN ENERGY MANAGEMENT

21 For expenses necessary for granting and admin-
22 istering leases, easements, rights-of-way and agreements
23 for use for oil and gas, other minerals, energy, and ma-
24 rine-related purposes on the Outer Continental Shelf and
25 approving operations related thereto, as authorized by law;

1 for environmental studies, as authorized by law; for imple-
2 menting other laws and to the extent provided by Presi-
3 dential or Secretarial delegation; and for matching grants
4 or cooperative agreements, \$180,222,000, of which
5 \$130,406,000 is to remain available until September 30,
6 2020, and of which \$49,816,000 is to remain available
7 until expended: *Provided*, That this total appropriation
8 shall be reduced by amounts collected by the Secretary
9 and credited to this appropriation from additions to re-
10 ceipts resulting from increases to lease rental rates in ef-
11 fect on August 5, 1993, and from cost recovery fees from
12 activities conducted by the Bureau of Ocean Energy Man-
13 agement pursuant to the Outer Continental Shelf Lands
14 Act, including studies, assessments, analysis, and miscella-
15 neous administrative activities: *Provided further*, That the
16 sum herein appropriated shall be reduced as such collec-
17 tions are received during the fiscal year, so as to result
18 in a final fiscal year 2019 appropriation estimated at not
19 more than \$130,406,000: *Provided further*, That not to
20 exceed \$3,000 shall be available for reasonable expenses
21 related to promoting volunteer beach and marine cleanup
22 activities.

1 BUREAU OF SAFETY AND ENVIRONMENTAL
2 ENFORCEMENT

3 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

4 For expenses necessary for the regulation of oper-
5 ations related to leases, easements, rights-of-way and
6 agreements for use for oil and gas, other minerals, energy,
7 and marine-related purposes on the Outer Continental
8 Shelf, as authorized by law; for enforcing and imple-
9 menting laws and regulations as authorized by law and
10 to the extent provided by Presidential or Secretarial dele-
11 gation; and for matching grants or cooperative agree-
12 ments, \$144,867,000, of which \$120,743,000 is to remain
13 available until September 30, 2020, and of which
14 \$24,124,000 is to remain available until expended: *Pro-*
15 *vided*, That this total appropriation shall be reduced by
16 amounts collected by the Secretary and credited to this
17 appropriation from additions to receipts resulting from in-
18 creases to lease rental rates in effect on August 5, 1993,
19 and from cost recovery fees from activities conducted by
20 the Bureau of Safety and Environmental Enforcement
21 pursuant to the Outer Continental Shelf Lands Act, in-
22 cluding studies, assessments, analysis, and miscellaneous
23 administrative activities: *Provided further*, That the sum
24 herein appropriated shall be reduced as such collections
25 are received during the fiscal year, so as to result in a

1 final fiscal year 2019 appropriation estimated at not more
2 than \$120,743,000.

3 For an additional amount, \$41,765,000, to remain
4 available until expended, to be reduced by amounts col-
5 lected by the Secretary and credited to this appropriation,
6 which shall be derived from non-refundable inspection fees
7 collected in fiscal year 2019, as provided in this Act: *Pro-*
8 *vided*, That to the extent that amounts realized from such
9 inspection fees exceed \$41,765,000, the amounts realized
10 in excess of \$41,765,000 shall be credited to this appro-
11 priation and remain available until expended: *Provided*
12 *further*, That for fiscal year 2019, not less than 50 percent
13 of the inspection fees expended by the Bureau of Safety
14 and Environmental Enforcement will be used to fund per-
15 sonnel and mission-related costs to expand capacity and
16 expedite the orderly development, subject to environmental
17 safeguards, of the Outer Continental Shelf pursuant to the
18 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
19 seq.), including the review of applications for permits to
20 drill.

21 OIL SPILL RESEARCH

22 For necessary expenses to carry out title I, section
23 1016, title IV, sections 4202 and 4303, title VII, and title
24 VIII, section 8201 of the Oil Pollution Act of 1990,

1 \$14,899,000, which shall be derived from the Oil Spill Li-
2 ability Trust Fund, to remain available until expended.

3 OFFICE OF SURFACE MINING RECLAMATION AND
4 ENFORCEMENT
5 REGULATION AND TECHNOLOGY

6 For necessary expenses to carry out the provisions
7 of the Surface Mining Control and Reclamation Act of
8 1977, Public Law 95–87, \$113,969,000, to remain avail-
9 able until September 30, 2020: *Provided*, That appropria-
10 tions for the Office of Surface Mining Reclamation and
11 Enforcement may provide for the travel and per diem ex-
12 penses of State and tribal personnel attending Office of
13 Surface Mining Reclamation and Enforcement sponsored
14 training: *Provided further*, That of the amounts made
15 available under this heading and notwithstanding the Fed-
16 eral share limits contained in section 705 of the Surface
17 Mining Control and Reclamation Act of 1977 (30 U.S.C.
18 1295), not to exceed \$2,300,000 shall be for the Secretary
19 of the Interior to make grants to any State with active
20 coal mine operations within its borders that does not have
21 an approved State regulatory program under section 503
22 of the Surface Mining Control and Reclamation Act of
23 1977 (30 U.S.C. 1253) for the purpose of developing a
24 State program under such Act.

1 In addition, for costs to review, administer, and en-
2 force permits issued by the Office pursuant to section 507
3 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
4 main available until expended: *Provided*, That fees as-
5 sessed and collected by the Office pursuant to such section
6 507 shall be credited to this account as discretionary off-
7 setting collections, to remain available until expended:
8 *Provided further*, That the sum herein appropriated from
9 the general fund shall be reduced as collections are re-
10 ceived during the fiscal year, so as to result in a fiscal
11 year 2019 appropriation estimated at not more than
12 \$113,969,000.

13 ABANDONED MINE RECLAMATION FUND

14 For necessary expenses to carry out title IV of the
15 Surface Mining Control and Reclamation Act of 1977,
16 Public Law 95–87, \$24,546,000, to be derived from re-
17 ceipts of the Abandoned Mine Reclamation Fund and to
18 remain available until expended: *Provided*, That pursuant
19 to Public Law 97–365, the Department of the Interior is
20 authorized to use up to 20 percent from the recovery of
21 the delinquent debt owed to the United States Government
22 to pay for contracts to collect these debts: *Provided fur-*
23 *ther*, That funds made available under title IV of Public
24 Law 95–87 may be used for any required non-Federal
25 share of the cost of projects funded by the Federal Gov-

1 ernment for the purpose of environmental restoration re-
2 lated to treatment or abatement of acid mine drainage
3 from abandoned mines: *Provided further*, That such
4 projects must be consistent with the purposes and prior-
5 ities of the Surface Mining Control and Reclamation Act:
6 *Provided further*, That amounts provided under this head-
7 ing may be used for the travel and per diem expenses of
8 State and tribal personnel attending Office of Surface
9 Mining Reclamation and Enforcement sponsored training.

10 In addition, \$90,000,000 (increased by \$30,000,000),
11 to remain available until expended, for grants to States
12 for reclamation of abandoned mine lands and other related
13 activities in accordance with the terms and conditions in
14 the report accompanying this Act: *Provided*, That such ad-
15 ditional amount shall be used for economic and community
16 development in conjunction with the priorities in section
17 403(a) of the Surface Mining Control and Reclamation
18 Act of 1977 (30 U.S.C. 1233(a)): *Provided further*, That
19 such additional amount shall be distributed in equal
20 amounts to the 6 Appalachian States with the greatest
21 amount of unfunded needs to meet the priorities described
22 in paragraphs (1) and (2) of such section: *Provided fur-*
23 *ther*, That such additional amount shall be allocated to
24 States within 60 days after the date of enactment of this
25 Act.

1 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
2 EDUCATION
3 OPERATION OF INDIAN PROGRAMS
4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses necessary for the operation of Indian
6 programs, as authorized by law, including the Snyder Act
7 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
8 termination and Education Assistance Act of 1975 (25
9 U.S.C. 5301 et seq.), the Education Amendments of 1978
10 (25 U.S.C. 2001–2019), and the Tribally Controlled
11 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
12 \$2,436,821,000, to remain available until September 30,
13 2020, except as otherwise provided herein; of which not
14 to exceed \$8,500 may be for official reception and rep-
15 resentation expenses; of which not to exceed \$76,000,000
16 shall be for welfare assistance payments: *Provided*, That
17 in cases of designated Federal disasters, the Secretary
18 may exceed such cap, from the amounts provided herein,
19 to provide for disaster relief to Indian communities af-
20 fected by the disaster: *Provided further*, That federally rec-
21 ognized Indian tribes and tribal organizations of federally
22 recognized Indian tribes may use their tribal priority allo-
23 cations for unmet welfare assistance costs: *Provided fur-*
24 *ther*, That not to exceed \$689,558,000 for school oper-
25 ations costs of Bureau-funded schools and other education

1 programs shall become available on July 1, 2019, and
2 shall remain available until September 30, 2020: *Provided*
3 *further*, That not to exceed \$54,174,000 shall remain
4 available until expended for housing improvement, road
5 maintenance, attorney fees, litigation support, land
6 records improvement, and the Navajo-Hopi Settlement
7 Program: *Provided further*, That notwithstanding any
8 other provision of law, including but not limited to the
9 Indian Self-Determination Act of 1975 (25 U.S.C. 5301
10 et seq.) and section 1128 of the Education Amendments
11 of 1978 (25 U.S.C. 2008), not to exceed \$82,223,000
12 within and only from such amounts made available for
13 school operations shall be available for administrative cost
14 grants associated with grants approved prior to July 1,
15 2019: *Provided further*, That any forestry funds allocated
16 to a federally recognized tribe which remain unobligated
17 as of September 30, 2020, may be transferred during fis-
18 cal year 2021 to an Indian forest land assistance account
19 established for the benefit of the holder of the funds within
20 the holder's trust fund account: *Provided further*, That
21 any such unobligated balances not so transferred shall ex-
22 pire on September 30, 2021: *Provided further*, That in
23 order to enhance the safety of Bureau field employees, the
24 Bureau may use funds to purchase uniforms or other iden-
25 tifying articles of clothing for personnel: *Provided further*,

1 That the Bureau of Indian Affairs may accept transfers
2 of funds from U.S. Customs and Border Protection to
3 supplement any other funding available for reconstruction
4 or repair of roads owned by the Bureau of Indian Affairs
5 as identified on the National Tribal Transportation Facil-
6 ity Inventory, 23 U.S.C. 202(b)(1): *Provided further*, That
7 of the funds provided, not to exceed \$2,000,000 is author-
8 ized for a demonstration project to pilot a lease agreement
9 with a federally recognized Indian tribe agreeing to replace
10 and own a Bureau of Indian Education funded school fa-
11 cility operated under Public Law 93–638 or Public Law
12 100–297: *Provided further*, That of the funds provided,
13 \$2,000,000 shall be to implement section 7(b) of Public
14 Law 102–495 (106 Stat. 3173).

15 CONTRACT SUPPORT COSTS

16 For payments to tribes and tribal organizations for
17 contract support costs associated with Indian Self-Deter-
18 mination and Education Assistance Act agreements with
19 the Bureau of Indian Affairs for fiscal year 2019, such
20 sums as may be necessary, which shall be available for
21 obligation through September 30, 2020: *Provided*, That
22 notwithstanding any other provision of law, no amounts
23 made available under this heading shall be available for
24 transfer to another budget account.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483; \$354,485,000 (reduced by \$36,000,000) (increased by \$36,000,000), to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available on a non-reimbursable basis: *Provided further*, That for fiscal year 2019, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of \$100,000 that are provided to grant schools under Public Law 100–297, the Secretary

1 of the Interior shall use the Administrative and Audit Re-
2 quirements and Cost Principles for Assistance Programs
3 contained in part 12 of title 43, Code of Federal Regula-
4 tions, as the regulatory requirements: *Provided further*,
5 That such grants shall not be subject to section 12.61 of
6 title 43, Code of Federal Regulations; the Secretary and
7 the grantee shall negotiate and determine a schedule of
8 payments for the work to be performed: *Provided further*,
9 That in considering grant applications, the Secretary shall
10 consider whether such grantee would be deficient in assur-
11 ing that the construction projects conform to applicable
12 building standards and codes and Federal, tribal, or State
13 health and safety standards as required by section
14 1125(b) of title XI of Public Law 95–561 (25 U.S.C.
15 2005(b)), with respect to organizational and financial
16 management capabilities: *Provided further*, That if the
17 Secretary declines a grant application, the Secretary shall
18 follow the requirements contained in section 5206(f) of
19 Public Law 100–297 (25 U.S.C. 2504(f)): *Provided fur-*
20 *ther*, That any disputes between the Secretary and any
21 grantee concerning a grant shall be subject to the disputes
22 provision in section 5208(e) of Public Law 107–110 (25
23 U.S.C. 2507(e)): *Provided further*, That in order to ensure
24 timely completion of construction projects, the Secretary
25 may assume control of a project and all funds related to

1 the project, if, within 18 months of the date of enactment
 2 of this Act, any grantee receiving funds appropriated in
 3 this Act or in any prior Act, has not completed the plan-
 4 ning and design phase of the project and commenced con-
 5 struction: *Provided further*, That this appropriation may
 6 be reimbursed from the Office of the Special Trustee for
 7 American Indians appropriation for the appropriate share
 8 of construction costs for space expansion needed in agency
 9 offices to meet trust reform implementation.

10 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
 11 MISCELLANEOUS PAYMENTS TO INDIANS

12 For payments and necessary administrative expenses
 13 for implementation of Indian land and water claim settle-
 14 ments pursuant to Public Laws 99–264, 100–580, 101–
 15 618, 111–11, 111–291, and 114–322, and for implemen-
 16 tation of other land and water rights settlements,
 17 \$50,057,000, to remain available until expended.

18 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

19 For the cost of guaranteed loans and insured loans,
 20 \$19,279,000, to remain available until September 30,
 21 2020, of which \$1,702,000 is for administrative expenses,
 22 as authorized by the Indian Financing Act of 1974: *Pro-*
 23 *vided*, That such costs, including the cost of modifying
 24 such loans, shall be as defined in section 502 of the Con-
 25 gressional Budget Act of 1974: *Provided further*, That

1 these funds are available to subsidize total loan principal,
2 any part of which is to be guaranteed or insured, not to
3 exceed \$329,260,000.

4 ADMINISTRATIVE PROVISIONS

5 (INCLUDING RESCISSION OF FUNDS)

6 The Bureau of Indian Affairs may carry out the oper-
7 ation of Indian programs by direct expenditure, contracts,
8 cooperative agreements, compacts, and grants, either di-
9 rectly or in cooperation with States and other organiza-
10 tions.

11 Notwithstanding Public Law 87-279 (25 U.S.C. 15),
12 the Bureau of Indian Affairs may contract for services in
13 support of the management, operation, and maintenance
14 of the Power Division of the San Carlos Irrigation Project.

15 Notwithstanding any other provision of law, no funds
16 available to the Bureau of Indian Affairs for central office
17 oversight and Executive Direction and Administrative
18 Services (except executive direction and administrative
19 services funding for Tribal Priority Allocations, regional
20 offices, and facilities operations and maintenance) shall be
21 available for contracts, grants, compacts, or cooperative
22 agreements with the Bureau of Indian Affairs under the
23 provisions of the Indian Self-Determination Act or the
24 Tribal Self-Governance Act of 1994 (Public Law 103-
25 413).

1 In the event any tribe returns appropriations made
2 available by this Act to the Bureau of Indian Affairs, this
3 action shall not diminish the Federal Government's trust
4 responsibility to that tribe, or the government-to-govern-
5 ment relationship between the United States and that
6 tribe, or that tribe's ability to access future appropria-
7 tions.

8 Notwithstanding any other provision of law, no funds
9 available to the Bureau of Indian Education, other than
10 the amounts provided herein for assistance to public
11 schools under 25 U.S.C. 452 et seq., shall be available to
12 support the operation of any elementary or secondary
13 school in the State of Alaska.

14 No funds available to the Bureau of Indian Edu-
15 cation shall be used to support expanded grades for any
16 school or dormitory beyond the grade structure in place
17 or approved by the Secretary of the Interior at each school
18 in the Bureau of Indian Education school system as of
19 October 1, 1995, except that the Secretary of the Interior
20 may waive this prohibition to support expansion of up to
21 one additional grade when the Secretary determines such
22 waiver is needed to support accomplishment of the mission
23 of the Bureau of Indian Education, or more than one
24 grade to expand the elementary grade structure for Bu-
25 reau-funded schools with a K-2 grade structure on Octo-

ber 1, 1996. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as

1 Federal employees for purposes of chapter 171 of title 28,
2 United States Code.

3 Notwithstanding any other provision of law, including
4 section 113 of title I of appendix C of Public Law 106–
5 113, if in fiscal year 2003 or 2004 a grantee received indi-
6 rect and administrative costs pursuant to a distribution
7 formula based on section 5(f) of Public Law 101–301, the
8 Secretary shall continue to distribute indirect and admin-
9 istrative cost funds to such grantee using the section 5(f)
10 distribution formula.

11 Funds available under this Act may not be used to
12 establish satellite locations of schools in the Bureau school
13 system as of September 1, 1996, except that the Secretary
14 may waive this prohibition in order for an Indian tribe
15 to provide language and cultural immersion educational
16 programs for non-public schools located within the juris-
17 dictional area of the tribal government which exclusively
18 serve tribal members, do not include grades beyond those
19 currently served at the existing Bureau-funded school,
20 provide an educational environment with educator pres-
21 ence and academic facilities comparable to the Bureau-
22 funded school, comply with all applicable Tribal, Federal,
23 or State health and safety standards, and the Americans
24 with Disabilities Act, and demonstrate the benefits of es-
25 tablishing operations at a satellite location in lieu of incur-

1 ring extraordinary costs, such as for transportation or
 2 other impacts to students such as those caused by busing
 3 students extended distances: *Provided*, That no funds
 4 available under this Act may be used to fund operations,
 5 maintenance, rehabilitation, construction or other facili-
 6 ties-related costs for such assets that are not owned by
 7 the Bureau: *Provided further*, That the term “satellite
 8 school” means a school location physically separated from
 9 the existing Bureau school by more than 50 miles but that
 10 forms part of the existing school in all other respects.

11 Of the unobligated balances available from appropria-
 12 tions made under the heading “Bureau of Indian Affairs
 13 and Bureau of Indian Education” prior to fiscal year
 14 2014, \$4,000,000 are permanently rescinded.

15 DEPARTMENTAL OFFICES

16 OFFICE OF THE SECRETARY

17 DEPARTMENTAL OPERATIONS

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses for management of the De-
 20 partment of the Interior and for grants and cooperative
 21 agreements, as authorized by law, \$134,673,000 (reduced
 22 by \$5,000,000) (reduced by \$2,500,000) (reduced by
 23 \$2,000,000) (reduced by \$4,908,000) (reduced by
 24 \$1,022,728) (reduced by \$3,818,000) (reduced by
 25 \$500,000) (reduced by \$4,000,000) (reduced by

1 \$7,000,000) (reduced by \$2,000,000), to remain available
2 until September 30, 2020; of which not to exceed \$15,000
3 may be for official reception and representation expenses;
4 and of which up to \$1,000,000 shall be available for work-
5 ers compensation payments and unemployment compensa-
6 tion payments associated with the orderly closure of the
7 United States Bureau of Mines; and of which \$9,000,000
8 for the Appraisal and Valuation Services Office is to be
9 derived from the Land and Water Conservation Fund and
10 shall remain available until expended; and of which
11 \$9,704,000 for Indian land, mineral, and resource valu-
12 ation activities shall remain available until expended: *Pro-*
13 *vided further*, That funds for Indian land, mineral, and
14 resource valuation activities may, as needed, be trans-
15 ferred to and merged with the Bureau of Indian Affairs
16 and Bureau of Indian Education “Operation of Indian
17 Programs” account and the Office of the Special Trustee
18 for American Indians “Federal Trust Programs” account:
19 *Provided further*, That funds made available through con-
20 tracts or grants obligated during fiscal year 2019, as au-
21 thorized by the Indian Self-Determination Act of 1975 (25
22 U.S.C. 5301 et seq.), shall remain available until expended
23 by the contractor or grantee.

1 ADMINISTRATIVE PROVISIONS

2 For fiscal year 2019, up to \$400,000 of the payments
3 authorized by chapter 69 of title 31, United States Code,
4 may be retained for administrative expenses of the Pay-
5 ments in Lieu of Taxes Program: *Provided*, That the
6 amounts provided under this Act specifically for the Pay-
7 ments in Lieu of Taxes program are the only amounts
8 available for payments authorized under chapter 69 of
9 title 31, United States Code: *Provided further*, That in the
10 event the sums appropriated for any fiscal year for pay-
11 ments pursuant to this chapter are insufficient to make
12 the full payments authorized by that chapter to all units
13 of local government, then the payment to each local gov-
14 ernment shall be made proportionally: *Provided further*,
15 That the Secretary may make adjustments to payment to
16 individual units of local government to correct for prior
17 overpayments or underpayments: *Provided further*, That
18 no payment shall be made pursuant to that chapter to oth-
19 erwise eligible units of local government if the computed
20 amount of the payment is less than \$100.

21 INSULAR AFFAIRS

22 ASSISTANCE TO TERRITORIES

23 For expenses necessary for assistance to territories
24 under the jurisdiction of the Department of the Interior
25 and other jurisdictions identified in section 104(e) of Pub-

1 lie Law 108–188, \$96,870,000 (increased by \$3,818,000),
2 of which: (1) \$87,440,000 (increased by \$3,800,000) shall
3 remain available until expended for territorial assistance,
4 including general technical assistance, maintenance assist-
5 ance, disaster assistance, coral reef initiative activities,
6 and brown tree snake control and research; grants to the
7 judiciary in American Samoa for compensation and ex-
8 penses, as authorized by law (48 U.S.C. 1661(c)); grants
9 to the Government of American Samoa, in addition to cur-
10 rent local revenues, for construction and support of gov-
11 ernmental functions; grants to the Government of the Vir-
12 gin Islands, as authorized by law; grants to the Govern-
13 ment of Guam, as authorized by law; and grants to the
14 Government of the Northern Mariana Islands , as author-
15 ized by law (Public Law 94–241; 90 Stat. 272); and (2)
16 \$9,430,000 (increased by \$18,000) shall be available until
17 September 30, 2020, for salaries and expenses of the Of-
18 fice of Insular Affairs: *Provided*, That all financial trans-
19 actions of the territorial and local governments herein pro-
20 vided for, including such transactions of all agencies or
21 instrumentalities established or used by such governments,
22 may be audited by the Government Accountability Office,
23 at its discretion, in accordance with chapter 35 of title
24 31, United States Code: *Provided further*, That Northern
25 Mariana Islands Covenant grant funding shall be provided

1 according to those terms of the Agreement of the Special
2 Representatives on Future United States Financial Assist-
3 ance for the Northern Mariana Islands approved by Public
4 Law 104–134: *Provided further*, That the funds for the
5 program of operations and maintenance improvement are
6 appropriated to institutionalize routine operations and
7 maintenance improvement of capital infrastructure with
8 territorial participation and cost sharing to be determined
9 by the Secretary based on the grantee’s commitment to
10 timely maintenance of its capital assets: *Provided further*,
11 That any appropriation for disaster assistance under this
12 heading in this Act or previous appropriations Acts may
13 be used as non–Federal matching funds for the purpose
14 of hazard mitigation grants provided pursuant to section
15 404 of the Robert T. Stafford Disaster Relief and Emer-
16 gency Assistance Act (42 U.S.C. 5170c).

17 COMPACT OF FREE ASSOCIATION

18 For grants and necessary expenses, \$3,363,000, to
19 remain available until expended, as provided for in sec-
20 tions 221(a)(2) and 233 of the Compact of Free Associa-
21 tion for the Republic of Palau; and section 221(a)(2) of
22 the Compacts of Free Association for the Government of
23 the Republic of the Marshall Islands and the Federated
24 States of Micronesia, as authorized by Public Law 99–
25 658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

1 OFFICE OF THE SOLICITOR

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of the Solicitor,
4 \$65,674,000.

5 OFFICE OF INSPECTOR GENERAL

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of Inspector
8 General, \$52,486,000.

9 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN
10 INDIANS

11 FEDERAL TRUST PROGRAMS

12 (INCLUDING TRANSFER OF FUNDS)

13 For the operation of trust programs for Indians by
14 direct expenditure, contracts, cooperative agreements,
15 compacts, and grants, \$110,692,000, to remain available
16 until expended, of which not to exceed \$19,016,000 from
17 this or any other Act, may be available for historical ac-
18 counting: *Provided*, That funds for trust management im-
19 provements and litigation support may, as needed, be
20 transferred to or merged with the Bureau of Indian Af-
21 fairs and Bureau of Indian Education, “Operation of In-
22 dian Programs” account; the Office of the Solicitor, “Sala-
23 ries and Expenses” account; and the Office of the Sec-
24 retary, “Departmental Operations” account: *Provided fur-*
25 *ther*, That funds made available through contracts or

1 grants obligated during fiscal year 2019, as authorized by
2 the Indian Self-Determination Act of 1975 (25 U.S.C.
3 5301 et seq.), shall remain available until expended by the
4 contractor or grantee: *Provided further*, That notwith-
5 standing any other provision of law, the Secretary shall
6 not be required to provide a quarterly statement of per-
7 formance for any Indian trust account that has not had
8 activity for at least 15 months and has a balance of \$15
9 or less: *Provided further*, That the Secretary shall issue
10 an annual account statement and maintain a record of any
11 such accounts and shall permit the balance in each such
12 account to be withdrawn upon the express written request
13 of the account holder: *Provided further*, That not to exceed
14 \$50,000 is available for the Secretary to make payments
15 to correct administrative errors of either disbursements
16 from or deposits to Individual Indian Money or Tribal ac-
17 counts after September 30, 2002: *Provided further*, That
18 erroneous payments that are recovered shall be credited
19 to and remain available in this account for this purpose:
20 *Provided further*, That the Secretary shall not be required
21 to reconcile Special Deposit Accounts with a balance of
22 less than \$500 unless the Office of the Special Trustee
23 receives proof of ownership from a Special Deposit Ac-
24 counts claimant: *Provided further*, That notwithstanding
25 section 102 of the American Indian Trust Fund Manage-

1 ment Reform Act of 1994 (Public Law 103–412) or any
2 other provision of law, the Secretary may aggregate the
3 trust accounts of individuals whose whereabouts are un-
4 known for a continuous period of at least five years and
5 shall not be required to generate periodic statements of
6 performance for the individual accounts: *Provided further*,
7 That with respect to the eighth proviso, the Secretary shall
8 continue to maintain sufficient records to determine the
9 balance of the individual accounts, including any accrued
10 interest and income, and such funds shall remain available
11 to the individual account holders.

12 NAVAJO AND HOPI INDIAN RELOCATION

13 For necessary expenses of the Office of the Special
14 Trustee for American Indians to carry out the activities
15 authorized by subsection 11(h) of Public Law 93–531, as
16 most recently amended by Public Law 104–301, through
17 direct expenditure, contracts, cooperative agreements,
18 compacts, and grants, \$3,000,000 (reduced by
19 \$3,000,000), to remain available until expended: *Provided*,
20 That the Office of the Special Trustee is further author-
21 ized to expend funds provided under this heading for the
22 purpose of planning for an orderly closeout of the Office
23 of Navajo and Hopi Indian Relocation.

1 DEPARTMENT-WIDE PROGRAMS

2 WILDLAND FIRE MANAGEMENT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses for fire preparedness, fire
5 suppression operations, fire science and research, emer-
6 gency rehabilitation, fuels management activities, and
7 rural fire assistance by the Department of the Interior,
8 \$939,660,000, to remain available until expended: *Pro-*
9 *vided*, That such funds are also available for repayment
10 of advances to other appropriation accounts from which
11 funds were previously transferred for such purposes: *Pro-*
12 *vided further*, That of the funds provided \$194,000,000
13 is for fuels management activities: *Provided further*, That
14 of the funds provided \$20,470,000 is for burned area re-
15 habilitation: *Provided further*, That persons hired pursu-
16 ant to 43 U.S.C. 1469 may be furnished subsistence and
17 lodging without cost from funds available from this appro-
18 priation: *Provided further*, That notwithstanding 42
19 U.S.C. 1856d, sums received by a bureau or office of the
20 Department of the Interior for fire protection rendered
21 pursuant to 42 U.S.C. 1856 et seq., protection of United
22 States property, may be credited to the appropriation from
23 which funds were expended to provide that protection, and
24 are available without fiscal year limitation: *Provided fur-*
25 *ther*, That using the amounts designated under this title

1 of this Act, the Secretary of the Interior may enter into
2 procurement contracts, grants, or cooperative agreements,
3 for fuels management activities, and for training and mon-
4 itoring associated with such fuels management activities
5 on Federal land, or on adjacent non-Federal land for ac-
6 tivities that benefit resources on Federal land: *Provided*
7 *further*, That the costs of implementing any cooperative
8 agreement between the Federal Government and any non-
9 Federal entity may be shared, as mutually agreed on by
10 the affected parties: *Provided further*, That notwith-
11 standing requirements of the Competition in Contracting
12 Act, the Secretary, for purposes of fuels management ac-
13 tivities, may obtain maximum practicable competition
14 among: (1) local private, nonprofit, or cooperative entities;
15 (2) Youth Conservation Corps crews, Public Lands Corps
16 (Public Law 109–154), or related partnerships with State,
17 local, or nonprofit youth groups; (3) small or micro-busi-
18 nesses; or (4) other entities that will hire or train locally
19 a significant percentage, defined as 50 percent or more,
20 of the project workforce to complete such contracts: *Pro-*
21 *vided further*, That in implementing this section, the Sec-
22 retary shall develop written guidance to field units to en-
23 sure accountability and consistent application of the au-
24 thorities provided herein: *Provided further*, That funds ap-
25 propriated under this heading may be used to reimburse

1 the United States Fish and Wildlife Service and the Na-
2 tional Marine Fisheries Service for the costs of carrying
3 out their responsibilities under the Endangered Species
4 Act of 1973 (16 U.S.C. 1531 et seq.) to consult and con-
5 ference, as required by section 7 of such Act, in connection
6 with wildland fire management activities: *Provided further*,
7 That the Secretary of the Interior may use wildland fire
8 appropriations to enter into leases of real property with
9 local governments, at or below fair market value, to con-
10 struct capitalized improvements for fire facilities on such
11 leased properties, including but not limited to fire guard
12 stations, retardant stations, and other initial attack and
13 fire support facilities, and to make advance payments for
14 any such lease or for construction activity associated with
15 the lease: *Provided further*, That the Secretary of the Inte-
16 rior and the Secretary of Agriculture may authorize the
17 transfer of funds appropriated for wildland fire manage-
18 ment, in an aggregate amount not to exceed \$50,000,000,
19 between the Departments when such transfers would fa-
20 cilitate and expedite wildland fire management programs
21 and projects: *Provided further* projects: *Provided*, That
22 funds provided for wildfire suppression shall be available
23 for support of Federal emergency response actions: *Pro-*
24 *vided further*, That funds appropriated under this heading
25 shall be available for assistance to or through the Depart-

1 ment of State in connection with forest and rangeland re-
2 search, technical information, and assistance in foreign
3 countries, and, with the concurrence of the Secretary of
4 State, shall be available to support forestry, wildland fire
5 management, and related natural resource activities out-
6 side the United States and its territories and possessions,
7 including technical assistance, education and training, and
8 cooperation with United States and international organi-
9 zations.

10 CENTRAL HAZARDOUS MATERIALS FUND

11 For necessary expenses of the Department of the In-
12 terior and any of its component offices and bureaus for
13 the response action, including associated activities, per-
14 formed pursuant to the Comprehensive Environmental Re-
15 sponse, Compensation, and Liability Act (42 U.S.C. 9601
16 et seq.), \$10,010,000, to remain available until expended.

17 NATURAL RESOURCE DAMAGE ASSESSMENT AND
18 RESTORATION

19 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

20 To conduct natural resource damage assessment, res-
21 toration activities, and onshore oil spill preparedness by
22 the Department of the Interior necessary to carry out the
23 provisions of the Comprehensive Environmental Response,
24 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
25 the Federal Water Pollution Control Act (33 U.S.C. 1251

1 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
2 et seq.), and 54 U.S.C. 100721 et seq., \$7,767,000, to
3 remain available until expended.

4 WORKING CAPITAL FUND

5 For the operation and maintenance of a departmental
6 financial and business management system, information
7 technology improvements of general benefit to the Depart-
8 ment, cybersecurity, and the consolidation of facilities and
9 operations throughout the Department, \$58,778,000, to
10 remain available until expended: *Provided*, That none of
11 the funds appropriated in this Act or any other Act may
12 be used to establish reserves in the Working Capital Fund
13 account other than for accrued annual leave and deprecia-
14 tion of equipment without prior approval of the Commit-
15 tees on Appropriations of the House of Representatives
16 and the Senate: *Provided further*, That the Secretary may
17 assess reasonable charges to State, local and tribal govern-
18 ment employees for training services provided by the Na-
19 tional Indian Program Training Center, other than train-
20 ing related to Public Law 93–638: *Provided further*, That
21 the Secretary may lease or otherwise provide space and
22 related facilities, equipment or professional services of the
23 National Indian Program Training Center to State, local
24 and tribal government employees or persons or organiza-
25 tions engaged in cultural, educational, or recreational ac-

1 tivities (as defined in section 3306(a) of title 40, United
 2 States Code) at the prevailing rate for similar space, facili-
 3 ties, equipment, or services in the vicinity of the National
 4 Indian Program Training Center: *Provided further*, That
 5 all funds received pursuant to the two preceding provisos
 6 shall be credited to this account, shall be available until
 7 expended, and shall be used by the Secretary for necessary
 8 expenses of the National Indian Program Training Center:
 9 *Provided further*, That the Secretary may enter into grants
 10 and cooperative agreements to support the Office of Nat-
 11 ural Resource Revenue's collection and disbursement of
 12 royalties, fees, and other mineral revenue proceeds, as au-
 13 thorized by law.

14 ADMINISTRATIVE PROVISION

15 There is hereby authorized for acquisition from avail-
 16 able resources within the Working Capital Fund, aircraft
 17 which may be obtained by donation, purchase or through
 18 available excess surplus property: *Provided*, That existing
 19 aircraft being replaced may be sold, with proceeds derived
 20 or trade-in value used to offset the purchase price for the
 21 replacement aircraft.

22 OFFICE OF NATURAL RESOURCES REVENUE

23 For necessary expenses for management of the collec-
 24 tion and disbursement of royalties, fees, and other mineral
 25 revenue proceeds, and for grants and cooperative agree-

1 ments, as authorized by law, \$137,505,000, to remain
 2 available until September 30, 2020; of which \$41,727,000
 3 shall remain available until expended for the purpose of
 4 mineral revenue management activities: *Provided*, That
 5 notwithstanding any other provision of law, \$15,000 shall
 6 be available for refunds of overpayments in connection
 7 with certain Indian leases in which the Secretary con-
 8 curred with the claimed refund due, to pay amounts owed
 9 to Indian allottees or tribes, or to correct prior unrecover-
 10 able erroneous payments.

11 PAYMENTS IN LIEU OF TAXES

12 For necessary expenses for payments authorized by
 13 chapter 69 of title 31, United States Code, \$500,000,000
 14 shall be available for fiscal year 2019.

15 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

16 (INCLUDING TRANSFERS OF FUNDS)

17 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

18 SEC. 101. Appropriations made in this title shall be
 19 available for expenditure or transfer (within each bureau
 20 or office), with the approval of the Secretary, for the emer-
 21 gency reconstruction, replacement, or repair of aircraft,
 22 buildings, utilities, or other facilities or equipment dam-
 23 aged or destroyed by fire, flood, storm, or other unavoid-
 24 able causes: *Provided*, That no funds shall be made avail-
 25 able under this authority until funds specifically made

1 available to the Department of the Interior for emer-
2 gencies shall have been exhausted: *Provided further*, That
3 all funds used pursuant to this section must be replenished
4 by a supplemental appropriation, which must be requested
5 as promptly as possible.

6 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

7 SEC. 102. The Secretary may authorize the expendi-
8 ture or transfer of any no year appropriation in this title,
9 in addition to the amounts included in the budget pro-
10 grams of the several agencies, for the suppression or emer-
11 gency prevention of wildland fires on or threatening lands
12 under the jurisdiction of the Department of the Interior;
13 for the emergency rehabilitation of burned-over lands
14 under its jurisdiction; for emergency actions related to po-
15 tential or actual earthquakes, floods, volcanoes, storms, or
16 other unavoidable causes; for contingency planning subse-
17 quent to actual oil spills; for response and natural resource
18 damage assessment activities related to actual oil spills or
19 releases of hazardous substances into the environment; for
20 the prevention, suppression, and control of actual or po-
21 tential grasshopper and Mormon cricket outbreaks on
22 lands under the jurisdiction of the Secretary, pursuant to
23 the authority in section 417(b) of Public Law 106–224
24 (7 U.S.C. 7717(b)); for emergency reclamation projects
25 under section 410 of Public Law 95–87; and shall trans-

1 fer, from any no year funds available to the Office of Sur-
2 face Mining Reclamation and Enforcement, such funds as
3 may be necessary to permit assumption of regulatory au-
4 thority in the event a primacy State is not carrying out
5 the regulatory provisions of the Surface Mining Act: *Pro-*
6 *vided*, That appropriations made in this title for wildland
7 fire operations shall be available for the payment of obliga-
8 tions incurred during the preceding fiscal year, and for
9 reimbursement to other Federal agencies for destruction
10 of vehicles, aircraft, or other equipment in connection with
11 their use for wildland fire operations, with such reimburse-
12 ment to be credited to appropriations currently available
13 at the time of receipt thereof: *Provided further*, That for
14 wildland fire operations, no funds shall be made available
15 under this authority until the Secretary determines that
16 funds appropriated for “wildland fire suppression” shall
17 be exhausted within 30 days: *Provided further*, That all
18 funds used pursuant to this section must be replenished
19 by a supplemental appropriation, which must be requested
20 as promptly as possible: *Provided further*, That such re-
21 plenishment funds shall be used to reimburse, on a pro
22 rata basis, accounts from which emergency funds were
23 transferred.

1 AUTHORIZED USE OF FUNDS

2 SEC. 103. Appropriations made to the Department
3 of the Interior in this title shall be available for services
4 as authorized by section 3109 of title 5, United States
5 Code, when authorized by the Secretary, in total amount
6 not to exceed \$500,000; purchase and replacement of
7 motor vehicles, including specially equipped law enforce-
8 ment vehicles; hire, maintenance, and operation of air-
9 craft; hire of passenger motor vehicles; purchase of re-
10 prints; payment for telephone service in private residences
11 in the field, when authorized under regulations approved
12 by the Secretary; and the payment of dues, when author-
13 ized by the Secretary, for library membership in societies
14 or associations which issue publications to members only
15 or at a price to members lower than to subscribers who
16 are not members.

17 AUTHORIZED USE OF FUNDS, INDIAN TRUST

18 MANAGEMENT

19 SEC. 104. Appropriations made in this Act under the
20 headings Bureau of Indian Affairs and Bureau of Indian
21 Education, and Office of the Special Trustee for American
22 Indians and any unobligated balances from prior appro-
23 priations Acts made under the same headings shall be
24 available for expenditure or transfer for Indian trust man-
25 agement and reform activities. Total funding for historical

1 accounting activities shall not exceed amounts specifically
2 designated in this Act for such purpose.

3 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
4 AFFAIRS

5 SEC. 105. Notwithstanding any other provision of
6 law, the Secretary of the Interior is authorized to redis-
7 tribute any Tribal Priority Allocation funds, including
8 tribal base funds, to alleviate tribal funding inequities by
9 transferring funds to address identified, unmet needs,
10 dual enrollment, overlapping service areas or inaccurate
11 distribution methodologies. No tribe shall receive a reduc-
12 tion in Tribal Priority Allocation funds of more than 10
13 percent in fiscal year 2019. Under circumstances of dual
14 enrollment, overlapping service areas or inaccurate dis-
15 tribution methodologies, the 10 percent limitation does not
16 apply.

17 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

18 SEC. 106. Notwithstanding any other provision of
19 law, the Secretary of the Interior is authorized to acquire
20 lands, waters, or interests therein including the use of all
21 or part of any pier, dock, or landing within the State of
22 New York and the State of New Jersey, for the purpose
23 of operating and maintaining facilities in the support of
24 transportation and accommodation of visitors to Ellis,
25 Governors, and Liberty Islands, and of other program and

1 administrative activities, by donation or with appropriated
2 funds, including franchise fees (and other monetary con-
3 sideration), or by exchange; and the Secretary is author-
4 ized to negotiate and enter into leases, subleases, conces-
5 sion contracts or other agreements for the use of such fa-
6 cilities on such terms and conditions as the Secretary may
7 determine reasonable.

8 OUTER CONTINENTAL SHELF INSPECTION FEES

9 SEC. 107. (a) In fiscal year 2019, the Secretary shall
10 collect a nonrefundable inspection fee, which shall be de-
11 posited in the “Offshore Safety and Environmental En-
12 forcement” account, from the designated operator for fa-
13 cilities subject to inspection under 43 U.S.C. 1348(c).

14 (b) Annual fees shall be collected for facilities that
15 are above the waterline, excluding drilling rigs, and are
16 in place at the start of the fiscal year. Fees for fiscal year
17 2019 shall be:

18 (1) \$10,500 for facilities with no wells, but with
19 processing equipment or gathering lines;

20 (2) \$17,000 for facilities with 1 to 10 wells,
21 with any combination of active or inactive wells; and

22 (3) \$31,500 for facilities with more than 10
23 wells, with any combination of active or inactive
24 wells.

1 (c) Fees for drilling rigs shall be assessed for all in-
2 spections completed in fiscal year 2019. Fees for fiscal
3 year 2019 shall be:

4 (1) \$30,500 per inspection for rigs operating in
5 water depths of 500 feet or more; and

6 (2) \$16,700 per inspection for rigs operating in
7 water depths of less than 500 feet.

8 (d) The Secretary shall bill designated operators
9 under subsection (b) within 60 days, with payment re-
10 quired within 30 days of billing. The Secretary shall bill
11 designated operators under subsection (c) within 30 days
12 of the end of the month in which the inspection occurred,
13 with payment required within 30 days of billing.

14 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
15 AND ENFORCEMENT REORGANIZATION

16 SEC. 108. The Secretary of the Interior, in order to
17 implement a reorganization of the Bureau of Ocean En-
18 ergy Management, Regulation and Enforcement, may
19 transfer funds among and between the successor offices
20 and bureaus affected by the reorganization only in con-
21 formance with the reprogramming guidelines described in
22 the report accompanying this Act.

1 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
2 BURRO HOLDING FACILITIES

3 SEC. 109. Notwithstanding any other provision of
4 this Act, the Secretary of the Interior may enter into
5 multiyear cooperative agreements with nonprofit organiza-
6 tions and other appropriate entities, and may enter into
7 multiyear contracts in accordance with the provisions of
8 section 3903 of title 41, United States Code (except that
9 the 5-year term restriction in subsection (a) shall not
10 apply), for the long-term care and maintenance of excess
11 wild free roaming horses and burros by such organizations
12 or entities on private land. Such cooperative agreements
13 and contracts may not exceed 10 years, subject to renewal
14 at the discretion of the Secretary.

15 MASS MARKING OF SALMONIDS

16 SEC. 110. The United States Fish and Wildlife Serv-
17 ice shall, in carrying out its responsibilities to protect
18 threatened and endangered species of salmon, implement
19 a system of mass marking of salmonid stocks, intended
20 for harvest, that are released from federally operated or
21 federally financed hatcheries including but not limited to
22 fish releases of coho, chinook, and steelhead species.
23 Marked fish must have a visible mark that can be readily
24 identified by commercial and recreational fishers.

1 EXHAUSTION OF ADMINISTRATIVE REVIEW

2 SEC. 111. Paragraph (1) of section 122(a) of division
3 E of Public Law 112–74 (125 Stat. 1013) is amended
4 by striking “fiscal years 2012 through 2022,” in the first
5 sentence and inserting “fiscal year 2012 and each fiscal
6 year thereafter,”.

7 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

8 SEC. 112. Notwithstanding any other provision of
9 law, during fiscal year 2019, in carrying out work involv-
10 ing cooperation with State, local, and tribal governments
11 or any political subdivision thereof, Indian Affairs may
12 record obligations against accounts receivable from any
13 such entities, except that total obligations at the end of
14 the fiscal year shall not exceed total budgetary resources
15 available at the end of the fiscal year.

16 HUMANE TRANSFER OF EXCESS ANIMALS

17 SEC. 113. Notwithstanding any other provision of
18 law, the Secretary of the Interior may transfer excess wild
19 horses or burros that have been removed from the public
20 lands to other Federal, State, and local government agen-
21 cies for use as work animals: *Provided*, That the Secretary
22 may make any such transfer immediately upon request of
23 such Federal, State, or local government agency: *Provided*
24 *further*, That any excess animal transferred under this
25 provision shall lose its status as a wild free-roaming horse

1 or burro as defined in the Wild Free-Roaming Horses and
2 Burros Act: *Provided further*, That any Federal, State, or
3 local government agency receiving excess wild horses or
4 burros as authorized in this section shall not: destroy the
5 horses or burros in a way that results in their destruction
6 into commercial products; sell or otherwise transfer the
7 horses or burros in a way that results in their destruction
8 for processing into commercial products; or euthanize the
9 horses or burros except upon the recommendation of a li-
10 censed veterinarian, in cases of severe injury, illness, or
11 advanced age.

12 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
13 PROGRAM

14 SEC. 114. (a) Notwithstanding any other provision
15 of law relating to Federal grants and cooperative agree-
16 ments, the Secretary of the Interior is authorized to make
17 grants to, or enter into cooperative agreements with, pri-
18 vate nonprofit organizations designated by the Secretary
19 of Labor under title V of the Older Americans Act of 1965
20 to utilize the talents of older Americans in programs au-
21 thorized by other provisions of law administered by the
22 Secretary and consistent with such provisions of law.

23 (b) Prior to awarding any grant or agreement under
24 subsection (a), the Secretary shall ensure that the agree-
25 ment would not—

SEC. 115. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

- (1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);
- (2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse; or
- (3) a final rule for the Bi-State distinct population segment of greater sage-grouse.

24 SEC. 116. (a) The final rule published on September
25 10, 2012 (77 Fed. Reg. 55530) that was reinstated on

1 March 3, 2017, by the decision of the U.S. Court of Ap-
2 peals for the District of Columbia (No. 14-5300) and fur-
3 ther republished on May 1, 2017 (82 Fed. Reg. 20284)
4 that reinstates the removal of Federal protections for the
5 gray wolf in Wyoming under the Endangered Species Act
6 of 1973 (16 U.S.C. 1531 et seq.), and this subsection,
7 shall not be subject to judicial review.

8 (b) Before the end of the 60-day period beginning on
9 the date of enactment of this Act, the Secretary of the
10 Interior shall reissue the final rule published on December
11 28, 2011 (76 Fed. Reg. 81666), without regard to any
12 other provision of statute or regulation that applies to
13 issuance of such rule. Such reissuance (including this sub-
14 section) shall not be subject to judicial review.

15 GRAY WOLVES RANGE-WIDE

16 SEC. 117. (a) Not later than the end of fiscal year
17 2019, and except as provided in subsection (b), the Sec-
18 retary of the Interior shall issue a rule to remove the gray
19 wolf (*Canis lupus*) in each of the 48 contiguous States
20 of the United States and the District of Columbia from
21 the List of Endangered and Threatened Wildlife in section
22 17.11 of title 50, Code of Federal Regulations, without
23 regard to any other provision of statute or regulation that
24 applies to issuance of such rule.

25 (b) Such issuance (including this section)—

1 (1) shall not be subject to judicial review; and

2 (2) shall not affect the inclusion of the sub-
3 species classified as the Mexican gray wolf (*Canis*
4 *lupus baileyi*) of the species gray wolf (*Canis lupus*)
5 in such list.

6 TRIBAL SOVEREIGNTY

7 SEC. 118. None of the funds made available by this
8 or any other Act may be used to enforce, refer for enforce-
9 ment, or to assist any other agency in enforcing section
10 251 of title 25, United States Code.

11 CONTRIBUTION AUTHORITY

12 SEC. 119. Section 113 of Division G of Public Law
13 113–76 is amended by striking “2019,” and inserting
14 “2024,”.

15 PROHIBITION ON USE OF FUNDS FOR CERTAIN HISTORIC

16 DESIGNATION

17 SEC. 120. None of the funds made available by this
18 Act may be used to make a determination of eligibility
19 or to list the Trestles Historic District, San Diego County,
20 California, on the National Register of Historic Places.

21 INDIANA DUNES NATIONAL LAKESHORE RETITLED; PAUL

22 H. DOUGLAS TRAIL REDESIGNATION

23 SEC. 121. (a) INDIANA DUNES NATIONAL LAKE
24 SHORE RETITLED.—

(A) by striking “National Lakeshore” and
“national lakeshore” each place it appears and
inserting “National Park”; and

6 (B) by striking “lakeshore” each place it
7 appears and inserting “Park”.

8 (2) NONAPPLICATION.—The amendment made
9 by subsection (a)(1) shall not apply to—

(A) the title of the map referred to in the first section of Public Law 89-761 (16 U.S.C. 460u); and

(B) the title of the maps referred to in section 4 of Public Law 89-761 (16 U.S.C. 460u-3).

(b) PAUL H. DOUGLAS TRAIL REDESIGNATION.—
The 1.6 mile trail within the Indiana Dunes National Park
designated the “Miller-Woods Trail” is hereby redesignated as the “Paul H. Douglas Trail”.

20 RESTRICTION ON USE OF FUNDS RELATED TO WATER
21 RIGHTS

22 SEC. 122. None of the funds made available in this
23 or any other Act may be used—

(1) to condition the issuance, renewal, amend-
ment, or extension of any permit, approval, license,

1 lease, allotment, easement, right-of-way, or other
2 land use or occupancy agreement on the transfer of
3 any water right, including sole and joint ownership,
4 directly to the United States, or any impairment of
5 title, in whole or in part, granted or otherwise recog-
6 nized under State law, by Federal or State adjudica-
7 tion, decree, or other judgment, or pursuant to any
8 interstate water compact; or

9 (2) to require any water user to apply for or ac-
10 quire a water right in the name of the United States
11 under State law as a condition of the issuance, re-
12 newal, amendment, or extension of any permit, ap-
13 proval, license, lease, allotment, easement, right-of-
14 way, or other land use or occupancy agreement.

15 TITLE II

16 ENVIRONMENTAL PROTECTION AGENCY

17 SCIENCE AND TECHNOLOGY

18 (INCLUDING RESCISSION OF FUNDS)

19 For science and technology, including research and
20 development activities, which shall include research and
21 development activities under the Comprehensive Environ-
22 mental Response, Compensation, and Liability Act of
23 1980; necessary expenses for personnel and related costs
24 and travel expenses; procurement of laboratory equipment
25 and supplies; and other operating expenses in support of

1 research and development, \$651,113,000 (reduced by
2 \$500,000) (increased by \$500,000), to remain available
3 until September 30, 2020: *Provided*, That of the funds
4 included under this heading, \$4,100,000 shall be for Re-
5 search: National Priorities as specified in the report ac-
6 companying this Act: *Provided further*, That of unobli-
7 gated balances from appropriations made available under
8 this heading, \$7,350,000 are permanently rescinded.

9 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

10 (INCLUDING RESCISSION OF FUNDS)

11 For environmental programs and management, in-
12 cluding necessary expenses, not otherwise provided for, for
13 personnel and related costs and travel expenses; hire of
14 passenger motor vehicles; hire, maintenance, and oper-
15 ation of aircraft; purchase of reprints; library member-
16 ships in societies or associations which issue publications
17 to members only or at a price to members lower than to
18 subscribers who are not members; administrative costs of
19 the brownfields program under the Small Business Liabil-
20 ity Relief and Brownfields Revitalization Act of 2002; im-
21 plementation of a coal combustion residual permit pro-
22 gram under section 2301 of the Water and Waste Act of
23 2016; and not to exceed \$19,000 for official reception and
24 representation expenses, \$2,473,282,000 (reduced by
25 \$30,000,000) (increased by \$4,000,000) (reduced by

1 \$468,000) (increased by \$468,000), to remain available
2 until September 30, 2020: *Provided*, That of the amounts
3 provided under this heading, the Chemical Risk Review
4 and Reduction program project shall be allocated for this
5 fiscal year, excluding the amount of any fees made avail-
6 able, not less than the amount of appropriations for that
7 program project for fiscal year 2014: *Provided further*,
8 That of the funds included under this heading,
9 \$12,700,000 shall be for Environmental Protection: Na-
10 tional Priorities as specified in the report accompanying
11 this Act: *Provided further*, That of the funds included
12 under this heading, \$434,857,000 (increased by
13 \$4,000,000) shall be for Geographic Programs specified
14 in the report accompanying this Act: *Provided further*,
15 That of the unobligated balances from appropriations
16 made available under this heading, \$40,000,000 are per-
17 manently rescinded.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, \$41,489,000, to remain available
22 until September 30, 2020.

23 BUILDINGS AND FACILITIES

24 For construction, repair, improvement, extension, al-
25 teration, and purchase of fixed equipment or facilities of,

1 or for use by, the Environmental Protection Agency,
2 \$39,553,000, to remain available until expended.

3 HAZARDOUS SUBSTANCE SUPERFUND

4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses to carry out the Comprehen-
6 sive Environmental Response, Compensation, and Liabil-
7 ity Act of 1980 (CERCLA), including sections 111(c)(3),
8 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
9 \$1,127,090,000, to remain available until expended, con-
10 sisting of such sums as are available in the Trust Fund
11 on September 30, 2018, as authorized by section 517(a)
12 of the Superfund Amendments and Reauthorization Act
13 of 1986 (SARA) and up to \$1,127,090,000 as a payment
14 from general revenues to the Hazardous Substance Super-
15 fund for purposes as authorized by section 517(b) of
16 SARA: *Provided*, That funds appropriated under this
17 heading may be allocated to other Federal agencies in ac-
18 cordance with section 111(a) of CERCLA: *Provided fur-*
19 *ther*, That of the funds appropriated under this heading,
20 \$8,778,000 shall be paid to the “Office of Inspector Gen-
21 eral” appropriation to remain available until September
22 30, 2020, and \$15,496,000 shall be paid to the “Science
23 and Technology” appropriation to remain available until
24 September 30, 2020.

1 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
2 PROGRAM

3 For necessary expenses to carry out leaking under-
4 ground storage tank cleanup activities authorized by sub-
5 title I of the Solid Waste Disposal Act, \$91,941,000, to
6 remain available until expended, of which \$66,572,000
7 shall be for carrying out leaking underground storage tank
8 cleanup activities authorized by section 9003(h) of the
9 Solid Waste Disposal Act; \$25,369,000 shall be for car-
10 rying out the other provisions of the Solid Waste Disposal
11 Act specified in section 9508(c) of the Internal Revenue
12 Code: *Provided*, That the Administrator is authorized to
13 use appropriations made available under this heading to
14 implement section 9013 of the Solid Waste Disposal Act
15 to provide financial assistance to federally recognized In-
16 dian tribes for the development and implementation of
17 programs to manage underground storage tanks.

18 INLAND OIL SPILL PROGRAMS

19 For expenses necessary to carry out the Environ-
20 mental Protection Agency's responsibilities under the Oil
21 Pollution Act of 1990, \$18,209,000, to be derived from
22 the Oil Spill Liability trust fund, to remain available until
23 expended.

1 STATE AND TRIBAL ASSISTANCE GRANTS

2 For environmental programs and infrastructure as-
3 sistance, including capitalization grants for State revolv-
4 ing funds and performance partnership grants,
5 \$3,588,161,000 (increased by \$7,000,000), to remain
6 available until expended, of which—

7 (1) \$1,393,887,000 shall be for making capital-
8 ization grants for the Clean Water State Revolving
9 Funds under title VI of the Federal Water Pollution
10 Control Act; and of which \$863,233,000 shall be for
11 making capitalization grants for the Drinking Water
12 State Revolving Funds under section 1452 of the
13 Safe Drinking Water Act: *Provided*, That for fiscal
14 year 2019, funds made available under this title to
15 each State for Clean Water State Revolving Fund
16 capitalization grants and for Drinking Water State
17 Revolving Fund capitalization grants may, at the
18 discretion of each State, be used for projects to ad-
19 dress green infrastructure, water or energy efficiency
20 improvements, or other environmentally innovative
21 activities: *Provided further*, That notwithstanding
22 section 603(d)(7) of the Federal Water Pollution
23 Control Act, the limitation on the amounts in a
24 State water pollution control revolving fund that
25 may be used by a State to administer the fund shall

1 not apply to amounts included as principal in loans
2 made by such fund in fiscal year 2019 and prior
3 years where such amounts represent costs of admin-
4 istering the fund to the extent that such amounts
5 are or were deemed reasonable by the Administrator,
6 accounted for separately from other assets in the
7 fund, and used for eligible purposes of the fund, in-
8 cluding administration: *Provided further*, That for
9 fiscal year 2019, notwithstanding the provisions of
10 subsections (g)(1), (h), and (l) of section 201 of the
11 Federal Water Pollution Control Act, grants made
12 under title II of such Act for American Samoa,
13 Guam, the commonwealth of the Northern Marianas,
14 the United States Virgin Islands, and the District of
15 Columbia may also be made for the purpose of pro-
16 viding assistance: (1) solely for facility plans, design
17 activities, or plans, specifications, and estimates for
18 any proposed project for the construction of treat-
19 ment works; and (2) for the construction, repair, or
20 replacement of privately owned treatment works
21 serving one or more principal residences or small
22 commercial establishments: *Provided further*, That
23 for fiscal year 2019, notwithstanding the provisions
24 of such subsections (g)(1), (h), and (l) of section
25 201 and section 518(c) of the Federal Water Pollu-

1 tion Control Act, funds reserved by the Adminis-
2 trator for grants under section 518(c) of the Federal
3 Water Pollution Control Act may also be used to
4 provide assistance: (1) solely for facility plans, de-
5 sign activities, or plans, specifications, and estimates
6 for any proposed project for the construction of
7 treatment works; and (2) for the construction, re-
8 pair, or replacement of privately owned treatment
9 works serving one or more principal residences or
10 small commercial establishments: *Provided further,*
11 That for fiscal year 2019, notwithstanding any pro-
12 vision of the Federal Water Pollution Control Act
13 and regulations issued pursuant thereof, up to a
14 total of \$2,000,000 of the funds reserved by the Ad-
15 ministrator for grants under section 518(c) of such
16 Act may also be used for grants for training, tech-
17 nical assistance, and educational programs relating
18 to the operation and management of the treatment
19 works specified in section 518(c) of such Act: *Pro-*
20 *vided further,* That for fiscal year 2019, funds re-
21 served under section 518(c) of such Act shall be
22 available for grants only to Indian tribes, as defined
23 in section 518(h) of such Act and former Indian res-
24 ervations in Oklahoma (as determined by the Sec-
25 retary of the Interior) and Native Villages as defined

1 in Public Law 92–203: *Provided further*, That for
2 fiscal year 2019, notwithstanding the limitation on
3 amounts in section 518(c) of the Federal Water Pol-
4 lution Control Act, up to a total of 2 percent of the
5 funds appropriated, or \$30,000,000, whichever is
6 greater, and notwithstanding the limitation on
7 amounts in section 1452(i) of the Safe Drinking
8 Water Act, up to a total of 2 percent of the funds
9 appropriated, or \$20,000,000, whichever is greater,
10 for State Revolving Funds under such Acts may be
11 reserved by the Administrator for grants under sec-
12 tion 518(c) and section 1452(i) of such Acts: *Pro-*
13 *vided further*, That for fiscal year 2019, notwith-
14 standing the amounts specified in section 205(c) of
15 the Federal Water Pollution Control Act, up to 1.5
16 percent of the aggregate funds appropriated for the
17 Clean Water State Revolving Fund program under
18 the Act less any sums reserved under section 518(c)
19 of the Act, may be reserved by the Administrator for
20 grants made under title II of the Federal Water Pol-
21 lution Control Act for American Samoa, Guam, the
22 Commonwealth of the Northern Marianas, and
23 United States Virgin Islands: *Provided further*, That
24 for fiscal year 2019, notwithstanding the limitations
25 on amounts specified in section 1452(j) of the Safe

1 Drinking Water Act, up to 1.5 percent of the funds
2 appropriated for the Drinking Water State Revolv-
3 ing Fund programs under the Safe Drinking Water
4 Act may be reserved by the Administrator for grants
5 made under section 1452(j) of the Safe Drinking
6 Water Act: *Provided further*, That 10 percent of the
7 funds made available under this title to each State
8 for Clean Water State Revolving Fund capitalization
9 grants and 20 percent of the funds made available
10 under this title to each State for Drinking Water
11 State Revolving Fund capitalization grants shall be
12 used by the State to provide additional subsidy to el-
13 igible recipients in the form of forgiveness of prin-
14 cipal, negative interest loans, or grants (or any com-
15 bination of these), and shall be so used by the State
16 only where such funds are provided as initial financ-
17 ing for an eligible recipient or to buy, refinance, or
18 restructure the debt obligations of eligible recipients
19 only where such debt was incurred on or after the
20 date of enactment of this Act;

21 (2) \$10,000,000 shall be for architectural, engi-
22 neering, planning, design, construction and related
23 activities in connection with the construction of high
24 priority water and wastewater facilities in the area
25 of the United States-Mexico Border, after consulta-

1 tion with the appropriate border commission: *Pro-*
2 *vided*, That no funds provided by this appropriations
3 Act to address the water, wastewater and other crit-
4 ical infrastructure needs of the colonias in the
5 United States along the United States-Mexico bor-
6 der shall be made available to a county or municipal
7 government unless that government has established
8 an enforceable local ordinance, or other zoning rule,
9 which prevents in that jurisdiction the development
10 or construction of any additional colonia areas, or
11 the development within an existing colonia the con-
12 struction of any new home, business, or other struc-
13 ture which lacks water, wastewater, or other nec-
14 essary infrastructure;

15 (3) \$20,000,000 shall be for grants to the State
16 of Alaska to address drinking water and wastewater
17 infrastructure needs of rural and Alaska Native Vil-
18 lages: *Provided*, That of these funds: (A) the State
19 of Alaska shall provide a match of 25 percent; (B)
20 no more than 5 percent of the funds may be used
21 for administrative and overhead expenses; and (C)
22 the State of Alaska shall make awards consistent
23 with the Statewide priority list established in con-
24 junction with the Agency and the U.S. Department
25 of Agriculture for all water, sewer, waste disposal,

1 and similar projects carried out by the State of Alas-
2 ka that are funded under section 221 of the Federal
3 Water Pollution Control Act (33 U.S.C. 1301) or
4 the Consolidated Farm and Rural Development Act
5 (7 U.S.C. 1921 et seq.) which shall allocate not less
6 than 25 percent of the funds provided for projects
7 in regional hub communities;

8 (4) \$80,000,000 (increased by \$7,000,000)
9 shall be to carry out section 104(k) of the Com-
10 prehensive Environmental Response, Compensation,
11 and Liability Act of 1980 (CERCLA), including
12 grants, interagency agreements, and associated pro-
13 gram support costs: *Provided*, That not more than
14 25 percent of the amount appropriated to carry out
15 section 104(k) of CERCLA shall be used for site
16 characterization, assessment, and remediation of fa-
17 cilities described in section 101(39)(D)(ii)(II) of
18 CERCLA: *Provided further*, That at least 10 percent
19 shall be allocated for assistance in persistent poverty
20 counties: *Provided further* That for purposes of this
21 section, the term “persistent poverty counties”
22 means any county that has had 20 percent or more
23 of its population living in poverty over the past 30
24 years, as measured by the 1990 and 2000 decennial

1 censuses and the most recent Small Area Income
2 and Poverty Estimates;

3 (5) \$100,000,000 shall be for grants under title
4 VII, subtitle G of the Energy Policy Act of 2005;

5 (6) \$55,000,000 shall be for targeted airshed
6 grants in accordance with the terms and conditions
7 in the explanatory statement described in section 4
8 (in the matter preceding division A of this consoli-
9 dated Act);

10 (7) \$1,066,041,000 shall be for grants, includ-
11 ing associated program support costs, to States, fed-
12 erally recognized tribes, interstate agencies, tribal
13 consortia, and air pollution control agencies for
14 multi-media or single media pollution prevention,
15 control and abatement and related activities, includ-
16 ing activities pursuant to the provisions set forth
17 under this heading in Public Law 104–134, and for
18 making grants under section 103 of the Clean Air
19 Act for particulate matter monitoring and data col-
20 lection activities subject to terms and conditions
21 specified by the Administrator, of which:
22 \$47,745,000 shall be for carrying out section 128 of
23 CERCLA; \$9,646,000 shall be for Environmental
24 Information Exchange Network grants, including as-
25 sociated program support costs; \$1,498,000 shall be

1 for grants to States under section 2007(f)(2) of the
2 Solid Waste Disposal Act, which shall be in addition
3 to funds appropriated under the heading “Leaking
4 Underground Storage Tank Trust Fund Program”
5 to carry out the provisions of the Solid Waste Dis-
6 posal Act specified in section 9508(c) of the Internal
7 Revenue Code other than section 9003(h) of the
8 Solid Waste Disposal Act; \$17,848,000 of the funds
9 available for grants under section 106 of the Federal
10 Water Pollution Control Act shall be for State par-
11 ticipation in national- and State-level statistical sur-
12 veys of water resources and enhancements to State
13 monitoring programs.

14 WATER INFRASTRUCTURE FINANCE AND INNOVATION
15 PROGRAM ACCOUNT

16 For the cost of direct loans and for the cost of guar-
17 anteed loans, as authorized by the Water Infrastructure
18 Finance and Innovation Act of 2014, \$45,000,000, to re-
19 main available until expended: *Provided*, That such costs,
20 including the cost of modifying such loans, shall be as de-
21 fined in section 502 of the Congressional Budget Act of
22 1974: *Provided further*, That these funds are available to
23 subsidize gross obligations for the principal amount of di-
24 rect loans, including capitalized interest, and total loan

1 principal, including capitalized interest, any part of which
2 is to be guaranteed, not to exceed \$5,488,000,000.

3 In addition, fees authorized to be collected pursuant
4 to sections 5029 and 5030 of the Water Infrastructure
5 Finance and Innovation Act of 2014 shall be deposited
6 in this account, to remain available until expended, for the
7 purposes provided in such sections.

8 In addition, for administrative expenses to carry out
9 the direct and guaranteed loan programs, notwithstanding
10 section 5033 of the Water Infrastructure Finance and In-
11 novation Act of 2014, \$5,000,000 (increased by
12 \$2,000,000), to remain available until September 30,
13 2020.

14 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL
15 PROTECTION AGENCY

16 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

17 For fiscal year 2019, notwithstanding 31 U.S.C.
18 6303(1) and 6305(1), the Administrator of the Environ-
19 mental Protection Agency, in carrying out the Agency's
20 function to implement directly Federal environmental pro-
21 grams required or authorized by law in the absence of an
22 acceptable tribal program, may award cooperative agree-
23 ments to federally recognized Indian tribes or Intertribal
24 consortia, if authorized by their member tribes, to assist
25 the Administrator in implementing Federal environmental

1 programs for Indian tribes required or authorized by law,
2 except that no such cooperative agreements may be award-
3 ed from funds designated for State financial assistance
4 agreements.

5 The Administrator of the Environmental Protection
6 Agency is authorized to collect and obligate pesticide reg-
7 istration service fees in accordance with section 33 of the
8 Federal Insecticide, Fungicide, and Rodenticide Act, as
9 amended by Public Law 112–177, the Pesticide Registra-
10 tion Improvement Extension Act of 2012.

11 Notwithstanding section 33(d)(2) of the Federal In-
12 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
13 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
14 mental Protection Agency may assess fees under section
15 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2019.

16 Notwithstanding any other provision of law, in addi-
17 tion to the activities specified in section 33 of the Federal
18 Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7
19 U.S.C. 136w–8), fees collected in this and prior fiscal
20 years under such section shall be available for the fol-
21 lowing activities as they relate to pesticide licensing: proc-
22 essing and review of data submitted in association with
23 a registration, information submitted pursuant to section
24 6(a)(2) of FIFRA, supplemental distributor labels, trans-
25 fers of registrations and data compensation rights, addi-

1 tional uses registered by States under section 24(c) of
2 FIFRA, data compensation petitions, review of minor
3 amendments, and notifications; laboratory support and
4 audits; administrative support; development of policy and
5 guidance; rulemaking support; information collection ac-
6 tivities; and the portions of salaries related to work in
7 these areas.

8 The Administrator is authorized to transfer up to
9 \$300,000,000 of the funds appropriated for the Great
10 Lakes Restoration Initiative under the heading “Environ-
11 mental Programs and Management” to the head of any
12 Federal department or agency, with the concurrence of
13 such head, to carry out activities that would support the
14 Great Lakes Restoration Initiative and Great Lakes
15 Water Quality Agreement programs, projects, or activities;
16 to enter into an interagency agreement with the head of
17 such Federal department or agency to carry out these ac-
18 tivities; and to make grants to governmental entities, non-
19 profit organizations, institutions, and individuals for plan-
20 ning, research, monitoring, outreach, and implementation
21 in furtherance of the Great Lakes Restoration Initiative
22 and the Great Lakes Water Quality Agreement.

23 The Administrator of the Environmental Protection
24 Agency is authorized to collect and obligate fees in accord-

1 ance with section 26(b) of the Toxic Substances Control
2 Act (15 U.S.C. 2625(b)) for fiscal year 2019.

3 The Administrator of the Environmental Protection
4 Agency is authorized to collect and obligate fees in accord-
5 ance with section 3204 of the Solid Waste Disposal Act
6 (42 U.S.C. 6939g) for fiscal year 2019.

7 The Science and Technology, Environmental Pro-
8 grams and Management, Office of Inspector General, Haz-
9 ardous Substance Superfund, and Leaking Underground
10 Storage Tank Trust Fund Program Accounts, are avail-
11 able for the construction, alteration, repair, rehabilitation,
12 and renovation of facilities, provided that the cost does
13 not exceed \$150,000 per project.

14 For fiscal year 2019, and notwithstanding section
15 518(f) of the Federal Water Pollution Control Act (33
16 U.S.C. 1377(f)), the Administrator is authorized to use
17 the amounts appropriated for any fiscal year under section
18 319 of the Act to make grants to Indian tribes pursuant
19 to sections 319(h) and 518(e) of that Act.

20 Of the unobligated balances available for the “State
21 and Tribal Assistance Grants” account, \$75,000,000 are
22 hereby permanently rescinded: *Provided*, That no amounts
23 may be rescinded from amounts that were designated by
24 the Congress as an emergency requirement pursuant to

1 the Concurrent Resolution on the Budget or the Balanced
2 Budget and Emergency Deficit Control Act of 1985.

3 Notwithstanding the limitations on amounts in sec-
4 tion 320(i)(2)(B) of the Federal Water Pollution Control
5 Act, not less than \$1,500,000 of the funds made available
6 under this title for the National Estuary Program shall
7 be for making competitive awards described in section
8 320(g)(4).

9 The Administrator of the Environmental Protection
10 Agency is not authorized to obligate or expend more than
11 \$50 of the funds made available under this title for the
12 purchase of any individual fountain pen.

13 TITLE III

14 RELATED AGENCIES

15 DEPARTMENT OF AGRICULTURE

16 OFFICE OF THE UNDER SECRETARY FOR NATURAL 17 RESOURCES AND ENVIRONMENT

18 For necessary expenses of the Office of the Under
19 Secretary for Natural Resources and Environment,
20 \$875,000: *Provided*, That funds made available by this
21 Act to any agency in the Natural Resources and Environ-
22 ment mission area for salaries and expenses are available
23 to fund up to one administrative support staff for the of-
24 fice.

1 FOREST SERVICE

2 FOREST AND RANGELAND RESEARCH

3 For necessary expenses of forest and rangeland re-
4 search as authorized by law, \$297,000,000 (reduced by
5 \$5,000,000), to remain available through September 30,
6 2020: *Provided*, That of the funds provided, \$77,000,000
7 is for the forest inventory and analysis program.

8 STATE AND PRIVATE FORESTRY

9 For necessary expenses of cooperating with and pro-
10 viding technical and financial assistance to States, terri-
11 tories, possessions, and others, and for forest health man-
12 agement, and conducting an international program as au-
13 thorized, \$334,945,000 (increased by \$5,000,000) (re-
14 duced by \$5,000,000) (increased by \$2,000,000), to re-
15 main available through September 30, 2020, as authorized
16 by law; of which \$48,445,000 is to be derived from the
17 Land and Water Conservation Fund to be used for the
18 Forest Legacy Program, to remain available until ex-
19 pended.

20 NATIONAL FOREST SYSTEM

21 For necessary expenses of the Forest Service, not
22 otherwise provided for, for management, protection, im-
23 provement, and utilization of the National Forest System,
24 and for hazardous fuels management on or adjacent to
25 such lands, \$1,972,000,000 (increased by \$4,500,000), to

1 remain available through September 30, 2020: *Provided*,
2 That of the funds provided, \$40,000,000 shall be depos-
3 ited in the Collaborative Forest Landscape Restoration
4 Fund for ecological restoration treatments as authorized
5 by 16 U.S.C. 7303(f): *Provided further*, That of the funds
6 provided, \$380,000,000 shall be for forest products: *Pro-*
7 *vided further*, That of the funds provided, \$450,000,000
8 shall be for hazardous fuels management activities, of
9 which not to exceed \$15,000,000 may be used to make
10 grants, using any authorities available to the Forest Serv-
11 ice under the “State and Private Forestry” appropriation,
12 for the purpose of creating incentives for increased use
13 of biomass from National Forest System lands: *Provided*
14 *further*, That \$15,000,000 may be used by the Secretary
15 of Agriculture to enter into procurement contracts or co-
16 operative agreements or to issue grants for hazardous
17 fuels management activities, and for training or moni-
18 toring associated with such hazardous fuels management
19 activities on Federal land, or on non-Federal land if the
20 Secretary determines such activities benefit resources on
21 Federal land: *Provided further*, That funds made available
22 to implement the Community Forestry Restoration Act,
23 Public Law 106–393, title VI, shall be available for use
24 on non-Federal lands in accordance with authorities made

1 available to the Forest Service under the “State and Pri-
2 vate Forestry” appropriations.

3 CAPITAL IMPROVEMENT AND MAINTENANCE

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses of the Forest Service, not
6 otherwise provided for, \$499,000,000, to remain available
7 through September 30, 2020, for construction, capital im-
8 provement, maintenance and acquisition of buildings and
9 other facilities and infrastructure; and for construction,
10 reconstruction, decommissioning of roads that are no
11 longer needed, including unauthorized roads that are not
12 part of the transportation system, and maintenance of for-
13 est roads and trails by the Forest Service as authorized
14 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
15 *vided*, That funds becoming available in fiscal year 2019
16 under the Act of March 4, 1913 (16 U.S.C. 501) shall
17 be transferred to the General Fund of the Treasury and
18 shall not be available for transfer or obligation for any
19 other purpose unless the funds are appropriated.

20 LAND ACQUISITION

21 For expenses necessary to carry out the provisions
22 of chapter 2003 of title 54, United States Code, including
23 administrative expenses, and for acquisition of land or
24 waters, or interest therein, in accordance with statutory
25 authority applicable to the Forest Service, \$34,761,000,

1 to be derived from the Land and Water Conservation
2 Fund and to remain available until expended.

3 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
4 ACTS

5 For acquisition of lands within the exterior bound-
6 aries of the Cache, Uinta, and Wasatch National Forests,
7 Utah; the Toiyabe National Forest, Nevada; and the An-
8 geles, San Bernardino, Sequoia, and Cleveland National
9 Forests, California; and the Ozark-St. Francis and
10 Ouachita National Forests, Arkansas; as authorized by
11 law, \$700,000, to be derived from forest receipts.

12 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

13 For acquisition of lands, such sums, to be derived
14 from funds deposited by State, county, or municipal gov-
15 ernments, public school districts, or other public school au-
16 thorities, and for authorized expenditures from funds de-
17 posited by non-Federal parties pursuant to Land Sale and
18 Exchange Acts, pursuant to the Act of December 4, 1967
19 (16 U.S.C. 484a), to remain available through September
20 30, 2020, (16 U.S.C. 516–617a, 555a; Public Law 96–
21 586; Public Law 76–589, 76–591; and Public Law 78–
22 310).

23 RANGE BETTERMENT FUND

24 For necessary expenses of range rehabilitation, pro-
25 tection, and improvement, 50 percent of all moneys re-

1 ceived during the prior fiscal year, as fees for grazing do-
 2 mestic livestock on lands in National Forests in the 16
 3 Western States, pursuant to section 401(b)(1) of Public
 4 Law 94–579, to remain available through September 30,
 5 2020, of which not to exceed 6 percent shall be available
 6 for administrative expenses associated with on-the-ground
 7 range rehabilitation, protection, and improvements.

8 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
 9 RANGELAND RESEARCH

10 For expenses authorized by 16 U.S.C. 1643(b),
 11 \$45,000, to remain available through September 30, 2020,
 12 to be derived from the fund established pursuant to the
 13 above Act.

14 MANAGEMENT OF NATIONAL FOREST LANDS FOR
 15 SUBSISTENCE USES

16 For necessary expenses of the Forest Service to man-
 17 age Federal lands in Alaska for subsistence uses under
 18 title VIII of the Alaska National Interest Lands Conserva-
 19 tion Act (16 U.S.C. 3111 et seq.), \$1,850,000, to remain
 20 available through September 30, 2020.

21 WILDLAND FIRE MANAGEMENT
 22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses for forest fire presuppression
 24 activities on National Forest System lands, for emergency
 25 wildland fire suppression on or adjacent to such lands or

1 other lands under fire protection agreement, and for emer-
2 gency rehabilitation of burned-over National Forest Sys-
3 tem lands and water, \$3,004,986,000 (reduced by
4 \$2,000,000), to remain available through September 30,
5 2020: *Provided*, That such funds including unobligated
6 balances under this heading, are available for repayment
7 of advances from other appropriations accounts previously
8 transferred for such purposes: *Provided further*, That any
9 unobligated funds appropriated in a previous fiscal year
10 for hazardous fuels management may be transferred to the
11 “National Forest System” account: *Provided further*, That
12 such funds shall be available to reimburse State and other
13 cooperating entities for services provided in response to
14 wildfire and other emergencies or disasters to the extent
15 such reimbursements by the Forest Service for non-fire
16 emergencies are fully repaid by the responsible emergency
17 management agency: *Provided further*, That funds pro-
18 vided shall be available for support to Federal emergency
19 response: *Provided further*, That the costs of implementing
20 any cooperative agreement between the Federal Govern-
21 ment and any non-Federal entity may be shared, as mutu-
22 ally agreed on by the affected parties: *Provided further*,
23 That funds designated for wildfire suppression shall be as-
24 sessed for cost pools on the same basis as such assess-
25 ments are calculated against other agency programs.

1 ADMINISTRATIVE PROVISIONS—FOREST SERVICE
2 (INCLUDING TRANSFERS OF FUNDS)

3 Appropriations to the Forest Service for the current
4 fiscal year shall be available for: (1) purchase of passenger
5 motor vehicles; acquisition of passenger motor vehicles
6 from excess sources, and hire of such vehicles; purchase,
7 lease, operation, maintenance, and acquisition of aircraft
8 to maintain the operable fleet for use in Forest Service
9 wildland fire programs and other Forest Service programs;
10 notwithstanding other provisions of law, existing aircraft
11 being replaced may be sold, with proceeds derived or
12 trade-in value used to offset the purchase price for the
13 replacement aircraft; (2) services pursuant to 7 U.S.C.
14 2225, and not to exceed \$100,000 for employment under
15 5 U.S.C. 3109; (3) purchase, erection, and alteration of
16 buildings and other public improvements (7 U.S.C. 2250);
17 (4) acquisition of land, waters, and interests therein pur-
18 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
19 Volunteers in the National Forest Act of 1972 (16 U.S.C.
20 558a, 558d, and 558a note); (6) the cost of uniforms as
21 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
22 lection contracts in accordance with 31 U.S.C. 3718(c).

23 Any appropriations or funds available to the Forest
24 Service may be transferred to the Wildland Fire Manage-
25 ment appropriation for forest firefighting, emergency re-

1 habilitation of burned-over or damaged lands or waters
2 under its jurisdiction, and fire preparedness due to severe
3 burning conditions upon the Secretary's notification of the
4 House and Senate Committees on Appropriations that all
5 fire suppression funds appropriated under the heading
6 "Wildland Fire Management" will be obligated within 30
7 days: *Provided*, That all funds used pursuant to this para-
8 graph must be replenished by a supplemental appropria-
9 tion which must be requested as promptly as possible.

10 Not more than \$50,000,000 of funds appropriated to
11 the Forest Service shall be available for expenditure or
12 transfer to the Department of the Interior for wildland
13 fire management, hazardous fuels management, and State
14 fire assistance when such transfers would facilitate and
15 expedite wildland fire management programs and projects.

16 Notwithstanding any other provision of this Act, the
17 Forest Service may transfer unobligated balances of dis-
18 cretionary funds appropriated to the Forest Service by
19 this Act to or within the National Forest System Account,
20 or reprogram funds to be used for the purposes of haz-
21 ardous fuels management and urgent rehabilitation of
22 burned-over National Forest System lands and water,
23 such transferred funds shall remain available through Sep-
24 tember 30, 2020: *Provided*, That none of the funds trans-
25 ferred pursuant to this section shall be available for obli-

1 gation without written notification to and the prior ap-
2 proval of the Committees on Appropriations of both
3 Houses of Congress: *Provided further*, That this section
4 does not apply to funds derived from the Land and Water
5 Conservation Fund.

6 Funds appropriated to the Forest Service shall be
7 available for assistance to or through the Agency for Inter-
8 national Development in connection with forest and range-
9 land research, technical information, and assistance in for-
10 eign countries, and shall be available to support forestry
11 and related natural resource activities outside the United
12 States and its territories and possessions, including tech-
13 nical assistance, education and training, and cooperation
14 with U.S., private, and international organizations. The
15 Forest Service, acting for the International Program, may
16 sign direct funding agreements with foreign governments
17 and institutions as well as other domestic agencies (includ-
18 ing the U.S. Agency for International Development, the
19 Department of State, and the Millennium Challenge Cor-
20 poration), U.S. private sector firms, institutions and orga-
21 nizations to provide technical assistance and training pro-
22 grams overseas on forestry and rangeland management.

23 Funds appropriated to the Forest Service shall be
24 available for expenditure or transfer to the Department
25 of the Interior, Bureau of Land Management, for removal,

1 preparation, and adoption of excess wild horses and burros
2 from National Forest System lands, and for the perform-
3 ance of cadastral surveys to designate the boundaries of
4 such lands.

5 None of the funds made available to the Forest Serv-
6 ice in this Act or any other Act with respect to any fiscal
7 year shall be subject to transfer under the provisions of
8 section 702(b) of the Department of Agriculture Organic
9 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
10 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
11 Law 107–171 (7 U.S.C. 8316(b)).

12 None of the funds available to the Forest Service may
13 be reprogrammed without the advance approval of the
14 House and Senate Committees on Appropriations in ac-
15 cordance with the reprogramming procedures contained in
16 the report accompanying this Act.

17 Not more than \$82,000,000 of funds available to the
18 Forest Service shall be transferred to the Working Capital
19 Fund of the Department of Agriculture and not more than
20 \$14,500,000 of funds available to the Forest Service shall
21 be transferred to the Department of Agriculture for De-
22 partment Reimbursable Programs, commonly referred to
23 as Greenbook charges. Nothing in this paragraph shall
24 prohibit or limit the use of reimbursable agreements re-
25 quested by the Forest Service in order to obtain services

1 from the Department of Agriculture's National Informa-
2 tion Technology Center and the Department of Agri-
3 culture's International Technology Service.

4 Of the funds available to the Forest Service, up to
5 \$5,000,000 shall be available for priority projects within
6 the scope of the approved budget, which shall be carried
7 out by the Youth Conservation Corps and shall be carried
8 out under the authority of the Public Lands Corps Act
9 of 1993 (16 U.S.C. 1721 et seq.).

10 Of the funds available to the Forest Service, \$4,000
11 is available to the Chief of the Forest Service for official
12 reception and representation expenses.

13 Pursuant to sections 405(b) and 410(b) of Public
14 Law 101-593, of the funds available to the Forest Service,
15 up to \$3,000,000 may be advanced in a lump sum to the
16 National Forest Foundation to aid conservation partner-
17 ship projects in support of the Forest Service mission,
18 without regard to when the Foundation incurs expenses,
19 for projects on or benefitting National Forest System
20 lands or related to Forest Service programs: *Provided*,
21 That of the Federal funds made available to the Founda-
22 tion, no more than \$300,000 shall be available for admin-
23 istrative expenses: *Provided further*, That the Foundation
24 shall obtain, by the end of the period of Federal financial
25 assistance, private contributions to match funds made

1 available by the Forest Service on at least a one-for-one
2 basis: *Provided further*, That the Foundation may transfer
3 Federal funds to a Federal or a non-Federal recipient for
4 a project at the same rate that the recipient has obtained
5 the non-Federal matching funds.

6 Funds appropriated to the Forest Service shall be
7 available for interactions with and providing technical as-
8 sistance to rural communities and natural resource-based
9 businesses for sustainable rural development purposes.

10 Funds appropriated to the Forest Service shall be
11 available for payments to counties within the Columbia
12 River Gorge National Scenic Area, pursuant to section
13 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
14 663.

15 Any funds appropriated to the Forest Service may
16 be used to meet the non-Federal share requirement in sec-
17 tion 502(c) of the Older Americans Act of 1965 (42
18 U.S.C. 3056(c)(2)).

19 The Forest Service shall not assess funds for the pur-
20 pose of performing fire, administrative, and other facilities
21 maintenance and decommissioning.

22 Notwithstanding any other provision of law, of any
23 appropriations or funds available to the Forest Service,
24 not to exceed \$500,000 may be used to reimburse the Of-
25 fice of the General Counsel (OGC), Department of Agri-

1 culture, for travel and related expenses incurred as a re-
2 sult of OGC assistance or participation requested by the
3 Forest Service at meetings, training sessions, management
4 reviews, land purchase negotiations and similar matters
5 unrelated to civil litigation. Future budget justifications
6 for both the Forest Service and the Department of Agri-
7 culture should clearly display the sums previously trans-
8 ferred and the sums requested for transfer.

9 An eligible individual who is employed in any project
10 funded under title V of the Older Americans Act of 1965
11 (42 U.S.C. 3056 et seq.) and administered by the Forest
12 Service shall be considered to be a Federal employee for
13 purposes of chapter 171 of title 28, United States Code.

14 Notwithstanding any other provision of this Act,
15 through the Office of Budget and Program Analysis, the
16 Forest Service shall report no later than 30 business days
17 following the close of each fiscal quarter all current and
18 prior year unobligated balances, by fiscal year, budget line
19 item and account, to the House and Senate Committees
20 on Appropriations.

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cluding alcohol detoxification services: *Provided further*,
That \$964,819,000 for Purchased/Referred Care, includ-
ing \$53,000,000 for the Indian Catastrophic Health
Emergency Fund, shall remain available until expended:
Provided further, That of the funds provided, up to
\$55,700,000 shall remain available until expended for im-
plementation of the loan repayment program under section
108 of the Indian Health Care Improvement Act: *Provided
further*, That of the funds provided, \$18,000,000 shall re-
main available until expended to supplement funds avail-
able for operational costs at tribal clinics operated under
an Indian Self-Determination and Education Assistance
Act compact or contract where health care is delivered in
space acquired through a full service lease, which is not
eligible for maintenance and improvement and equipment
funds from the Indian Health Service, and \$58,000,000
shall be for costs related to or resulting from accreditation
emergencies, of which up to \$4,000,000 may be used to
supplement amounts otherwise available for Purchased/
Referred Care: *Provided further*, That the amounts col-
lected by the Federal Government as authorized by sec-
tions 104 and 108 of the Indian Health Care Improvement
Act (25 U.S.C. 1613a and 1616a) during the preceding
fiscal year for breach of contracts shall be deposited to
the Fund authorized by section 108A of that Act (25

1 U.S.C. 1616a–1) and shall remain available until ex-
2 pended and, notwithstanding section 108A(c) of that Act
3 (25 U.S.C. 1616a–1(c)), funds shall be available to make
4 new awards under the loan repayment and scholarship
5 programs under sections 104 and 108 of that Act (25
6 U.S.C. 1613a and 1616a): *Provided further*, That the
7 amounts made available within this account for the Sub-
8 stance Abuse and Suicide Prevention Program, for the
9 Domestic Violence Prevention Program, for the Zero Sui-
10 cide Initiative, for the housing subsidy authority for civil-
11 ian employees, for aftercare pilot programs at Youth Re-
12 gional Treatment Centers, to improve collections from
13 public and private insurance at Indian Health Service and
14 tribally operated facilities, and for accreditation emer-
15 gencies shall be allocated at the discretion of the Director
16 of the Indian Health Service and shall remain available
17 until expended: *Provided further*, That funds provided in
18 this Act may be used for annual contracts and grants for
19 which the performance period falls within 2 fiscal years,
20 provided the total obligation is recorded in the year the
21 funds are appropriated: *Provided further*, That the
22 amounts collected by the Secretary of Health and Human
23 Services under the authority of title IV of the Indian
24 Health Care Improvement Act shall remain available until
25 expended for the purpose of achieving compliance with the

1 applicable conditions and requirements of titles XVIII and
2 XIX of the Social Security Act, except for those related
3 to the planning, design, or construction of new facilities:
4 *Provided further*, That funding contained herein for schol-
5 arship programs under the Indian Health Care Improve-
6 ment Act shall remain available until expended: *Provided*
7 *further*, That amounts received by tribes and tribal organi-
8 zations under title IV of the Indian Health Care Improve-
9 ment Act shall be reported and accounted for and available
10 to the receiving tribes and tribal organizations until ex-
11 pended: *Provided further*, That the Bureau of Indian Af-
12 fairs may collect from the Indian Health Service, and from
13 tribes and tribal organizations operating health facilities
14 pursuant to Public Law 93–638, such individually identifi-
15 able health information relating to disabled children as
16 may be necessary for the purpose of carrying out its func-
17 tions under the Individuals with Disabilities Education
18 Act (20 U.S.C. 1400 et seq.): *Provided further*, That of
19 the funds provided, \$125,666,000 is for the Indian Health
20 Care Improvement Fund and may be used, as needed, to
21 carry out activities typically funded under the Indian
22 Health Facilities account: *Provided further*, That the ac-
23 creditation emergency funds may be used, as needed, to
24 carry out activities typically funded under the Indian
25 Health Facilities account.

1 CONTRACT SUPPORT COSTS

2 For payments to tribes and tribal organizations for
3 contract support costs associated with Indian Self-Deter-
4 mination and Education Assistance Act agreements with
5 the Indian Health Service for fiscal year 2019, such sums
6 as may be necessary, which shall be available for obliga-
7 tion through September 30, 2020: *Provided*, That notwith-
8 standing any other provision of law, no amounts made
9 available under this heading shall be available for transfer
10 to another budget account.

11 INDIAN HEALTH FACILITIES

12 For construction, repair, maintenance, improvement,
13 and equipment of health and related auxiliary facilities,
14 including quarters for personnel; preparation of plans,
15 specifications, and drawings; acquisition of sites, purchase
16 and erection of modular buildings, and purchases of trail-
17 ers; and for provision of domestic and community sanita-
18 tion facilities for Indians, as authorized by section 7 of
19 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
20 Self-Determination Act, and the Indian Health Care Im-
21 provement Act, and for expenses necessary to carry out
22 such Acts and titles II and III of the Public Health Serv-
23 ice Act with respect to environmental health and facilities
24 support activities of the Indian Health Service,
25 \$882,748,000, to remain available until expended: *Pro-*

1 *vided*, That notwithstanding any other provision of law,
2 funds appropriated for the planning, design, construction,
3 renovation or expansion of health facilities for the benefit
4 of an Indian tribe or tribes may be used to purchase land
5 on which such facilities will be located: *Provided further*,
6 That not to exceed \$500,000 may be used by the Indian
7 Health Service to purchase TRANSAM equipment from
8 the Department of Defense for distribution to the Indian
9 Health Service and tribal facilities: *Provided further*, That
10 none of the funds appropriated to the Indian Health Serv-
11 ice may be used for sanitation facilities construction for
12 new homes funded with grants by the housing programs
13 of the United States Department of Housing and Urban
14 Development: *Provided further*, That not to exceed
15 \$2,700,000 from this account and the “Indian Health
16 Services” account may be used by the Indian Health Serv-
17 ice to obtain ambulances for the Indian Health Service
18 and tribal facilities in conjunction with an existing inter-
19 agency agreement between the Indian Health Service and
20 the General Services Administration: *Provided further*,
21 That not to exceed \$500,000 may be placed in a Demoli-
22 tion Fund, to remain available until expended, and be used
23 by the Indian Health Service for the demolition of Federal
24 buildings.

1 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

2 Appropriations provided in this Act to the Indian
3 Health Service shall be available for services as authorized
4 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
5 equivalent to the maximum rate payable for senior-level
6 positions under 5 U.S.C. 5376; hire of passenger motor
7 vehicles and aircraft; purchase of medical equipment; pur-
8 chase of reprints; purchase, renovation and erection of
9 modular buildings and renovation of existing facilities;
10 payments for telephone service in private residences in the
11 field, when authorized under regulations approved by the
12 Secretary of Health and Human Services; uniforms or al-
13 lowances therefor as authorized by 5 U.S.C. 5901–5902;
14 and for expenses of attendance at meetings that relate to
15 the functions or activities of the Indian Health Service:
16 *Provided*, That in accordance with the provisions of the
17 Indian Health Care Improvement Act, non-Indian patients
18 may be extended health care at all tribally administered
19 or Indian Health Service facilities, subject to charges, and
20 the proceeds along with funds recovered under the Federal
21 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
22 be credited to the account of the facility providing the
23 service and shall be available without fiscal year limitation:
24 *Provided further*, That notwithstanding any other law or
25 regulation, funds transferred from the Department of

1 Housing and Urban Development to the Indian Health
2 Service shall be administered under Public Law 86–121,
3 the Indian Sanitation Facilities Act and Public Law 93–
4 638: *Provided further*, That funds appropriated to the In-
5 dian Health Service in this Act, except those used for ad-
6 ministrative and program direction purposes, shall not be
7 subject to limitations directed at curtailing Federal travel
8 and transportation: *Provided further*, That none of the
9 funds made available to the Indian Health Service in this
10 Act shall be used for any assessments or charges by the
11 Department of Health and Human Services unless identi-
12 fied in the budget justification and provided in this Act,
13 or approved by the House and Senate Committees on Ap-
14 propriations through the reprogramming process: *Pro-*
15 *vided further*, That notwithstanding any other provision
16 of law, funds previously or herein made available to a tribe
17 or tribal organization through a contract, grant, or agree-
18 ment authorized by title I or title V of the Indian Self-
19 Determination and Education Assistance Act of 1975 (25
20 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may
21 be deobligated and reobligated to a self-determination con-
22 tract under title I, or a self-governance agreement under
23 title V of such Act and thereafter shall remain available
24 to the tribe or tribal organization without fiscal year limi-
25 tation: *Provided further*, That none of the funds made

1 available to the Indian Health Service in this Act shall
2 be used to implement the final rule published in the Fed-
3 eral Register on September 16, 1987, by the Department
4 of Health and Human Services, relating to the eligibility
5 for the health care services of the Indian Health Service
6 until the Indian Health Service has submitted a budget
7 request reflecting the increased costs associated with the
8 proposed final rule, and such request has been included
9 in an appropriations Act and enacted into law: *Provided*
10 *further*, That with respect to functions transferred by the
11 Indian Health Service to tribes or tribal organizations, the
12 Indian Health Service is authorized to provide goods and
13 services to those entities on a reimbursable basis, includ-
14 ing payments in advance with subsequent adjustment, and
15 the reimbursements received therefrom, along with the
16 funds received from those entities pursuant to the Indian
17 Self-Determination Act, may be credited to the same or
18 subsequent appropriation account from which the funds
19 were originally derived, with such amounts to remain
20 available until expended: *Provided further*, That reim-
21 bursements for training, technical assistance, or services
22 provided by the Indian Health Service will contain total
23 costs, including direct, administrative, and overhead costs
24 associated with the provision of goods, services, or tech-
25 nical assistance: *Provided further*, That the Indian Health

1 Service may provide to civilian medical personnel serving
2 in hospitals operated by the Indian Health Service housing
3 allowances equivalent to those that would be provided to
4 members of the Commissioned Corps of the United States
5 Public Health Service serving in similar positions at such
6 hospitals: *Provided further*, That the appropriation struc-
7 ture for the Indian Health Service may not be altered
8 without advance notification to the House and Senate
9 Committees on Appropriations.

10 NATIONAL INSTITUTES OF HEALTH

11 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

12 SCIENCES

13 For necessary expenses for the National Institute of
14 Environmental Health Sciences in carrying out activities
15 set forth in section 311(a) of the Comprehensive Environ-
16 mental Response, Compensation, and Liability Act of
17 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
18 Superfund Amendments and Reauthorization Act of 1986,
19 \$80,000,000.

20 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

21 REGISTRY

22 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

23 HEALTH

24 For necessary expenses for the Agency for Toxic Sub-
25 stances and Disease Registry (ATSDR) in carrying out

1 activities set forth in sections 104(i) and 111(c)(4) of the
2 Comprehensive Environmental Response, Compensation,
3 and Liability Act of 1980 (CERCLA) and section 3019
4 of the Solid Waste Disposal Act, \$62,000,000: *Provided*,
5 That notwithstanding any other provision of law, in lieu
6 of performing a health assessment under section 104(i)(6)
7 of CERCLA, the Administrator of ATSDR may conduct
8 other appropriate health studies, evaluations, or activities,
9 including, without limitation, biomedical testing, clinical
10 evaluations, medical monitoring, and referral to accredited
11 healthcare providers: *Provided further*, That in performing
12 any such health assessment or health study, evaluation,
13 or activity, the Administrator of ATSDR shall not be
14 bound by the deadlines in section 104(i)(6)(A) of
15 CERCLA: *Provided further*, That none of the funds appro-
16 priated under this heading shall be available for ATSDR
17 to issue in excess of 40 toxicological profiles pursuant to
18 section 104(i) of CERCLA during fiscal year 2019, and
19 existing profiles may be updated as necessary.

20 OTHER RELATED AGENCIES

21 EXECUTIVE OFFICE OF THE PRESIDENT

22 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF 23 ENVIRONMENTAL QUALITY

24 For necessary expenses to continue functions as-
25 signed to the Council on Environmental Quality and Office

1 of Environmental Quality pursuant to the National Envi-
2 ronmental Policy Act of 1969, the Environmental Quality
3 Improvement Act of 1970, and Reorganization Plan No.
4 1 of 1977, and not to exceed \$750 for official reception
5 and representation expenses, \$2,994,000: *Provided*, That
6 notwithstanding section 202 of the National Environ-
7 mental Policy Act of 1970, the Council shall consist of
8 one member, appointed by the President, by and with the
9 advice and consent of the Senate, serving as chairman and
10 exercising all powers, functions, and duties of the Council.

11 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

12 SALARIES AND EXPENSES

13 For necessary expenses in carrying out activities pur-
14 suant to section 112(r)(6) of the Clean Air Act, including
15 hire of passenger vehicles, uniforms or allowances there-
16 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
17 ices authorized by 5 U.S.C. 3109 but at rates for individ-
18 uals not to exceed the per diem equivalent to the maximum
19 rate payable for senior level positions under 5 U.S.C.
20 5376, \$12,000,000: *Provided*, That the Chemical Safety
21 and Hazard Investigation Board (Board) shall have not
22 more than three career Senior Executive Service positions:
23 *Provided further*, That notwithstanding any other provi-
24 sion of law, the individual appointed to the position of In-
25 spector General of the Environmental Protection Agency

1 (EPA) shall, by virtue of such appointment, also hold the
2 position of Inspector General of the Board: *Provided fur-*
3 *ther*, That notwithstanding any other provision of law, the
4 Inspector General of the Board shall utilize personnel of
5 the Office of Inspector General of EPA in performing the
6 duties of the Inspector General of the Board, and shall
7 not appoint any individuals to positions within the Board.

8 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Navajo and
11 Hopi Indian Relocation as authorized by Public Law 93–
12 531, \$4,750,000 (increased by \$3,000,000), to remain
13 available until expended: *Provided*, That funds provided
14 in this or any other appropriations Act are to be used to
15 relocate eligible individuals and groups including evictees
16 from District 6, Hopi-partitioned lands residents, those in
17 significantly substandard housing, and all others certified
18 as eligible and not included in the preceding categories:
19 *Provided further*, That none of the funds contained in this
20 or any other Act may be used by the Office of Navajo
21 and Hopi Indian Relocation to evict any single Navajo or
22 Navajo family who, as of November 30, 1985, was phys-
23 ically domiciled on the lands partitioned to the Hopi Tribe
24 unless a new or replacement home is provided for such
25 household: *Provided further*, That no relocatee will be pro-

1 vided with more than one new or replacement home: *Pro-*
2 *vided further*, That the Office shall relocate any certified
3 eligible relocatees who have selected and received an ap-
4 proved homesite on the Navajo reservation or selected a
5 replacement residence off the Navajo reservation or on the
6 land acquired pursuant to section 11 of Public Law 93–
7 531 (88 Stat. 1716).

8 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
9 CULTURE AND ARTS DEVELOPMENT

10 PAYMENT TO THE INSTITUTE

11 For payment to the Institute of American Indian and
12 Alaska Native Culture and Arts Development, as author-
13 ized by part A of title XV of Public Law 99–498 (20
14 U.S.C. 4411 et seq.), \$9,960,000, which shall become
15 available on July 1, 2019, and shall remain available until
16 September 30, 2020.

17 SMITHSONIAN INSTITUTION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Smithsonian Institu-
20 tion, as authorized by law, including research in the fields
21 of art, science, and history; development, preservation, and
22 documentation of the National Collections; presentation of
23 public exhibits and performances; collection, preparation,
24 dissemination, and exchange of information and publica-
25 tions; conduct of education, training, and museum assist-

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1 which not to exceed \$10,000 shall be for services as au-
2 thorized by 5 U.S.C. 3109.

3 NATIONAL GALLERY OF ART

4 SALARIES AND EXPENSES

5 For the upkeep and operations of the National Gal-
6 lery of Art, the protection and care of the works of art
7 therein, and administrative expenses incident thereto, as
8 authorized by the Act of March 24, 1937 (50 Stat. 51),
9 as amended by the public resolution of April 13, 1939
10 (Public Resolution 9, Seventy-sixth Congress), including
11 services as authorized by 5 U.S.C. 3109; payment in ad-
12 vance when authorized by the treasurer of the Gallery for
13 membership in library, museum, and art associations or
14 societies whose publications or services are available to
15 members only, or to members at a price lower than to the
16 general public; purchase, repair, and cleaning of uniforms
17 for guards, and uniforms, or allowances therefor, for other
18 employees as authorized by law (5 U.S.C. 5901–5902);
19 purchase or rental of devices and services for protecting
20 buildings and contents thereof, and maintenance, alter-
21 ation, improvement, and repair of buildings, approaches,
22 and grounds; and purchase of services for restoration and
23 repair of works of art for the National Gallery of Art by
24 contracts made, without advertising, with individuals,
25 firms, or organizations at such rates or prices and under

1 such terms and conditions as the Gallery may deem prop-
2 er, \$141,790,000, to remain available until September 30,
3 2020, of which not to exceed \$3,640,000 for the special
4 exhibition program shall remain available until expended.

5 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

6 For necessary expenses of repair, restoration and
7 renovation of buildings, grounds and facilities owned or
8 occupied by the National Gallery of Art, by contract or
9 otherwise, for operating lease agreements of no more than
10 10 years, with no extensions or renewals beyond the 10
11 years, that address space needs created by the ongoing
12 renovations in the Master Facilities Plan, as authorized,
13 \$26,564,000, to remain available until expended: *Pro-*
14 *vided*, That contracts awarded for environmental systems,
15 protection systems, and exterior repair or renovation of
16 buildings of the National Gallery of Art may be negotiated
17 with selected contractors and awarded on the basis of con-
18 tractor qualifications as well as price.

19 JOHN F. KENNEDY CENTER FOR THE PERFORMING
20 ARTS

21 OPERATIONS AND MAINTENANCE

22 For necessary expenses for the operation, mainte-
23 nance and security of the John F. Kennedy Center for
24 the Performing Arts, \$24,490,000.

1 CAPITAL REPAIR AND RESTORATION

2 For necessary expenses for capital repair and restora-
3 tion of the existing features of the building and site of
4 the John F. Kennedy Center for the Performing Arts,
5 \$16,025,000, to remain available until expended.

6 WOODROW WILSON INTERNATIONAL CENTER FOR
7 SCHOLARS

8 SALARIES AND EXPENSES

9 For expenses necessary in carrying out the provisions
10 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
11 1356) including hire of passenger vehicles and services as
12 authorized by 5 U.S.C. 3109, \$12,000,000, to remain
13 available until September 30, 2020.

14 NATIONAL FOUNDATION ON THE ARTS AND THE
15 HUMANITIES

16 NATIONAL ENDOWMENT FOR THE ARTS

17 GRANTS AND ADMINISTRATION

18 For necessary expenses to carry out the National
19 Foundation on the Arts and the Humanities Act of 1965,
20 \$155,000,000 shall be available to the National Endow-
21 ment for the Arts for the support of projects and produc-
22 tions in the arts, including arts education and public out-
23 reach activities, through assistance to organizations and
24 individuals pursuant to section 5 of the Act, for program

1 support, and for administering the functions of the Act,
2 to remain available until expended.

3 NATIONAL ENDOWMENT FOR THE HUMANITIES

4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 \$155,000,000 to remain available until expended, of which
8 \$143,700,000 shall be available for support of activities
9 in the humanities, pursuant to section 7(c) of the Act and
10 for administering the functions of the Act; and
11 \$11,300,000 shall be available to carry out the matching
12 grants program pursuant to section 10(a)(2) of the Act,
13 including \$9,100,000 for the purposes of section 7(h):
14 *Provided*, That appropriations for carrying out section
15 10(a)(2) shall be available for obligation only in such
16 amounts as may be equal to the total amounts of gifts,
17 bequests, devises of money, and other property accepted
18 by the chairman or by grantees of the National Endow-
19 ment for the Humanities under the provisions of sections
20 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
21 ceding fiscal years for which equal amounts have not pre-
22 viously been appropriated.

23 ADMINISTRATIVE PROVISIONS

24 None of the funds appropriated to the National
25 Foundation on the Arts and the Humanities may be used

1 to process any grant or contract documents which do not
 2 include the text of 18 U.S.C. 1913: *Provided*, That none
 3 of the funds appropriated to the National Foundation on
 4 the Arts and the Humanities may be used for official re-
 5 ception and representation expenses: *Provided further*,
 6 That funds from nonappropriated sources may be used as
 7 necessary for official reception and representation ex-
 8 penses: *Provided further*, That the Chairperson of the Na-
 9 tional Endowment for the Arts may approve grants of up
 10 to \$10,000, if in the aggregate the amount of such grants
 11 does not exceed 5 percent of the sums appropriated for
 12 grantmaking purposes per year: *Provided further*, That
 13 such small grant actions are taken pursuant to the terms
 14 of an expressed and direct delegation of authority from
 15 the National Council on the Arts to the Chairperson.

16 COMMISSION OF FINE ARTS

17 SALARIES AND EXPENSES

18 For expenses of the Commission of Fine Arts under
 19 chapter 91 of title 40, United States Code, \$2,771,000:
 20 *Provided*, That the Commission is authorized to charge
 21 fees to cover the full costs of its publications, and such
 22 fees shall be credited to this account as an offsetting col-
 23 lection, to remain available until expended without further
 24 appropriation: *Provided further*, That the Commission is
 25 authorized to accept gifts, including objects, papers, art-

1 work, drawings and artifacts, that pertain to the history
2 and design of the Nation's Capital or the history and ac-
3 tivities of the Commission of Fine Arts, for the purpose
4 of artistic display, study, or education: *Provided further*,
5 That one-tenth of one percent of the funds provided under
6 this heading may be used for official reception and rep-
7 resentation expenses.

8 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

9 For necessary expenses as authorized by Public Law
10 99–190 (20 U.S.C. 956a), \$2,750,000.

11 ADVISORY COUNCIL ON HISTORIC PRESERVATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Advisory Council on
14 Historic Preservation (Public Law 89–665), \$6,440,000.

15 NATIONAL CAPITAL PLANNING COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the National Capital Plan-
18 ning Commission under chapter 87 of title 40, United
19 States Code, including services as authorized by 5 U.S.C.
20 3109, \$8,099,000: *Provided*, That one-quarter of 1 per-
21 cent of the funds provided under this heading may be used
22 for official reception and representational expenses associ-
23 ated with hosting international visitors engaged in the
24 planning and physical development of world capitals.

1 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

2 HOLOCAUST MEMORIAL MUSEUM

3 For expenses of the Holocaust Memorial Museum, as
4 authorized by Public Law 106–292 (36 U.S.C. 2301–
5 2310), \$58,000,000, of which \$1,715,000 shall remain
6 available until September 30, 2021, for the Museum’s
7 equipment replacement program; and of which \$4,000,000
8 for the Museum’s repair and rehabilitation program and
9 \$1,264,000 for the Museum’s outreach initiatives program
10 shall remain available until expended.

11 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Dwight D. Eisenhower
14 Memorial Commission, \$1,800,000, to remain available
15 until expended.

16 WOMEN’S SUFFRAGE CENTENNIAL COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses for the Women’s Suffrage
19 Centennial Commission, as authorized by the Women’s
20 Suffrage Centennial Commission Act (section 431(a)(3) of
21 division G of Public Law 115–31), \$500,000, to remain
22 available until expended.

1 WORLD WAR I CENTENNIAL COMMISSION

2 SALARIES AND EXPENSES

3 Notwithstanding section 9 of the World War I Cen-
4 tennial Commission Act, as authorized by the World War
5 I Centennial Commission Act (Public Law 112–272) and
6 the Carl Levin and Howard P. “Buck” McKeon National
7 Defense Authorization Act for Fiscal Year 2015 (Public
8 Law 113–291), for necessary expenses of the World War
9 I Centennial Commission, \$3,000,000, to remain available
10 until expended: *Provided*, That in addition to the authority
11 provided by section 6(g) of such Act, the World War I
12 Commission may accept money, in-kind personnel services,
13 contractual support, or any appropriate support from any
14 executive branch agency for activities of the Commission.

15 TITLE IV

16 GENERAL PROVISIONS

17 (INCLUDING TRANSFERS OF FUNDS)

18 RESTRICTION ON USE OF FUNDS

19 SEC. 401. No part of any appropriation contained in
20 this Act shall be available for any activity or the publica-
21 tion or distribution of literature that in any way tends to
22 promote public support or opposition to any legislative
23 proposal on which Congressional action is not complete
24 other than to communicate to Members of Congress as
25 described in 18 U.S.C. 1913.

1 OBLIGATION OF APPROPRIATIONS

2 SEC. 402. No part of any appropriation contained in
3 this Act shall remain available for obligation beyond the
4 current fiscal year unless expressly so provided herein.

5 DISCLOSURE OF ADMINISTRATIVE EXPENSES

6 SEC. 403. The amount and basis of estimated over-
7 head charges, deductions, reserves or holdbacks, including
8 working capital fund and cost pool charges, from pro-
9 grams, projects, activities and subactivities to support gov-
10 ernment-wide, departmental, agency, or bureau adminis-
11 trative functions or headquarters, regional, or central op-
12 erations shall be presented in annual budget justifications
13 and subject to approval by the Committees on Appropria-
14 tions of the House of Representatives and the Senate.
15 Changes to such estimates shall be presented to the Com-
16 mittees on Appropriations for approval.

17 MINING APPLICATIONS

18 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
19 funds appropriated or otherwise made available pursuant
20 to this Act shall be obligated or expended to accept or
21 process applications for a patent for any mining or mill
22 site claim located under the general mining laws.

23 (b) EXCEPTIONS.—Subsection (a) shall not apply if
24 the Secretary of the Interior determines that, for the claim
25 concerned (1) a patent application was filed with the Sec-

1 retary on or before September 30, 1994; and (2) all re-
2 quirements established under sections 2325 and 2326 of
3 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
4 lode claims, sections 2329, 2330, 2331, and 2333 of the
5 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
6 claims, and section 2337 of the Revised Statutes (30
7 U.S.C. 42) for mill site claims, as the case may be, were
8 fully complied with by the applicant by that date.

9 (c) REPORT.—On September 30, 2020, the Secretary
10 of the Interior shall file with the House and Senate Com-
11 mittees on Appropriations and the Committee on Natural
12 Resources of the House and the Committee on Energy and
13 Natural Resources of the Senate a report on actions taken
14 by the Department under the plan submitted pursuant to
15 section 314(c) of the Department of the Interior and Re-
16 lated Agencies Appropriations Act, 1997 (Public Law
17 104–208).

18 (d) MINERAL EXAMINATIONS.—In order to process
19 patent applications in a timely and responsible manner,
20 upon the request of a patent applicant, the Secretary of
21 the Interior shall allow the applicant to fund a qualified
22 third-party contractor to be selected by the Director of the
23 Bureau of Land Management to conduct a mineral exam-
24 ination of the mining claims or mill sites contained in a
25 patent application as set forth in subsection (b). The Bu-

1 reau of Land Management shall have the sole responsi-
2 bility to choose and pay the third-party contractor in ac-
3 cordance with the standard procedures employed by the
4 Bureau of Land Management in the retention of third-
5 party contractors.

6 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

7 SEC. 405. Sections 405 and 406 of division F of the
8 Consolidated and Further Continuing Appropriations Act,
9 2015 (Public Law 113–235) shall continue in effect in fis-
10 cal year 2019.

11 CONTRACT SUPPORT COSTS, FISCAL YEAR 2019

12 LIMITATION

13 SEC. 406. Amounts provided by this Act for fiscal
14 year 2019 under the headings “Department of Health and
15 Human Services, Indian Health Service, Contract Support
16 Costs” and “Department of the Interior, Bureau of Indian
17 Affairs and Bureau of Indian Education, Contract Sup-
18 port Costs” are the only amounts available for contract
19 support costs arising out of self-determination or self-gov-
20 ernance contracts, grants, compacts, or annual funding
21 agreements for fiscal year 2019 with the Bureau of Indian
22 Affairs or the Indian Health Service: *Provided*, That such
23 amounts provided by this Act are not available for pay-
24 ment of claims for contract support costs for prior years,

1 or for repayments of payments for settlements or judg-
 2 ments awarding contract support costs for prior years.

3 FOREST MANAGEMENT PLANS

4 SEC. 407. The Secretary of Agriculture shall not be
 5 considered to be in violation of subparagraph 6(f)(5)(A)
 6 of the Forest and Rangeland Renewable Resources Plan-
 7 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
 8 more than 15 years have passed without revision of the
 9 plan for a unit of the National Forest System. Nothing
 10 in this section exempts the Secretary from any other re-
 11 quirement of the Forest and Rangeland Renewable Re-
 12 sources Planning Act (16 U.S.C. 1600 et seq.) or any
 13 other law: *Provided*, That if the Secretary is not acting
 14 expeditiously and in good faith, within the funding avail-
 15 able, to revise a plan for a unit of the National Forest
 16 System, this section shall be void with respect to such plan
 17 and a court of proper jurisdiction may order completion
 18 of the plan on an accelerated basis.

19 PROHIBITION WITHIN NATIONAL MONUMENTS

20 SEC. 408. No funds provided in this Act may be ex-
 21 pended to conduct preleasing, leasing and related activities
 22 under either the Mineral Leasing Act (30 U.S.C. 181 et
 23 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
 24 1331 et seq.) within the boundaries of a National Monu-
 25 ment established pursuant to the Act of June 8, 1906 (16

1 U.S.C. 431 et seq.) as such boundary existed on January
2 20, 2001, except where such activities are allowed under
3 the Presidential proclamation establishing such monu-
4 ment.

5 LIMITATION ON TAKINGS

6 SEC. 409. Unless otherwise provided herein, no funds
7 appropriated in this Act for the acquisition of lands or
8 interests in lands may be expended for the filing of dec-
9 larations of taking or complaints in condemnation without
10 the approval of the House and Senate Committees on Ap-
11 propriations: *Provided*, That this provision shall not apply
12 to funds appropriated to implement the Everglades Na-
13 tional Park Protection and Expansion Act of 1989, or to
14 funds appropriated for Federal assistance to the State of
15 Florida to acquire lands for Everglades restoration pur-
16 poses.

17 TIMBER SALE REQUIREMENTS

18 SEC. 410. No timber sale in Alaska's Region 10 shall
19 be advertised if the indicated rate is deficit (defined as
20 the value of the timber is not sufficient to cover all logging
21 and stumpage costs and provide a normal profit and risk
22 allowance under the Forest Service's appraisal process)
23 when appraised using a residual value appraisal. The west-
24 ern red cedar timber from those sales which is surplus
25 to the needs of the domestic processors in Alaska, shall

1 be made available to domestic processors in the contiguous
2 48 United States at prevailing domestic prices. All addi-
3 tional western red cedar volume not sold to Alaska or con-
4 tiguous 48 United States domestic processors may be ex-
5 ported to foreign markets at the election of the timber sale
6 holder. All Alaska yellow cedar may be sold at prevailing
7 export prices at the election of the timber sale holder.

8 PROHIBITION ON NO-BID CONTRACTS

9 SEC. 411. None of the funds appropriated or other-
10 wise made available by this Act to executive branch agen-
11 cies may be used to enter into any Federal contract unless
12 such contract is entered into in accordance with the re-
13 quirements of Chapter 33 of title 41, United States Code,
14 or Chapter 137 of title 10, United States Code, and the
15 Federal Acquisition Regulation, unless—

16 (1) Federal law specifically authorizes a con-
17 tract to be entered into without regard for these re-
18 quirements, including formula grants for States, or
19 federally recognized Indian tribes;

20 (2) such contract is authorized by the Indian
21 Self-Determination and Education Assistance Act
22 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
23 any other Federal laws that specifically authorize a
24 contract within an Indian tribe as defined in section
25 4(e) of that Act (25 U.S.C. 450b(e)); or

1 (3) such contract was awarded prior to the date
2 of enactment of this Act.

3 POSTING OF REPORTS

4 SEC. 412. (a) Any agency receiving funds made avail-
5 able in this Act, shall, subject to subsections (b) and (c),
6 post on the public website of that agency any report re-
7 quired to be submitted by the Congress in this or any
8 other Act, upon the determination by the head of the agen-
9 cy that it shall serve the national interest.

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

11 (1) the public posting of the report com-
12 promises national security; or

13 (2) the report contains proprietary information.

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

18 NATIONAL ENDOWMENT FOR THE ARTS GRANT

19 GUIDELINES

20 SEC. 413. Of the funds provided to the National En-
21 dowment for the Arts—

22 (1) The Chairperson shall only award a grant
23 to an individual if such grant is awarded to such in-
24 dividual for a literature fellowship, National Herit-

1 age Fellowship, or American Jazz Masters Fellow-
2 ship.

3 (2) The Chairperson shall establish procedures
4 to ensure that no funding provided through a grant,
5 except a grant made to a State or local arts agency,
6 or regional group, may be used to make a grant to
7 any other organization or individual to conduct ac-
8 tivity independent of the direct grant recipient.
9 Nothing in this subsection shall prohibit payments
10 made in exchange for goods and services.

11 (3) No grant shall be used for seasonal support
12 to a group, unless the application is specific to the
13 contents of the season, including identified programs
14 or projects.

15 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

16 PRIORITIES

17 SEC. 414. (a) In providing services or awarding fi-
18 nancial assistance under the National Foundation on the
19 Arts and the Humanities Act of 1965 from funds appro-
20 priated under this Act, the Chairperson of the National
21 Endowment for the Arts shall ensure that priority is given
22 to providing services or awarding financial assistance for
23 projects, productions, workshops, or programs that serve
24 underserved populations.

25 (b) In this section:

1 (1) The term “underserved population” means
2 a population of individuals, including urban minori-
3 ties, who have historically been outside the purview
4 of arts and humanities programs due to factors such
5 as a high incidence of income below the poverty line
6 or to geographic isolation.

7 (2) The term “poverty line” means the poverty
8 line (as defined by the Office of Management and
9 Budget, and revised annually in accordance with sec-
10 tion 673(2) of the Community Services Block Grant
11 Act (42 U.S.C. 9902(2))) applicable to a family of
12 the size involved.

13 (c) In providing services and awarding financial as-
14 sistance under the National Foundation on the Arts and
15 Humanities Act of 1965 with funds appropriated by this
16 Act, the Chairperson of the National Endowment for the
17 Arts shall ensure that priority is given to providing serv-
18 ices or awarding financial assistance for projects, produc-
19 tions, workshops, or programs that will encourage public
20 knowledge, education, understanding, and appreciation of
21 the arts.

22 (d) With funds appropriated by this Act to carry out
23 section 5 of the National Foundation on the Arts and Hu-
24 manities Act of 1965—

1 (1) the Chairperson shall establish a grant cat-
2 egory for projects, productions, workshops, or pro-
3 grams that are of national impact or availability or
4 are able to tour several States;

5 (2) the Chairperson shall not make grants ex-
6 ceeding 15 percent, in the aggregate, of such funds
7 to any single State, excluding grants made under the
8 authority of paragraph (1);

9 (3) the Chairperson shall report to the Con-
10 gress annually and by State, on grants awarded by
11 the Chairperson in each grant category under sec-
12 tion 5 of such Act; and

13 (4) the Chairperson shall encourage the use of
14 grants to improve and support community-based
15 music performance and education.

16 STATUS OF BALANCES OF APPROPRIATIONS

17 SEC. 415. The Department of the Interior, the Envi-
18 ronmental Protection Agency, the Forest Service, and the
19 Indian Health Service shall provide the Committees on
20 Appropriations of the House of Representatives and Sen-
21 ate quarterly reports on the status of balances of appro-
22 priations including all uncommitted, committed, and unob-
23 ligated funds in each program and activity.

1 PROHIBITION ON USE OF FUNDS

2 SEC. 416. Notwithstanding any other provision of
3 law, none of the funds made available in this Act or any
4 other Act may be used to promulgate or implement any
5 regulation requiring the issuance of permits under title V
6 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
7 dioxide, nitrous oxide, water vapor, or methane emissions
8 resulting from biological processes associated with live-
9 stock production.

10 GREENHOUSE GAS REPORTING RESTRICTIONS

11 SEC. 417. Notwithstanding any other provision of
12 law, none of the funds made available in this or any other
13 Act may be used to implement any provision in a rule,
14 if that provision requires mandatory reporting of green-
15 house gas emissions from manure management systems.

16 FUNDING PROHIBITION

17 SEC. 418. None of the funds made available by this
18 or any other Act may be used to regulate the lead content
19 of ammunition, ammunition components, or fishing tackle
20 under the Toxic Substances Control Act (15 U.S.C. 2601
21 et seq.) or any other law.

22 CONTRACTING AUTHORITIES

23 SEC. 419. Section 412 of Division E of Public Law
24 112–74 is amended by striking “fiscal year 2019” and in-
25 serting “fiscal year 2020”.

CHESAPEAKE BAY INITIATIVE

SEC. 420. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461 note) is amended by striking “2019” and inserting “2020”.

EXTENSION OF GRAZING PERMITS

SEC. 421. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2019.

FUNDING PROHIBITION

SEC. 422. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

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

FOREST SERVICE FACILITY REALIGNMENT AND

ENHANCEMENT ACT

SEC. 423. Section 503(f) of the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C.

1 580d note; Public Law 109–54) is amended by striking
2 “2018” and inserting “2019”.

3 USE OF AMERICAN IRON AND STEEL

4 SEC. 424. (a)(1) None of the funds made available
5 by a State water pollution control revolving fund as au-
6 thorized by section 1452 of the Safe Drinking Water Act
7 (42 U.S.C. 300j-12) shall be used for a project for the
8 construction, alteration, maintenance, or repair of a public
9 water system or treatment works unless all of the iron and
10 steel products used in the project are produced in the
11 United States.

12 (2) In this section, the term “iron and steel” products
13 means the following products made primarily of iron or
14 steel: lined or unlined pipes and fittings, manhole covers
15 and other municipal castings, hydrants, tanks, flanges,
16 pipe clamps and restraints, valves, structural steel, rein-
17 forced precast concrete, and construction materials.

18 (b) Subsection (a) shall not apply in any case or cat-
19 egory of cases in which the Administrator of the Environ-
20 mental Protection Agency (in this section referred to as
21 the “Administrator”) finds that—

22 (1) applying subsection (a) would be incon-
23 sistent with the public interest;

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

4 (3) inclusion of iron and steel products pro-
5 duced in the United States will increase the cost of
6 the overall project by more than 25 percent.

7 (c) If the Administrator receives a request for a waiv-
8 er under this section, the Administrator shall make avail-
9 able to the public on an informal basis a copy of the re-
10 quest and information available to the Administrator con-
11 cerning the request, and shall allow for informal public
12 input on the request for at least 15 days prior to making
13 a finding based on the request. The Administrator shall
14 make the request and accompanying information available
15 by electronic means, including on the official public Inter-
16 net Web site of the Environmental Protection Agency.

17 (d) This section shall be applied in a manner con-
18 sistent with United States obligations under international
19 agreements.

20 (e) The Administrator may retain up to 0.25 percent
21 of the funds appropriated in this Act for the Clean and
22 Drinking Water State Revolving Funds for carrying out
23 the provisions described in subsection (a)(1) for manage-
24 ment and oversight of the requirements of this section.

1 MIDWAY ISLAND

2 SEC. 425. None of the funds made available by this
3 Act may be used to destroy any buildings or structures
4 on Midway Island that have been recommended by the
5 United States Navy for inclusion in the National Register
6 of Historic Places (54 U.S.C. 302101).

7 JOHN F. KENNEDY CENTER REAUTHORIZATION

8 SEC. 426. Section 13 of the John F. Kennedy Center
9 Act (20 U.S.C. 76r) is amended by striking subsections
10 (a) and (b) and inserting the following:

11 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
12 There is authorized to be appropriated to the Board to
13 carry out section 4(a)(1)(H), \$24,490,000 for fiscal year
14 2019.

15 “(b) CAPITAL PROJECTS .—There is authorized to be
16 appropriated to the Board to carry out subparagraphs (F)
17 and (G) of section 4(a)(1), \$16,025,000 for fiscal year
18 2019.”.

19 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
20 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
21 WILDFIRES

22 SEC. 427. The Secretary of the Interior is authorized
23 to enter into grants and cooperative agreements with vol-
24 unteer fire departments, rural fire departments, rangeland
25 fire protection associations, and similar organizations to

1 provide for wildland fire training and equipment, including
 2 supplies and communication devices. Notwithstanding
 3 121(c) of title 40, United States Code, or section 521 of
 4 title 40, United States Code, the Secretary is further au-
 5 thorized to transfer title to excess Department of the Inte-
 6 rior firefighting equipment no longer needed to carry out
 7 the functions of the Department’s wildland fire manage-
 8 ment program to such organizations.

9 RECREATION FEE

10 SEC. 428. Section 810 of the Federal Lands Recre-
 11 ation Enhancement Act (16 U.S.C. 6809) is amended by
 12 striking “September 30, 2019” and inserting “September
 13 30, 2021”.

14 POLICIES RELATING TO BIOMASS ENERGY

15 SEC. 429. For fiscal year 2019 and each fiscal year
 16 thereafter, to support the key role that forests in the
 17 United States can play in addressing the energy needs of
 18 the United States, the Secretary of Energy, the Secretary
 19 of Agriculture, and the Administrator of the Environ-
 20 mental Protection Agency shall, consistent with their mis-
 21 sions, jointly—

22 (1) ensure that Federal policy relating to forest
 23 bioenergy—

24 (A) is consistent across all Federal depart-
 25 ments and agencies; and

1 (B) recognizes the full benefits of the use
2 of forest biomass for energy, conservation, and
3 responsible forest management; and

4 (2) establish clear and simple policies for the
5 use of forest biomass as an energy solution, includ-
6 ing policies that—

7 (A) reflect the carbon-neutrality of forest
8 bioenergy and recognize biomass as a renewable
9 energy source, provided the use of forest bio-
10 mass for energy production does not cause con-
11 version of forests to non-forest use.

12 (B) encourage private investment through-
13 out the forest biomass supply chain, including
14 in—

- 15 (i) working forests;
- 16 (ii) harvesting operations;
- 17 (iii) forest improvement operations;
- 18 (iv) forest bioenergy production;
- 19 (v) wood products manufacturing; or
- 20 (vi) paper manufacturing;

21 (C) encourage forest management to im-
22 prove forest health; and

23 (D) recognize State initiatives to produce
24 and use forest biomass.

CLARIFICATION OF EXEMPTIONS

SEC. 430. Notwithstanding section 404(f)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(2)), none of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

WATERS OF THE UNITED STATES

SEC. 431. The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled “Clean Water Rule: ‘Definition of Waters of the United States’” (80 Fed. Reg. 37053 (June 29, 2015)) is repealed, and, until such time as the Administrator and the Secretary issue a final rule after the date of enactment of this Act defining the scope of waters protected under the Federal Water Pollution Control Act and such new final rule goes into effect, any regulation or policy revised under, or otherwise affected as a result of, the rule repealed by this section shall be applied as if that repealed rule had not been issued.

AGRICULTURAL NUTRIENTS

SEC. 432. None of the funds made available by this Act may be used by the Administrator of the Environ-

1 mental Protection Agency to issue any regulation under
2 the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.)
3 that applies to an animal feeding operation, including a
4 concentrated animal feeding operation and a large con-
5 centrated animal feeding operation, as such terms are de-
6 fined in section 122.23 of title 40, Code of Federal Regu-
7 lations.

8 HUNTING, FISHING, AND RECREATIONAL SHOOTING ON
9 FEDERAL LAND

10 SEC. 433. (a) LIMITATION ON USE OF FUNDS.—
11 None of the funds made available by this or any other
12 Act for any fiscal year may be used to prohibit the use
13 of or access to Federal land (as such term is defined in
14 section 3 of the Healthy Forests Restoration Act of 2003
15 (16 U.S.C. 6502)) for hunting, fishing, or recreational
16 shooting if such use or access—

17 (1) was not prohibited on such Federal land as
18 of January 1, 2013; and

19 (2) was conducted in compliance with the re-
20 source management plan (as defined in section 101
21 of such Act (16 U.S.C. 6511)) applicable to such
22 Federal land as of January 1, 2013.

23 (b) TEMPORARY CLOSURES ALLOWED.—Notwith-
24 standing subsection (a), the Secretary of the Interior or
25 the Secretary of Agriculture may temporarily close, for a

1 period not to exceed 30 days, Federal land managed by
2 the Secretary to hunting, fishing, or recreational shooting
3 if the Secretary determines that the temporary closure is
4 necessary to accommodate a special event or for public
5 safety reasons. The Secretary may extend a temporary clo-
6 sure for one additional 90-day period only if the Secretary
7 determines the extension is necessary because of extraor-
8 dinary weather conditions or for public safety reasons.

9 (c) AUTHORITY OF STATES.—Nothing in this section
10 shall be construed as affecting the authority, jurisdiction,
11 or responsibility of the several States to manage, control,
12 or regulate fish and resident wildlife under State law or
13 regulations.

14 AVAILABILITY OF VACANT GRAZING ALLOTMENTS

15 SEC. 434. The Secretary of the Interior, with respect
16 to public lands administered by the Bureau of Land Man-
17 agement, and the Secretary of Agriculture, with respect
18 to the National Forest System lands, shall make vacant
19 grazing allotments available to a holder of a grazing per-
20 mit or lease issued by either Secretary if the lands covered
21 by the permit or lease or other grazing lands used by the
22 holder of the permit or lease are unusable because of
23 drought or wildfire, as determined by the Secretary con-
24 cerned. The terms and conditions contained in a permit
25 or lease made available pursuant to this section shall be

7

SEC. 435. (a) For an additional amount for “Environmental Protection Agency—Hazardous Substance Superfund”, \$40,000,000, which shall be for the Superfund Remedial program, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$40,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA.

(b) For an additional amount for “Environmental Protection Agency—State and Tribal Assistance Grants,” \$300,000,000 to remain available until expended, of which—

(1) \$150,000,000 shall be for making capital-
ization grants for the Clean Water State Revolving

1 Funds under title VI of the Federal Water Pollution
2 Control Act; and

3 (2) \$150,000,000 shall be for making capital-
4 ization grants for the Drinking Water State Revolv-
5 ing Funds under section 1452 of the Safe Drinking
6 Water Act.

7 (c) For an additional amount for “Environmental
8 Protection Agency—Water Infrastructure Finance and In-
9 novation Program Account”, \$25,000,000, to remain
10 available until expended, for the cost of direct loans, for
11 the cost of guaranteed loans, and for administrative ex-
12 penses to carry out the direct and guaranteed loan pro-
13 grams, of which \$3,000,000, to remain available until Sep-
14 tember 30, 2020, may be used for such administrative ex-
15 penses: *Provided*, That these additional funds are available
16 to subsidize gross obligations for the principal amount of
17 direct loans, including capitalized interest, and total loan
18 principal, including capitalized interest, any part of which
19 is to be guaranteed, not to exceed \$2,683,000,000.

20 DIRECT HIRE AUTHORITY

21 SEC. 436. (a) For fiscal year 2019, the Secretary of
22 Agriculture may appoint, without regard to the provisions
23 of subchapter I of chapter 33 of title 5, United States
24 Code, other than sections 3303 and 3328 of such title,
25 a qualified candidate described in subsection (b) directly

1 to a position with the United States Department of Agri-
2 culture, Forest Service for which the candidate meets Of-
3 fice of Personnel Management qualification standards.

4 (b) Subsection (a) applies to a former resource assist-
5 ant (as defined in section 203 of the Public Land Corps
6 Act (16 U.S.C. 1722)) who completed a rigorous under-
7 graduate or graduate summer internship with a land man-
8 aging agency, such as the Forest Service Resource Assist-
9 ant Program; successfully fulfilled the requirements of the
10 internship program; and subsequently earned an under-
11 graduate or graduate degree from an accredited institu-
12 tion of higher education.

13 (c) The direct hire authority under this section may
14 not be exercised with respect to a specific qualified can-
15 didate after the end of the two-year period beginning on
16 the date on which the candidate completed the under-
17 graduate or graduate degree, as the case may be.

18 CALIFORNIA WATER INFRASTRUCTURE

19 SEC. 437. Notwithstanding any other provision of
20 law, the Final Environmental Impact Report/Final Envi-
21 ronmental Impact Statement for the Bay Delta Conserva-
22 tion Plan/California Water Fix (81 Fed. Reg. 96485 (Dec.
23 30, 2016)) and any resulting agency decision, record of
24 decision, or similar determination shall hereafter not be
25 subject to judicial review under any Federal or State law.

1 LIMITATION ON USE OF FUNDS FOR TRANSPLANTATION
2 OR INTRODUCTION OF GRIZZLY BEARS INTO NORTH
3 CASCADES ECOSYSTEM

4 SEC. 438. None of the funds made available by this
5 Act may be used for the transplantation or introduction
6 of grizzly bears into the North Cascades Ecosystem.

7 MANAGEMENT OF WILD HORSES OR BURROS

8 SEC. 439. Notwithstanding the first section and sec-
9 tion 2(d) of Public Law 92–195 (16 U.S.C. 1331 and
10 1332(d)), the Secretary of the Interior may hereafter
11 manage any group of wild horses or burros as a non-
12 reproducing or single-sex herd, in whole or in part, includ-
13 ing through chemical or surgical sterilization.

14 MARBLED MURRELET LONG TERM CONSERVATION
15 STRATEGY

16 SEC. 440. None of the funds made available by this
17 Act may be used to approve, or require the development
18 or implementation of, a Marbled Murrelet Long Term
19 Conservation Strategy for the 1997 Washington State
20 Trust Lands Habitat Conservation Plan that sets aside
21 forested acres in excess of those identified as occupied
22 habitat, existing old growth stands, stands that will be-
23 come old growth within 70 years, and associated buffers.

1 LIMITATION ON JUDICIAL REVIEW OF CALIFORNIA WATER
2 PROJECTS

3 SEC. 441. Notwithstanding any other provision of
4 law, the Calfed Bay-Delta Authorization Act (title I of
5 Public Law 108–361; 118 Stat. 1681), the water project
6 described in chapter 5 of part 3 of division 6 of the Cali-
7 fornia Water Code (sections 11550 et seq.) as in effect
8 on the date of enactment of this Act and operated by the
9 California Department of Water Resources, and all
10 projects authorized by section 2 of the Act of August 26,
11 1937 (chapter 832; 50 Stat. 850) and all Acts amendatory
12 or supplemental thereto, shall hereafter not be subject to
13 judicial review.

14 OIL AND GAS ROYALTIES FROM ALASKA COASTAL PLAIN

15 SEC. 442. Section 20001(b) of Public Law 115–97
16 is amended—

17 (1) in paragraph (5)(A)—

18 (A) by striking “50” and inserting “47”;

19 and

20 (B) by inserting before the semicolon “and
21 3 percent shall be deposited into the Fund es-
22 tablished in section 6 of Public Law 92–203 to
23 be divided and distributed in the same manner
24 as ‘revenues’ pursuant to section 7 of such
25 Act”; and

1 (2) by adding at the end the following:

2 “(6) USE OF DISTRIBUTIONS.—Notwith-
3 standing any other provision of law, amounts re-
4 ceived as a distribution under paragraph (5)(A) shall
5 be used for the purpose of providing for the social
6 and economic needs of Natives (as defined in section
7 3 of the Alaska Native Claims Settlement Act (43
8 U.S.C. 1602)).”.

9 REFERENCES TO ACT

10 SEC. 443. Except as expressly provided otherwise,
11 any reference to “this Act” contained in this division shall
12 be treated as referring only to the provisions of this divi-
13 sion.

14 REFERENCES TO REPORT

15 SEC. 444. Any reference to a “report accompanying
16 this Act” contained in this division shall be treated as a
17 reference to House Report 115–765. The effect of such
18 Report shall be limited to this division and shall apply for
19 purposes of determining the allocation of funds provided
20 by, and the implementation of, this division.

21 SPENDING REDUCTION ACCOUNT

22 SEC. 445. The amount by which the applicable alloca-
23 tion of new budget authority made by the Committee on
24 Appropriations of the House of Representatives under sec-

tion 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

SEC. 446. None of the funds made available by this Act may be used to terminate or restructure the Great Lakes Advisory Board, a Federal advisory committee chartered under the Federal Advisory Committee Act.

SEC. 447. There is appropriated for grants for lead reduction projects under section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j–19b) \$10,000,000, to be derived from a reduction of \$10,000,000 in the amount provided in this Act under the heading “Environmental Protection Agency—Environmental Programs and Management”.

SEC. 448. None of the funds made available by this Act may be used to enforce the final rule entitled “Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles— Phase 2” published in the Federal Register on October 25, 2016 (81 Fed. Reg. 73478 et seq.), with respect to trailers.

SEC. 449. None of the funds made available by this Act may be used to repeal section 105(a)(2) or section 105(b) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

SEC. 450. None of the funds made available by this Act may be used by the Environmental Protection Agency

1 to hire or pay the salary of any officer or employee of
2 the Environmental Protection Agency under subsection (f)
3 or (g) of section 207 of the Public Health Service Act (42
4 U.S.C. 209) who is not already receiving pay under either
5 such subsection on the date of enactment of this Act.

6 LIMITATION

7 SEC. 451. None of the funds made available by this
8 Act may be used to require changes to an existing placer
9 mining plan of operations with regard to reclamation ac-
10 tivities, including revegetation, or to modify the bond re-
11 quirements for the mining operation.

12 SEC. 452. None of the funds made available by this
13 Act may be used to give formal notification under, or pre-
14 pare, propose, implement, administer, or enforce any rule
15 or recommendation pursuant to, section 115 of the Clean
16 Air Act (42 U.S.C. 7415).

17 SEC. 453. None of the funds made available by this
18 Act may be used in contravention of Federal Acquisition
19 Regulation 6.101(a) with respect to aviation helmets.

20 SEC. 454. None of the funds made available by this
21 act may be used by the Secretary to modify operations
22 of the New Melones reservoir authorized in section 10 of
23 the Flood Control Act of 1944 (58 Stat. 887, 901) for
24 the purposes of executing any component of the State

1 Water Resources Control Board of California’s Bay-Delta
2 Water Quality Control Plan.

3 LIMITATION ON USE OF FUNDS TO RESTRICT CERTAIN
4 USE OF GENETICALLY MODIFIED CROPS IN NA-
5 TIONAL WILDLIFE REFUGES

6 SEC. 455. None of the funds made available by this
7 Act may be used to enforce any prohibition or limitation
8 of any kind in a cooperative agreement referred to in sec-
9 tion 29.2 of title 50, Code of Federal Regulations, on the
10 planting of genetically modified crops in a national wildlife
11 refuge.

12 SEC. 456. None of the funds made available in this
13 Act may be used to eliminate the Urban Wildlife Refuge
14 Partnership.

15 SEC. 457. None of the funds made available in this
16 Act may be used to limit outreach programs administered
17 by the Smithsonian Institution.

18 SEC. 458. None of the funds made available by this
19 Act may be used to enforce the final rule entitled “Oil
20 and Natural Gas Sector: Emission Standards for New, Re-
21 constructed, and Modified Sources” published by the En-
22 vironmental Protection Agency in the Federal Register on
23 June 3, 2016 (81 Fed. Reg. 35824).

24 SEC. 459. None of the funds made available by this
25 Act may be used to prepare, propose, or promulgate any

1 regulation or guidance that references or relies on the
2 analysis contained in—

3 (1) “Technical Support Document: Social Cost
4 of Carbon for Regulatory Impact Analysis Under
5 Executive Order No. 12866”, published by the
6 Interagency Working Group on Social Cost of Car-
7 bon, United States Government, in February 2010;

8 (2) “Technical Support Document: Technical
9 Update of the Social Cost of Carbon for Regulatory
10 Impact Analysis Under Executive Order No.
11 12866”, published by the Interagency Working
12 Group on Social Cost of Carbon, United States Gov-
13 ernment, in May 2013 and revised in November
14 2013;

15 (3) “Revised Draft Guidance for Federal De-
16 partments and Agencies on Consideration of Green-
17 house Gas Emissions and the Effects of Climate
18 Change in NEPA Reviews”, published by the Coun-
19 cil on Environmental Quality on December 24, 2014
20 (79 Fed. Reg. 77802);

21 (4) “Technical Support Document: Technical
22 Update of the Social Cost of Carbon for Regulatory
23 Impact Analysis Under Executive Order No.
24 12866”, published by the Interagency Working

1 Group on Social Cost of Carbon, United States Gov-
2 ernment, in July 2015;

3 (5) “Addendum to the Technical Support Docu-
4 ment on Social Cost of Carbon for Regulatory Im-
5 pact Analysis Under Executive Order No. 12866:
6 Application of the Methodology to Estimate the So-
7 cial Cost of Methane and the Social Cost of Nitrous
8 Oxide”, published by the Interagency Working
9 Group on Social Cost of Greenhouse Gases, United
10 States Government, in August 2016; or

11 (6) “Technical Support Document: Technical
12 Update of the Social Cost of Carbon for Regulatory
13 Impact Analysis Under Executive Order No.
14 12866”, published by the Interagency Working
15 Group on Social Cost of Greenhouse Gases, United
16 States Government, in August 2016.

17 SEC. 460. None of the funds made available by this
18 Act may be used by the Administrator of the Environ-
19 mental Protection Agency to implement, or to require the
20 State of Washington to implement, the final rule entitled
21 “Revision of Certain Federal Water Quality Criteria Ap-
22 plicable to Washington” published on November 28, 2016
23 (81 Fed. Reg. 85417).

1 LIMITATION ON USE OF FUNDS

2 SEC. 461. None of the funds made available by this
3 Act may be used to implement or enforce the threatened
4 species listing of the Preble’s meadow jumping mouse
5 under the Endangered Species Act of 1973 (16 U.S.C.
6 1531 et seq.).

7 LIMITATION ON USE OF FUNDS

8 SEC. 462. None of the funds made available by this
9 Act may be used to implement or enforce the threatened
10 species or endangered species listing of any plant or wild-
11 life that has not undergone a review as required by section
12 4(c)(2) of the Endangered Species Act of 1973 (16 U.S.C.
13 1533(c)(2)).

14 SEC. 463. None of the funds made available by this
15 Act may be used by the Environmental Protection Agency
16 to take any of the actions described as a “backstop” in
17 the December 29, 2009, letter from EPA’s Regional Ad-
18 ministrator to the States in the Watershed and the Dis-
19 trict of Columbia in response to the development or imple-
20 mentation of a State’s watershed implementation and re-
21 ferred to in enclosure B of such letter.

22 LIMITATION ON USE OF FUNDS

23 SEC. 464. None of the funds made available by this
24 Act shall be used to draft, propose, finalize, implement,
25 enforce, or carry out any rulemaking on the lesser prairie-

1 chicken (*Tympanuchus pallidicinctus*) under section 4 of
2 the Endangered Species Act of 1973 (16 U.S.C. 1533).

3 SEC. 465. None of the funds made available by this
4 Act may be used to pay attorney’s fees pursuant to a set-
5 tlement in any case, in which the Federal Government is
6 a party, that arises under—

7 (1) the Clean Air Act (42 U.S.C. 7401 et seq.);

8 (2) the Federal Water Pollution Control Act
9 (33 U.S.C. 1251 et seq.); or

10 (3) the Endangered Species Act of 1973 (16
11 U.S.C. 1531 et seq.).

12 This division may be cited as the “Department of the
13 Interior, Environment, and Related Agencies Appropria-
14 tions Act, 2019”.

15 **DIVISION B—FINANCIAL SERVICES AND**
16 **GENERAL GOVERNMENT APPROPRIA-**
17 **TIONS ACT, 2019**

18 The following sums are appropriated, out of any money
19 in the Treasury not otherwise appropriated, for the fiscal
20 year ending September 30, 2019, and for other purposes,
21 namely:

1 TITLE I
2 DEPARTMENT OF THE TREASURY
3 DEPARTMENTAL OFFICES
4 SALARIES AND EXPENSES

5 For necessary expenses of the Departmental Offices
6 including operation and maintenance of the Treasury
7 Building and Freedman's Bank Building; hire of pas-
8 senger motor vehicles; maintenance, repairs, and improve-
9 ments of, and purchase of commercial insurance policies
10 for, real properties leased or owned overseas, when nec-
11 essary for the performance of official business; executive
12 direction program activities; international affairs and eco-
13 nomic policy activities; domestic finance and tax policy ac-
14 tivities, including technical assistance to Puerto Rico; and
15 Treasury-wide management policies and programs activi-
16 ties, \$208,751,000 (reduced by \$100,000) (increased by
17 \$100,000): *Provided*, That of the amount appropriated
18 under this heading—

19 (1) not to exceed \$700,000 is for official recep-
20 tion and representation expenses, of which necessary
21 amounts shall be available for expenses to support
22 activities of the Financial Action Task Force, and
23 not to exceed \$350,000 shall be available for other
24 official reception and representation expenses;

1 (2) not to exceed \$258,000 is for unforeseen
2 emergencies of a confidential nature to be allocated
3 and expended under the direction of the Secretary of
4 the Treasury and to be accounted for solely on the
5 Secretary's certificate; and

6 (3) not to exceed \$24,000,000 shall remain
7 available until September 30, 2020, for—

8 (A) the Treasury-wide Financial Statement
9 Audit and Internal Control Program;

10 (B) information technology modernization
11 requirements;

12 (C) the audit, oversight, and administra-
13 tion of the Gulf Coast Restoration Trust Fund;

14 (D) the development and implementation
15 of programs within the Office of Critical Infra-
16 structure Protection and Compliance Policy, in-
17 cluding entering into cooperative agreements;

18 (E) operations and maintenance of facili-
19 ties; and

20 (F) international operations.

21 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

22 SALARIES AND EXPENSES

23 For the necessary expenses of the Office of Terrorism
24 and Financial Intelligence to safeguard the financial sys-
25 tem against illicit use and to combat rogue nations, ter-

1 rorist facilitators, weapons of mass destruction
2 proliferators, money launderers, drug kingpins, and other
3 national security threats, \$161,000,000: *Provided*, That of
4 the amounts appropriated under this heading, up to
5 \$10,000,000 shall remain available until September 30,
6 2020.

7 CYBERSECURITY ENHANCEMENT ACCOUNT

8 For salaries and expenses for enhanced cybersecurity
9 for systems operated by the Department of the Treasury,
10 \$25,208,000, to remain available until September 30,
11 2021: *Provided*, That such funds shall supplement and not
12 supplant any other amounts made available to the Treas-
13 ury offices and bureaus for cybersecurity: *Provided fur-*
14 *ther*, That the Chief Information Officer of the individual
15 offices and bureaus shall submit a spend plan for each
16 investment to the Treasury Chief Information Officer for
17 approval: *Provided further*, That the submitted spend plan
18 shall be reviewed and approved by the Treasury Chief In-
19 formation Officer prior to the obligation of funds under
20 this heading: *Provided further*, That of the total amount
21 made available under this heading \$1,000,000 shall be
22 available for administrative expenses for the Treasury
23 Chief Information Officer to provide oversight of the in-
24 vestments made under this heading: *Provided further*,
25 That such funds shall supplement and not supplant any

1 other amounts made available to the Treasury Chief Infor-
2 mation Officer.

3 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

4 INVESTMENTS PROGRAMS

5 (INCLUDING TRANSFER OF FUNDS)

6 For development and acquisition of automatic data
7 processing equipment, software, and services and for re-
8 pairs and renovations to buildings owned by the Depart-
9 ment of the Treasury, \$8,000,000, to remain available
10 until September 30, 2021: *Provided*, That these funds
11 shall be transferred to accounts and in amounts as nec-
12 essary to satisfy the requirements of the Department's of-
13 fices, bureaus, and other organizations: *Provided further*,
14 That this transfer authority shall be in addition to any
15 other transfer authority provided in this Act: *Provided fur-*
16 *ther*, That none of the funds appropriated under this head-
17 ing shall be used to support or supplement "Internal Rev-
18 enue Service, Operations Support" or "Internal Revenue
19 Service, Business Systems Modernization".

20 FUND FOR AMERICA'S KIDS AND GRANDKIDS

21 There is established in the Treasury a fund to be
22 known as the "Fund for America's Kids and Grandkids"
23 (the "Fund"): *Provided*, That in addition to amounts oth-
24 erwise made available by this Act, there is appropriated
25 to the Fund \$585,000,000 for the sole purpose of govern-

1 ment efficiencies: *Provided further*, That amounts in the
2 Fund may not be obligated until after the date that the
3 Secretary of the Treasury certifies in the annual Financial
4 Report of the United States Government that the Federal
5 budget deficit equals \$0 or that there is a budget surplus:
6 *Provided further*, That no amounts may be transferred
7 from the Fund.

8 OFFICE OF INSPECTOR GENERAL
9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$37,044,000, including hire of pas-
13 senger motor vehicles; of which not to exceed \$100,000
14 shall be available for unforeseen emergencies of a con-
15 fidential nature, to be allocated and expended under the
16 direction of the Inspector General of the Treasury; of
17 which up to \$2,800,000 to remain available until Sep-
18 tember 30, 2020, shall be for audits and investigations
19 conducted pursuant to section 1608 of the Resources and
20 Ecosystems Sustainability, Tourist Opportunities, and Re-
21 vived Economies of the Gulf Coast States Act of 2012 (33
22 U.S.C. 1321 note); and of which not to exceed \$1,000
23 shall be available for official reception and representation
24 expenses.

1 TREASURY INSPECTOR GENERAL FOR TAX

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses of the Treasury Inspector
5 General for Tax Administration in carrying out the In-
6 spector General Act of 1978, as amended, including pur-
7 chase and hire of passenger motor vehicles (31 U.S.C.
8 1343(b)); and services authorized by 5 U.S.C. 3109, at
9 such rates as may be determined by the Inspector General
10 for Tax Administration; \$170,834,000, of which
11 \$5,000,000 shall remain available until September 30,
12 2020; of which not to exceed \$6,000,000 shall be available
13 for official travel expenses; of which not to exceed
14 \$500,000 shall be available for unforeseen emergencies of
15 a confidential nature, to be allocated and expended under
16 the direction of the Inspector General for Tax Administra-
17 tion; and of which not to exceed \$1,500 shall be available
18 for official reception and representation expenses.

19 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED

20 ASSET RELIEF PROGRAM

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of the Special
23 Inspector General in carrying out the provisions of the
24 Emergency Economic Stabilization Act of 2008 (Public
25 Law 110–343), \$28,800,000.

1 FINANCIAL CRIMES ENFORCEMENT NETWORK

2 SALARIES AND EXPENSES

3 For necessary expenses of the Financial Crimes En-
4 forcement Network, including hire of passenger motor ve-
5 hicles; travel and training expenses of non-Federal and
6 foreign government personnel to attend meetings and
7 training concerned with domestic and foreign financial in-
8 telligence activities, law enforcement, and financial regula-
9 tion; services authorized by 5 U.S.C. 3109; not to exceed
10 \$12,000 for official reception and representation expenses;
11 and for assistance to Federal law enforcement agencies,
12 with or without reimbursement, \$117,800,000, of which
13 not to exceed \$34,335,000 shall remain available until
14 September 30, 2021.

15 BUREAU OF THE FISCAL SERVICE

16 SALARIES AND EXPENSES

17 For necessary expenses of operations of the Bureau
18 of the Fiscal Service, \$338,280,000; of which not to ex-
19 ceed \$4,210,000, to remain available until September 30,
20 2021, is for information systems modernization initiatives;
21 and of which \$5,000 shall be available for official reception
22 and representation expenses.

23 In addition, \$165,000, to be derived from the Oil
24 Spill Liability Trust Fund to reimburse administrative
25 and personnel expenses for financial management of the

1 Fund, as authorized by section 1012 of Public Law 101–
2 380.

3 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

4 SALARIES AND EXPENSES

5 For necessary expenses of carrying out section 1111
6 of the Homeland Security Act of 2002, including hire of
7 passenger motor vehicles, \$123,527,000; of which not to
8 exceed \$6,000 for official reception and representation ex-
9 penses; and of which not to exceed \$50,000 shall be avail-
10 able for cooperative research and development programs
11 for laboratory services; and provision of laboratory assist-
12 ance to State and local agencies with or without reim-
13 bursement: *Provided*, That of the amount appropriated
14 under this heading, \$5,000,000 shall be for the costs of
15 accelerating the processing of formula and label applica-
16 tions: *Provided further*, That of the amount appropriated
17 under this heading, \$5,000,000, to remain available until
18 September 30, 2020, shall be for the costs associated with
19 enforcement of the trade practice provisions of the Federal
20 Alcohol Administration Act (27 U.S.C. 201 et seq.).

21 UNITED STATES MINT

22 UNITED STATES MINT PUBLIC ENTERPRISE FUND

23 Pursuant to section 5136 of title 31, United States
24 Code, the United States Mint is provided funding through
25 the United States Mint Public Enterprise Fund for costs

1 associated with the production of circulating coins, numis-
 2 matic coins, and protective services, including both oper-
 3 ating expenses and capital investments: *Provided*, That
 4 the aggregate amount of new liabilities and obligations in-
 5 curred during fiscal year 2019 under such section 5136
 6 for circulating coinage and protective service capital in-
 7 vestments of the United States Mint shall not exceed
 8 \$30,000,000.

9 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

10 FUND PROGRAM ACCOUNT

11 To carry out the Riegle Community Development and
 12 Regulatory Improvements Act of 1994 (subtitle A of title
 13 I of Public Law 103–325), including services authorized
 14 by section 3109 of title 5, United States Code, but at rates
 15 for individuals not to exceed the per diem rate equivalent
 16 to the rate for EX–3, \$216,000,000 (increased by
 17 \$2,000,000) (increased by \$5,000,000). Of the amount
 18 appropriated under this heading—

19 (1) not less than \$121,000,000 (increased by
 20 \$17,000,000), notwithstanding section 108(e) of
 21 Public Law 103–325 (12 U.S.C. 4707(e)) with re-
 22 gard to Small and/or Emerging Community Develop-
 23 ment Financial Institutions Assistance awards, is
 24 available until September 30, 2019, for financial as-
 25 sistance, technical assistance, training, and outreach

1 under subparagraphs (A) and (B) of section
2 108(a)(1), respectively, of Public Law 103–325 (12
3 U.S.C. 4707(a)(1)(A) and (B)), of which up to
4 \$2,527,250 may be used for the cost of direct loans,
5 and of which up to \$3,000,000, notwithstanding
6 subsection (d) of section 108 of Public Law 103–325
7 (12 U.S.C. 4707 (d)), may be available to provide fi-
8 nancial assistance, technical assistance, training, and
9 outreach to community development financial insti-
10 tutions to expand investments that benefit individ-
11 uals with disabilities: *Provided*, That the cost of di-
12 rect and guaranteed loans, including the cost of
13 modifying such loans, shall be as defined in section
14 502 of the Congressional Budget Act of 1974: *Pro-*
15 *vided further*, That these funds are available to sub-
16 sidize gross obligations for the principal amount of
17 direct loans not to exceed \$25,000,000; *Provided*
18 *further*, That with regard to financial assistance
19 awards made pursuant to this paragraph, excluding
20 those made to community development financial in-
21 stitutions to expand investments that benefit individ-
22 uals with disabilities, priority shall be placed on pro-
23 viding assistance to community development finan-
24 cial institutions that have provided no less than 15
25 percent of their total financial products to recipients

1 in persistent poverty counties, as measured by a
2 three year average of their activity;

3 (2) not less than \$13,000,000 (increased by
4 \$2,000,000) (increased by \$1,000,000), notwith-
5 standing section 108(e) of Public Law 103–325 (12
6 U.S.C. 4707(e)), is available until September 30,
7 2019, for financial assistance, technical assistance,
8 training, and outreach programs designed to benefit
9 Native American, Native Hawaiian, and Alaska Na-
10 tive communities and provided primarily through
11 qualified community development lender organiza-
12 tions with experience and expertise in community de-
13 velopment banking and lending in Indian country,
14 Native American organizations, tribes and tribal or-
15 ganizations, and other suitable providers;

16 (3) not less than \$19,000,000 (increased by
17 \$4,000,000) is available until September 30, 2020,
18 for the Bank Enterprise Award program;

19 (4) not less than \$15,000,000 (increased by
20 \$3,000,000), notwithstanding subsections (d) and
21 (e) of section 108 of Public Law 103–325 (12
22 U.S.C. 4707(d) and (e)), is available until Sep-
23 tember 30, 2019, for a Healthy Food Financing Ini-
24 tiative to provide financial assistance, technical as-
25 sistance, training, and outreach to community devel-

1 opment financial institutions for the purpose of of-
2 fering affordable financing and technical assistance
3 to expand the availability of healthy food options in
4 distressed communities;

5 (5) up to \$23,000,000 is available until Sep-
6 tember 30, 2019, for administrative expenses, in-
7 cluding administration of CDFI fund programs and
8 the New Markets Tax Credit Program, of which not
9 less than \$1,000,000 is for development of tools to
10 better assess and inform CDFI investment perform-
11 ance, and up to \$300,000 is for administrative ex-
12 penses to carry out the direct loan program; and

13 (6) during fiscal year 2019, none of the funds
14 available under this heading are available for the
15 cost, as defined in section 502 of the Congressional
16 Budget Act of 1974, of commitments to guarantee
17 bonds and notes under section 114A of the Riegle
18 Community Development and Regulatory Improve-
19 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
20 That commitments to guarantee bonds and notes
21 under such section 114A shall not exceed
22 \$500,000,000: *Provided further*, That such section
23 114A shall remain in effect until December 31,
24 2019: *Provided further*, That of the funds awarded
25 under this heading, not less than 10 percent shall be

1 used for awards that support investments that serve
2 populations living in persistent poverty counties:
3 *Provided further*, That for the purposes of this para-
4 graph and paragraph (1) above, the term “persistent
5 poverty counties” means any county that has had 20
6 percent or more of its population living in poverty
7 over the past 30 years, as measured by the 1990
8 and 2000 decennial censuses and the 2011–2015 5-
9 year data series available from the American Com-
10 munity Survey of the Census Bureau.

11 INTERNAL REVENUE SERVICE

12 TAXPAYER SERVICES

13 For necessary expenses of the Internal Revenue Serv-
14 ice to provide taxpayer services, including pre-filing assist-
15 ance and education, filing and account services, taxpayer
16 advocacy services, and other services as authorized by 5
17 U.S.C. 3109, at such rates as may be determined by the
18 Commissioner, \$2,491,554,000, of which not less than
19 \$8,890,000 (increased by \$1,000,000) shall be for the Tax
20 Counseling for the Elderly Program, of which not less
21 than \$12,000,000 shall be available for low-income tax-
22 payer clinic grants, and of which not less than
23 \$15,000,000, to remain available until September 30,
24 2020, shall be available for a Community Volunteer In-
25 come Tax Assistance matching grants program for tax re-

1 turn preparation assistance; of which not less than
2 \$207,000,000 shall be available for operating expenses of
3 the Taxpayer Advocate Service: *Provided*, That of the
4 amounts made available for the Taxpayer Advocate Serv-
5 ice, not less than \$5,000,000 (increased by \$500,000)
6 shall be for identity theft and refund fraud casework.

7
8 ENFORCEMENT

8 For necessary expenses for tax enforcement activities
9 of the Internal Revenue Service to determine and collect
10 owed taxes, to provide legal and litigation support, to con-
11 duct criminal investigations, to enforce criminal statutes
12 related to violations of internal revenue laws and other fi-
13 nancial crimes, to purchase and hire passenger motor vehi-
14 cles (31 U.S.C. 1343(b)), and to provide other services
15 as authorized by 5 U.S.C. 3109, at such rates as may be
16 determined by the Commissioner, \$4,860,000,000, of
17 which not to exceed \$50,000,000 shall remain available
18 until September 30, 2020, and of which not less than
19 \$60,257,000 shall be for the Interagency Crime and Drug
20 Enforcement program.

21
22 OPERATIONS SUPPORT

22 For necessary expenses of the Internal Revenue Serv-
23 ice to support taxpayer services and enforcement pro-
24 grams, including rent payments; facilities services; print-
25 ing; postage; physical security; headquarters and other

1 IRS-wide administration activities; research and statistics
2 of income; telecommunications; information technology de-
3 velopment, enhancement, operations, maintenance, and se-
4 curity; the hire of passenger motor vehicles (31 U.S.C.
5 1343(b)); the operations of the Internal Revenue Service
6 Oversight Board; and other services as authorized by 5
7 U.S.C. 3109, at such rates as may be determined by the
8 Commissioner; \$3,988,000,000, of which not to exceed
9 \$50,000,000 shall remain available until September 30,
10 2020; of which not to exceed \$10,000,000 shall remain
11 available until expended for acquisition of equipment and
12 construction, repair and renovation of facilities; of which
13 not to exceed \$1,000,000 shall remain available until Sep-
14 tember 30, 2020, for research; of which not to exceed
15 \$20,000 shall be for official reception and representation
16 expenses: *Provided*, That not later than 30 days after the
17 end of each quarter, the Internal Revenue Service shall
18 submit a report to the Committees on Appropriations of
19 the House of Representatives and the Senate and the
20 Comptroller General of the United States detailing the
21 cost and schedule performance for its major information
22 technology investments, including the purpose and life-
23 cycle stages of the investments; the reasons for any cost
24 and schedule variances; the risks of such investments and
25 strategies the Internal Revenue Service is using to miti-

1 gate such risks; and the expected developmental mile-
2 stones to be achieved and costs to be incurred in the next
3 quarter: *Provided further*, That the Internal Revenue Serv-
4 ice shall include, in its budget justification for fiscal year
5 2020, a summary of cost and schedule performance infor-
6 mation for its major information technology systems.

7 BUSINESS SYSTEMS MODERNIZATION

8 For necessary expenses of the Internal Revenue Serv-
9 ice's business systems modernization program,
10 \$200,000,000, to remain available until September 30,
11 2021, for the capital asset acquisition of information tech-
12 nology systems, including management and related con-
13 tractual costs of said acquisitions, including related Inter-
14 nal Revenue Service labor costs, and contractual costs as-
15 sociated with operations authorized by 5 U.S.C. 3109:
16 *Provided*, That not later than 30 days after the end of
17 each quarter, the Internal Revenue Service shall submit
18 a report to the Committees on Appropriations of the
19 House of Representatives and the Senate and the Comp-
20 troller General of the United States detailing the cost and
21 schedule performance for major information technology in-
22 vestments, including the purposes and life-cycle stages of
23 the investments; the reasons for any cost and schedule
24 variances; the risks of such investments and the strategies
25 the Internal Revenue Service is using to mitigate such

1 risks; and the expected developmental milestones to be
2 achieved and costs to be incurred in the next quarter.

3 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE
4 SERVICE
5 (INCLUDING TRANSFERS OF FUNDS)

6 SEC. 101. Not to exceed 5 percent of any appropria-
7 tion made available in this Act to the Internal Revenue
8 Service may be transferred to any other Internal Revenue
9 Service appropriation upon the advance approval of the
10 Committees on Appropriations.

11 SEC. 102. The Internal Revenue Service shall main-
12 tain an employee training program, which shall include the
13 following topics: taxpayers' rights, dealing courteously
14 with taxpayers, cross-cultural relations, ethics, and the im-
15 partial application of tax law.

16 SEC. 103. The Internal Revenue Service shall insti-
17 tute and enforce policies and procedures that will safe-
18 guard the confidentiality of taxpayer information and pro-
19 tect taxpayers against identity theft.

20 SEC. 104. Funds made available by this or any other
21 Act to the Internal Revenue Service shall be available for
22 improved facilities and increased staffing to provide suffi-
23 cient and effective 1–800 help line service for taxpayers.
24 The Commissioner shall continue to make improvements
25 to the Internal Revenue Service 1–800 help line service

1 a priority and allocate resources necessary to enhance the
2 response time to taxpayer communications, particularly
3 with regard to victims of tax-related crimes.

4 SEC. 105. The Internal Revenue Service shall issue
5 a notice of confirmation of any address change relating
6 to an employer making employment tax payments, and
7 such notice shall be sent to both the employer's former
8 and new address and an officer or employee of the Internal
9 Revenue Service shall give special consideration to an
10 offer-in-compromise from a taxpayer who has been the vic-
11 tim of fraud by a third party payroll tax preparer.

12 SEC. 106. None of the funds made available under
13 this Act may be used by the Internal Revenue Service to
14 target citizens of the United States for exercising any
15 right guaranteed under the First Amendment to the Con-
16 stitution of the United States.

17 SEC. 107. None of the funds made available in this
18 Act may be used by the Internal Revenue Service to target
19 groups for regulatory scrutiny based on their ideological
20 beliefs.

21 SEC. 108. None of funds made available by this Act
22 to the Internal Revenue Service shall be obligated or ex-
23 pended on conferences that do not adhere to the proce-
24 dures, verification processes, documentation requirements,
25 and policies issued by the Chief Financial Officer, Human

1 Capital Office, and Agency-Wide Shared Services as a re-
2 sult of the recommendations in the report published on
3 May 31, 2013, by the Treasury Inspector General for Tax
4 Administration entitled “Review of the August 2010 Small
5 Business/Self-Employed Division’s Conference in Ana-
6 heim, California” (Reference Number 2013–10–037).

7 SEC. 109. None of the funds made available in this
8 Act to the Internal Revenue Service may be obligated or
9 expended—

10 (1) to make a payment to any employee under
11 a bonus, award, or recognition program; or

12 (2) under any hiring or personnel selection
13 process with respect to re-hiring a former employee,
14 unless such program or process takes into account
15 the conduct and Federal tax compliance of such em-
16 ployee or former employee.

17 SEC. 110. None of the funds made available by this
18 Act may be used in contravention of section 6103 of the
19 Internal Revenue Code of 1986 (relating to confidentiality
20 and disclosure of returns and return information).

21 SEC. 111. Except to the extent provided in section
22 6014, 6020, or 6201(d) of the Internal Revenue Code of
23 1986, no funds in this or any other Act shall be available
24 to the Secretary of the Treasury to provide to any person
25 a proposed final return or statement for use by such per-

1 son to satisfy a filing or reporting requirement under such
2 Code.

3 SEC. 112. None of the funds made available by this
4 Act may be used by the Internal Revenue Service to deny
5 tax exemption under section 501(a) of the Internal Rev-
6 enue Code of 1986 with respect to a church, an integrated
7 auxiliary of a church, or a convention or association of
8 churches for participating in, or intervening in, any polit-
9 ical campaign on behalf of (or in opposition to) any can-
10 didate for public office unless—

11 (1) the Commissioner of Internal Revenue de-
12 termines that the exemption should be denied;

13 (2) not later than 30 days after such deter-
14 mination, the Commissioner notifies the Committee
15 on Ways and Means of the House of Representatives
16 and the Committee on Finance of the Senate of such
17 determination; and

18 (3) such denial is effective not earlier than 90
19 days after the date of the notification under para-
20 graph (2).

21 SEC. 113. In addition to the amounts otherwise made
22 available in this Act for the Internal Revenue Service,
23 \$77,000,000, to be available until September 30, 2020,
24 shall be transferred by the Commissioner to the “Tax-
25 payer Services”, “Enforcement”, or “Operations Support”

1 accounts of the Internal Revenue Service for an additional
2 amount to be used solely for carrying out Public Law 115–
3 97: Provided, That such funds shall not be available until
4 the Commissioner submits to the Committees on Appro-
5 priations of the House of Representatives and the Senate
6 a spending plan for such funds.

7 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
8 TREASURY
9 (INCLUDING TRANSFERS OF FUNDS)

10 SEC. 114. Appropriations to the Department of the
11 Treasury in this Act shall be available for uniforms or al-
12 lowances therefor, as authorized by law (5 U.S.C. 5901),
13 including maintenance, repairs, and cleaning; purchase of
14 insurance for official motor vehicles operated in foreign
15 countries; purchase of motor vehicles without regard to the
16 general purchase price limitations for vehicles purchased
17 and used overseas for the current fiscal year; entering into
18 contracts with the Department of State for the furnishing
19 of health and medical services to employees and their de-
20 pendants serving in foreign countries; and services author-
21 ized by 5 U.S.C. 3109.

22 SEC. 115. Not to exceed 2 percent of any appropria-
23 tions in this title made available under the headings “De-
24 partmental Offices—Salaries and Expenses”, “Office of
25 Inspector General”, “Special Inspector General for the

1 Troubled Asset Relief Program”, “Financial Crimes En-
2 forcement Network”, “Bureau of the Fiscal Service”, and
3 “Alcohol and Tobacco Tax and Trade Bureau” may be
4 transferred between such appropriations upon the advance
5 approval of the Committees on Appropriations of the
6 House of Representatives and the Senate: *Provided*, That
7 no transfer under this section may increase or decrease
8 any such appropriation by more than 2 percent.

9 SEC. 116. Not to exceed 2 percent of any appropria-
10 tion made available in this Act to the Internal Revenue
11 Service may be transferred to the Treasury Inspector Gen-
12 eral for Tax Administration’s appropriation upon the ad-
13 vance approval of the Committees on Appropriations of
14 the House of Representatives and the Senate: *Provided*,
15 That no transfer may increase or decrease any such appro-
16 priation by more than 2 percent.

17 SEC. 117. None of the funds appropriated in this Act
18 or otherwise available to the Department of the Treasury
19 or the Bureau of Engraving and Printing may be used
20 to redesign the \$1 Federal Reserve note.

21 SEC. 118. The Secretary of the Treasury may trans-
22 fer funds from the “Bureau of the Fiscal Service-Salaries
23 and Expenses” to the Debt Collection Fund as necessary
24 to cover the costs of debt collection: *Provided*, That such
25 amounts shall be reimbursed to such salaries and expenses

1 account from debt collections received in the Debt Collec-
2 tion Fund.

3 SEC. 119. None of the funds appropriated or other-
4 wise made available by this or any other Act may be used
5 by the United States Mint to construct or operate any mu-
6 seum without the explicit approval of the Committees on
7 Appropriations of the House of Representatives and the
8 Senate, the House Committee on Financial Services, and
9 the Senate Committee on Banking, Housing, and Urban
10 Affairs.

11 SEC. 120. None of the funds appropriated or other-
12 wise made available by this or any other Act or source
13 to the Department of the Treasury, the Bureau of Engrav-
14 ing and Printing, and the United States Mint, individually
15 or collectively, may be used to consolidate any or all func-
16 tions of the Bureau of Engraving and Printing and the
17 United States Mint without the explicit approval of the
18 House Committee on Financial Services; the Senate Com-
19 mittee on Banking, Housing, and Urban Affairs; and the
20 Committees on Appropriations of the House of Represent-
21 atives and the Senate.

22 SEC. 121. Funds appropriated by this Act, or made
23 available by the transfer of funds in this Act, for the De-
24 partment of the Treasury's intelligence or intelligence re-
25 lated activities are deemed to be specifically authorized by

1 the Congress for purposes of section 504 of the National
2 Security Act of 1947 (50 U.S.C. 414) during fiscal year
3 2019 until the enactment of the Intelligence Authorization
4 Act for Fiscal Year 2019.

5 SEC. 122. Not to exceed \$5,000 shall be made avail-
6 able from the Bureau of Engraving and Printing's Indus-
7 trial Revolving Fund for necessary official reception and
8 representation expenses.

9 SEC. 123. The Secretary of the Treasury shall submit
10 a Capital Investment Plan to the Committees on Appro-
11 priations of the Senate and the House of Representatives
12 not later than 30 days following the submission of the an-
13 nual budget submitted by the President: *Provided*, That
14 such Capital Investment Plan shall include capital invest-
15 ment spending from all accounts within the Department
16 of the Treasury, including but not limited to the Depart-
17 ment-wide Systems and Capital Investment Programs ac-
18 count, Treasury Franchise Fund account, and the Treas-
19 ury Forfeiture Fund account: *Provided further*, That such
20 Capital Investment Plan shall include expenditures occur-
21 ring in previous fiscal years for each capital investment
22 project that has not been fully completed.

23 SEC. 124. Within 45 days after the date of enactment
24 of this Act, the Secretary of the Treasury shall submit
25 an itemized report to the Committees on Appropriations

1 of the House of Representatives and the Senate on the
2 amount of total funds charged to each office by the Fran-
3 chise Fund including the amount charged for each service
4 provided by the Franchise Fund to each office, a detailed
5 description of the services, a detailed explanation of how
6 each charge for each service is calculated, and a descrip-
7 tion of the role customers have in governing in the Fran-
8 chise Fund.

9 SEC. 125. During fiscal year 2019—

10 (1) none of the funds made available in this or
11 any other Act may be used by the Department of
12 the Treasury, including the Internal Revenue Serv-
13 ice, to issue, revise, or finalize any regulation, rev-
14 enue ruling, or other guidance not limited to a par-
15 ticular taxpayer relating to the standard which is
16 used to determine whether an organization is oper-
17 ated exclusively for the promotion of social welfare
18 for purposes of section 501(c)(4) of the Internal
19 Revenue Code of 1986 (including the proposed regu-
20 lations published at 78 Fed. Reg. 71535 (November
21 29, 2013)); and

22 (2) the standard and definitions as in effect on
23 January 1, 2010, which are used to make such de-
24 terminations shall apply after the date of the enact-
25 ment of this Act for purposes of determining status

1 under section 501(c)(4) of such Code of organiza-
2 tions created on, before, or after such date.

3 SEC. 126. (a) Not later than 60 days after the end
4 of each quarter, the Office of Financial Stability and the
5 Office of Financial Research shall submit reports on their
6 activities to the Committees on Appropriations of the
7 House of Representatives and the Senate, the Committee
8 on Financial Services of the House of Representatives and
9 the Senate Committee on Banking, Housing, and Urban
10 Affairs.

11 (b) The reports required under subsection (a) shall
12 include—

13 (1) the obligations made during the previous
14 quarter by object class, office, and activity;

15 (2) the estimated obligations for the remainder
16 of the fiscal year by object class, office, and activity;

17 (3) the number of full-time equivalents within
18 each office during the previous quarter;

19 (4) the estimated number of full-time equiva-
20 lents within each office for the remainder of the fis-
21 cal year; and

22 (5) actions taken to achieve the goals, objec-
23 tives, and performance measures of each office.

24 (c) At the request of any such Committees specified
25 in subsection (a), the Office of Financial Stability and the

1 Office of Financial Research shall make officials available
2 to testify on the contents of the reports required under
3 subsection (a).

4 SEC. 127. Amounts made available under the heading
5 “Office of Terrorism and Financial Intelligence” shall be
6 available to reimburse the “Departmental Offices—Sala-
7 ries and Expenses” account for expenses incurred in such
8 account for reception and representation expenses to sup-
9 port activities of the Financial Action Task Force.

10 SEC. 128. (a) None of the funds made available by
11 this Act may be used to approve, license, facilitate, author-
12 ize, or otherwise allow the use, purchase, trafficking, or
13 import of property confiscated by the Cuban Government.

14 (b) In this section, the terms “confiscated”, “Cuban
15 Government”, “property”, and “traffic” have the mean-
16 ings given such terms in paragraphs (4), (5), (12)(A), and
17 (13), respectively, of section 4 of the Cuban Liberty and
18 Democratic Solidarity (LIBERTAD) Act of 1996 (22
19 U.S.C. 6023).

20 SEC. 129. (a) None of the funds made available in
21 this Act may be used to authorize a general license or ap-
22 prove a specific license under section 501.801 or 515.527
23 of title 31, Code of Federal Regulations, with respect to
24 a mark, trade name, or commercial name that is the same
25 as or substantially similar to a mark, trade name, or com-

1 mercial name that was used in connection with a business
2 or assets that were confiscated unless the original owner
3 of the mark, trade name, or commercial name, or the
4 bona-fide successor-in-interest has expressly consented.

5 (b) In this section, the term “confiscated” has a
6 meaning given such term in section 4(4) of the Cuban Lib-
7 erty and Democratic Solidarity (LIBERTAD) Act of 1996
8 (22 U.S.C. 6023(4)).

9 SEC. 130. None of the funds appropriated or other-
10 wise made available in this Act may be obligated or ex-
11 pended to provide for the enforcement of any rule, regula-
12 tion, policy, or guideline implemented pursuant to the De-
13 partment of the Treasury “Guidance for United States
14 Positions on MDBs Engaging with Developing Countries
15 on Coal-Fired Power Generation” dated October 29, 2013,
16 when enforcement of such rule, regulation, policy, or
17 guideline would prohibit or have the effect of prohibiting,
18 the carrying out of any coal-fired or other power genera-
19 tion project the purpose of which is to increase exports
20 of goods and services from the United States or prevent
21 the loss of jobs from the United States.

22 SEC. 131. (a) Not later than 60 days after the end
23 of each quarter, the Office of Financial Stability and the
24 Office of Financial Research shall submit reports on their
25 activities to the Committees on Appropriations of the

1 House of Representatives and the Senate, the Committee
2 on Financial Services of the House of Representatives and
3 the Committee on Banking, Housing, and Urban Affairs
4 of the Senate.

5 (b) The reports required under subsection (a) shall
6 include—

7 (1) the obligations made during the previous
8 quarter by object class, office, and activity;

9 (2) the estimated obligations for the remainder
10 of the fiscal year by object class, office, and activity;

11 (3) the number of full-time equivalents within
12 each office during the previous quarter;

13 (4) the estimated number of full-time equiva-
14 lents within each office for the remainder of the fis-
15 cal year; and

16 (5) actions taken to achieve the goals, objec-
17 tives, and performance measures of each office.

18 (c) At the request of any such Committees specified
19 in subsection (a), the Office of Financial Stability and the
20 Office of Financial Research shall make officials available
21 to testify on the contents of the reports required under
22 subsection (a).

23 SEC. 132. During fiscal year 2019, the Office of Fi-
24 nancial Research shall provide for a public notice period

1 of not less than 90 days before issuing any proposed re-
2 port, rule, or regulation.

3 SEC. 133. (a) Section 155 of Public Law 111–203
4 is amended as follows:

5 (1) In subsection (b)—

6 (A) in paragraph (1)—

7 (i) by striking “immediately”; and

8 (ii) by inserting “as provided for in
9 appropriation Acts” after “to the Office”;

10 (B) by striking paragraph (2); and

11 (C) by redesignating paragraph (3) as
12 paragraph (2).

13 (2) In subsection (d), by striking the heading
14 and inserting “ASSESSMENT SCHEDULE.—”.

15 (b) The amendments made by subsection (a) shall
16 take effect on October 1, 2019.

17 This title may be cited as the “Department of the
18 Treasury Appropriations Act, 2019”.

19 TITLE II

20 EXECUTIVE OFFICE OF THE PRESIDENT AND

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 THE WHITE HOUSE

23 SALARIES AND EXPENSES

24 For necessary expenses for the White House as au-
25 thorized by law, including not to exceed \$3,850,000 for

1 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
2 subsistence expenses as authorized by 3 U.S.C. 105, which
3 shall be expended and accounted for as provided in that
4 section; hire of passenger motor vehicles, and travel (not
5 to exceed \$100,000 to be expended and accounted for as
6 provided by 3 U.S.C. 103); and not to exceed \$19,000 for
7 official reception and representation expenses, to be avail-
8 able for allocation within the Executive Office of the Presi-
9 dent; and for necessary expenses of the Office of Policy
10 Development, including services as authorized by 5 U.S.C.
11 3109 and 3 U.S.C. 107, \$55,000,000.

12 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

13 OPERATING EXPENSES

14 For necessary expenses of the Executive Residence
15 at the White House, \$13,081,000, to be expended and ac-
16 counted for as provided by 3 U.S.C. 105, 109, 110, and
17 112–114.

18 REIMBURSABLE EXPENSES

19 For the reimbursable expenses of the Executive Resi-
20 dence at the White House, such sums as may be nec-
21 essary: *Provided*, That all reimbursable operating expenses
22 of the Executive Residence shall be made in accordance
23 with the provisions of this paragraph: *Provided further*,
24 That, notwithstanding any other provision of law, such
25 amount for reimbursable operating expenses shall be the

1 exclusive authority of the Executive Residence to incur ob-
2 ligations and to receive offsetting collections, for such ex-
3 penses: *Provided further*, That the Executive Residence
4 shall require each person sponsoring a reimbursable polit-
5 ical event to pay in advance an amount equal to the esti-
6 mated cost of the event, and all such advance payments
7 shall be credited to this account and remain available until
8 expended: *Provided further*, That the Executive Residence
9 shall require the national committee of the political party
10 of the President to maintain on deposit \$25,000, to be
11 separately accounted for and available for expenses relat-
12 ing to reimbursable political events sponsored by such
13 committee during such fiscal year: *Provided further*, That
14 the Executive Residence shall ensure that a written notice
15 of any amount owed for a reimbursable operating expense
16 under this paragraph is submitted to the person owing
17 such amount within 60 days after such expense is in-
18 curred, and that such amount is collected within 30 days
19 after the submission of such notice: *Provided further*, That
20 the Executive Residence shall charge interest and assess
21 penalties and other charges on any such amount that is
22 not reimbursed within such 30 days, in accordance with
23 the interest and penalty provisions applicable to an out-
24 standing debt on a United States Government claim under
25 31 U.S.C. 3717: *Provided further*, That each such amount

1 that is reimbursed, and any accompanying interest and
2 charges, shall be deposited in the Treasury as miscella-
3 neous receipts: *Provided further*, That the Executive Resi-
4 dence shall prepare and submit to the Committees on Ap-
5 propriations, by not later than 90 days after the end of
6 the fiscal year covered by this Act, a report setting forth
7 the reimbursable operating expenses of the Executive Res-
8 idence during the preceding fiscal year, including the total
9 amount of such expenses, the amount of such total that
10 consists of reimbursable official and ceremonial events, the
11 amount of such total that consists of reimbursable political
12 events, and the portion of each such amount that has been
13 reimbursed as of the date of the report: *Provided further*,
14 That the Executive Residence shall maintain a system for
15 the tracking of expenses related to reimbursable events
16 within the Executive Residence that includes a standard
17 for the classification of any such expense as political or
18 nonpolitical: *Provided further*, That no provision of this
19 paragraph may be construed to exempt the Executive Res-
20 idence from any other applicable requirement of sub-
21 chapter I or II of chapter 37 of title 31, United States
22 Code.

23 WHITE HOUSE REPAIR AND RESTORATION

24 For the repair, alteration, and improvement of the
25 Executive Residence at the White House pursuant to 3

1 U.S.C. 105(d), \$750,000, to remain available until ex-
2 pended, for required maintenance, resolution of safety and
3 health issues, and continued preventative maintenance.

4 COUNCIL OF ECONOMIC ADVISERS

5 SALARIES AND EXPENSES

6 For necessary expenses of the Council of Economic
7 Advisers in carrying out its functions under the Employ-
8 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000.

9 NATIONAL SECURITY COUNCIL AND HOMELAND

10 SECURITY COUNCIL

11 SALARIES AND EXPENSES

12 For necessary expenses of the National Security
13 Council and the Homeland Security Council, including
14 services as authorized by 5 U.S.C. 3109, \$13,000,000.

15 OFFICE OF ADMINISTRATION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Administra-
18 tion, including services as authorized by 5 U.S.C. 3109
19 and 3 U.S.C. 107, and hire of passenger motor vehicles,
20 \$100,000,000, of which not to exceed \$12,800,000 shall
21 remain available until expended for continued moderniza-
22 tion of information resources within the Executive Office
23 of the President.

1 OFFICE OF MANAGEMENT AND BUDGET

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Management
4 and Budget, including hire of passenger motor vehicles
5 and services as authorized by 5 U.S.C. 3109, to carry out
6 the provisions of chapter 35 of title 44, United States
7 Code, and to prepare and submit the budget of the United
8 States Government, in accordance with section 1105(a) of
9 title 31, United States Code, \$103,000,000, of which not
10 to exceed \$3,000 shall be available for official representa-
11 tion expenses: *Provided*, That none of the funds appro-
12 priated in this Act for the Office of Management and
13 Budget may be used for the purpose of reviewing any agri-
14 cultural marketing orders or any activities or regulations
15 under the provisions of the Agricultural Marketing Agree-
16 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,
17 That none of the funds made available for the Office of
18 Management and Budget by this Act may be expended for
19 the altering of the transcript of actual testimony of wit-
20 nesses, except for testimony of officials of the Office of
21 Management and Budget, before the Committees on Ap-
22 propriations or their subcommittees: *Provided further*,
23 That none of the funds made available for the Office of
24 Management and Budget by this Act may be expended for
25 the altering of the annual work plan developed by the

1 Corps of Engineers for submission to the Committees on
2 Appropriations: *Provided further*, That of the funds made
3 available for the Office of Management and Budget by this
4 Act, no less than three full-time equivalent senior staff po-
5 sition shall be dedicated solely to the Office of the Intellec-
6 tual Property Enforcement Coordinator: *Provided further*,
7 That none of the funds provided in this or prior Acts shall
8 be used, directly or indirectly, by the Office of Manage-
9 ment and Budget, for evaluating or determining if water
10 resource project or study reports submitted by the Chief
11 of Engineers acting through the Secretary of the Army
12 are in compliance with all applicable laws, regulations, and
13 requirements relevant to the Civil Works water resource
14 planning process: *Provided further*, That the Office of
15 Management and Budget shall have not more than 60
16 days in which to perform budgetary policy reviews of water
17 resource matters on which the Chief of Engineers has re-
18 ported: *Provided further*, That the Director of the Office
19 of Management and Budget shall notify the appropriate
20 authorizing and appropriating committees when the 60-
21 day review is initiated: *Provided further*, That if water re-
22 source reports have not been transmitted to the appro-
23 priate authorizing and appropriating committees within
24 15 days after the end of the Office of Management and
25 Budget review period based on the notification from the

1 Director, Congress shall assume Office of Management
2 and Budget concurrence with the report and act accord-
3 ingly.

4 OFFICE OF NATIONAL DRUG CONTROL POLICY

5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of National
7 Drug Control Policy; for research activities pursuant to
8 the Office of National Drug Control Policy Reauthoriza-
9 tion Act of 2006 (Public Law 109–469); not to exceed
10 \$10,000 for official reception and representation expenses;
11 and for participation in joint projects or in the provision
12 of services on matters of mutual interest with nonprofit,
13 research, or public organizations or agencies, with or with-
14 out reimbursement, \$17,400,000: *Provided*, That the Of-
15 fice is authorized to accept, hold, administer, and utilize
16 gifts, both real and personal, public and private, without
17 fiscal year limitation, for the purpose of aiding or facili-
18 tating the work of the Office.

19 FEDERAL DRUG CONTROL PROGRAMS

20 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Office of National
23 Drug Control Policy's High Intensity Drug Trafficking
24 Areas Program, \$280,000,000 (increased by \$5,000,000),
25 to remain available until September 30, 2020, for drug

1 control activities consistent with the approved strategy for
2 each of the designated High Intensity Drug Trafficking
3 Areas (“HIDTAs”), of which not less than 51 percent
4 shall be transferred to State and local entities for drug
5 control activities and shall be obligated not later than 120
6 days after enactment of this Act: *Provided*, That up to
7 49 percent may be transferred to Federal agencies and
8 departments in amounts determined by the Director of the
9 Office of National Drug Control Policy, of which up to
10 \$2,700,000 may be used for auditing services and associ-
11 ated activities: *Provided further*, That, notwithstanding
12 the requirements of Public Law 106–58, any unexpended
13 funds obligated prior to fiscal year 2017 may be used for
14 any other approved activities of that HIDTA, subject to
15 reprogramming requirements: *Provided further*, That each
16 HIDTA designated as of September 30, 2018, shall be
17 funded at not less than the fiscal year 2018 base level,
18 unless the Director submits to the Committees on Appro-
19 priations of the House of Representatives and the Senate
20 justification for changes to those levels based on clearly
21 articulated priorities and published Office of National
22 Drug Control Policy performance measures of effective-
23 ness: *Provided further*, That the Director shall notify the
24 Committees on Appropriations of the initial allocation of
25 fiscal year 2019 funding among HIDTAs not later than

1 45 days after enactment of this Act, and shall notify the
2 Committees of planned uses of discretionary HIDTA
3 funding, as determined in consultation with the HIDTA
4 Directors, not later than 90 days after enactment of this
5 Act: *Provided further*, That upon a determination that all
6 or part of the funds so transferred from this appropriation
7 are not necessary for the purposes provided herein and
8 upon notification to the Committees on Appropriations of
9 the House of Representatives and the Senate, such
10 amounts may be transferred back to this appropriation.

11 OTHER FEDERAL DRUG CONTROL PROGRAMS

12 (INCLUDING TRANSFERS OF FUNDS)

13 For other drug control activities authorized by the
14 Office of National Drug Control Policy Reauthorization
15 Act of 2006 (Public Law 109–469), \$118,327,000, to re-
16 main available until expended, which shall be available as
17 follows: \$100,000,000 for the Drug-Free Communities
18 Program, of which \$2,000,000 shall be made available as
19 directed by section 4 of Public Law 107–82, as amended
20 by Public Law 109–469 (21 U.S.C. 1521 note);
21 \$2,000,000 for drug court training and technical assist-
22 ance; \$9,500,000 for anti-doping activities; \$2,577,000 for
23 the United States membership dues to the World Anti-
24 Doping Agency; and \$1,250,000 shall be made available
25 as directed by section 1105 of Public Law 109–469; and

1 \$3,000,000, to remain available until expended, shall be
2 for activities authorized by section 103 of Public Law
3 114–198: *Provided*, That amounts made available under
4 this heading may be transferred to other Federal depart-
5 ments and agencies to carry out such activities.

6 UNANTICIPATED NEEDS

7 For expenses necessary to enable the President to
8 meet unanticipated needs, in furtherance of the national
9 interest, security, or defense which may arise at home or
10 abroad during the current fiscal year, as authorized by
11 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
12 tember 30, 2019.

13 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for the furtherance of inte-
16 grated, efficient, secure, and effective uses of information
17 technology in the Federal Government, \$15,000,000, to
18 remain available until expended: *Provided*, That the Direc-
19 tor of the Office of Management and Budget may transfer
20 these funds to one or more other agencies to carry out
21 projects to meet these purposes.

22 SPECIAL ASSISTANCE TO THE PRESIDENT

23 SALARIES AND EXPENSES

24 For necessary expenses to enable the Vice President
25 to provide assistance to the President in connection with

1 specially assigned functions; services as authorized by 5
2 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
3 penses as authorized by 3 U.S.C. 106, which shall be ex-
4 pended and accounted for as provided in that section; and
5 hire of passenger motor vehicles, \$4,288,000.

6 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

7 OPERATING EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For the care, operation, refurnishing, improvement,
10 and to the extent not otherwise provided for, heating and
11 lighting, including electric power and fixtures, of the offi-
12 cial residence of the Vice President; the hire of passenger
13 motor vehicles; and not to exceed \$90,000 pursuant to 3
14 U.S.C. 106(b)(2), \$302,000: *Provided*, That advances, re-
15 payments, or transfers from this appropriation may be
16 made to any department or agency for expenses of car-
17 rying out such activities.

18 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
19 THE PRESIDENT AND FUNDS APPROPRIATED TO
20 THE PRESIDENT

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 201. From funds made available in this Act
23 under the headings “The White House”, “Executive Resi-
24 dence at the White House”, “White House Repair and
25 Restoration”, “Council of Economic Advisers”, “National

1 Security Council and Homeland Security Council”, “Of-
2 fice of Administration”, “Special Assistance to the Presi-
3 dent”, and “Official Residence of the Vice President”, the
4 Director of the Office of Management and Budget (or
5 such other officer as the President may designate in writ-
6 ing), may, with advance approval of the Committees on
7 Appropriations of the House of Representatives and the
8 Senate, transfer not to exceed 10 percent of any such ap-
9 propriation to any other such appropriation, to be merged
10 with and available for the same time and for the same
11 purposes as the appropriation to which transferred: *Pro-*
12 *vided*, That the amount of an appropriation shall not be
13 increased by more than 50 percent by such transfers: *Pro-*
14 *vided further*, That no amount shall be transferred from
15 “Special Assistance to the President” or “Official Resi-
16 dence of the Vice President” without the approval of the
17 Vice President.

18 SEC. 202. (a) During fiscal year 2019, any Executive
19 order or Presidential memorandum issued or revoked by
20 the President shall be accompanied by a written statement
21 from the Director of the Office of Management and Budg-
22 et on the budgetary impact, including costs, benefits, and
23 revenues, of such order or memorandum.

24 (b) Any such statement shall include—

1 (1) a narrative summary of the budgetary im-
2 pact of such order or memorandum on the Federal
3 Government;

4 (2) the impact on mandatory and discretionary
5 obligations and outlays as the result of such order
6 or memorandum, listed by Federal agency, for each
7 year in the 5-fiscal year period beginning in fiscal
8 year 2019; and

9 (3) the impact on revenues of the Federal Gov-
10 ernment as the result of such order or memorandum
11 over the 5-fiscal-year period beginning in fiscal year
12 2019.

13 (c) If an Executive order or Presidential memo-
14 randum is issued during fiscal year 2019 due to a national
15 emergency, the Director of the Office of Management and
16 Budget may issue the statement required by subsection
17 (a) not later than 15 days after the date that such order
18 or memorandum is issued.

19 (d) The requirement for cost estimates for Presi-
20 dential memoranda shall only apply for Presidential
21 memoranda estimated to have a regulatory cost in excess
22 of \$100,000,000.

23 This title may be cited as the “Executive Office of
24 the President Appropriations Act, 2019”.

1 TITLE III
2 THE JUDICIARY
3 SUPREME COURT OF THE UNITED STATES
4 SALARIES AND EXPENSES

5 For expenses necessary for the operation of the Su-
6 preme Court, as required by law, excluding care of the
7 building and grounds, including hire of passenger motor
8 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
9 to exceed \$10,000 for official reception and representation
10 expenses; and for miscellaneous expenses, to be expended
11 as the Chief Justice may approve, \$84,703,000, of which
12 \$1,500,000 shall remain available until expended.

13 In addition, there are appropriated such sums as may
14 be necessary under current law for the salaries of the chief
15 justice and associate justices of the court.

16 CARE OF THE BUILDING AND GROUNDS

17 For such expenditures as may be necessary to enable
18 the Architect of the Capitol to carry out the duties im-
19 posed upon the Architect by 40 U.S.C. 6111 and 6112,
20 \$15,999,000, to remain available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of officers and employees, and for nec-
5 essary expenses of the court, as authorized by law,
6 \$32,016,000.

7 In addition, there are appropriated such sums as may
8 be necessary under current law for the salaries of the chief
9 judge and judges of the court.

10 UNITED STATES COURT OF INTERNATIONAL TRADE

11 SALARIES AND EXPENSES

12 For salaries of officers and employees of the court,
13 services, and necessary expenses of the court, as author-
14 ized by law, \$19,450,000.

15 In addition, there are appropriated such sums as may
16 be necessary under current law for the salaries of the chief
17 judge and judges of the court.

18 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

19 JUDICIAL SERVICES

20 SALARIES AND EXPENSES

21 For the salaries of judges of the United States Court
22 of Federal Claims, magistrate judges, and all other offi-
23 cers and employees of the Federal Judiciary not otherwise
24 specifically provided for, necessary expenses of the courts,
25 and the purchase, rental, repair, and cleaning of uniforms

1 for Probation and Pretrial Services Office staff, as author-
2 ized by law, \$5,167,961,000 (including the purchase of
3 firearms and ammunition); of which not to exceed
4 \$27,817,000 shall remain available until expended for
5 space alteration projects and for furniture and furnishings
6 related to new space alteration and construction projects.

7 In addition, there are appropriated such sums as may
8 be necessary under current law for the salaries of circuit
9 and district judges (including judges of the territorial
10 courts of the United States), bankruptcy judges, and jus-
11 tices and judges retired from office or from regular active
12 service.

13 In addition, for expenses of the United States Court
14 of Federal Claims associated with processing cases under
15 the National Childhood Vaccine Injury Act of 1986 (Pub-
16 lic Law 99–660), not to exceed \$8,475,000, to be appro-
17 priated from the Vaccine Injury Compensation Trust
18 Fund.

19 DEFENDER SERVICES

20 For the operation of Federal Defender organizations;
21 the compensation and reimbursement of expenses of attor-
22 neys appointed to represent persons under 18 U.S.C.
23 3006A and 3599, and for the compensation and reim-
24 bursement of expenses of persons furnishing investigative,
25 expert, and other services for such representations as au-

1 thorized by law; the compensation (in accordance with the
2 maximums under 18 U.S.C. 3006A) and reimbursement
3 of expenses of attorneys appointed to assist the court in
4 criminal cases where the defendant has waived representa-
5 tion by counsel; the compensation and reimbursement of
6 expenses of attorneys appointed to represent jurors in civil
7 actions for the protection of their employment, as author-
8 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
9 bursement of expenses of attorneys appointed under 18
10 U.S.C. 983(b)(1) in connection with certain judicial civil
11 forfeiture proceedings; the compensation and reimburse-
12 ment of travel expenses of guardians ad litem appointed
13 under 18 U.S.C. 4100(b); and for necessary training and
14 general administrative expenses, \$1,142,427,000 to re-
15 main available until expended.

16 FEES OF JURORS AND COMMISSIONERS

17 For fees and expenses of jurors as authorized by 28
18 U.S.C. 1871 and 1876; compensation of jury commis-
19 sioners as authorized by 28 U.S.C. 1863; and compensa-
20 tion of commissioners appointed in condemnation cases
21 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
22 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$49,750,000,
23 to remain available until expended: *Provided*, That the
24 compensation of land commissioners shall not exceed the

1 daily equivalent of the highest rate payable under 5 U.S.C.
2 5332.

3 COURT SECURITY

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 incident to the provision of protective guard services for
7 United States courthouses and other facilities housing
8 Federal court operations, and the procurement, installa-
9 tion, and maintenance of security systems and equipment
10 for United States courthouses and other facilities housing
11 Federal court operations, including building ingress-egress
12 control, inspection of mail and packages, directed security
13 patrols, perimeter security, basic security services provided
14 by the Federal Protective Service, and other similar activi-
15 ties as authorized by section 1010 of the Judicial Improve-
16 ment and Access to Justice Act (Public Law 100–702),
17 \$604,460,000, of which not to exceed \$20,000,000 shall
18 remain available until expended, to be expended directly
19 or transferred to the United States Marshals Service,
20 which shall be responsible for administering the Judicial
21 Facility Security Program consistent with standards or
22 guidelines agreed to by the Director of the Administrative
23 Office of the United States Courts and the Attorney Gen-
24 eral.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$92,413,000, of which not to exceed \$8,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90–219, \$29,819,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2020, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,500 is authorized for official reception and representa-
19 tion expenses.

20 UNITED STATES SENTENCING COMMISSION

21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out
23 the provisions of chapter 58 of title 28, United States
24 Code, \$18,548,000, of which not to exceed \$1,000 is au-
25 thorized for official reception and representation expenses.

1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 301. Appropriations and authorizations made in
4 this title which are available for salaries and expenses shall
5 be available for services as authorized by 5 U.S.C. 3109.

6 SEC. 302. Not to exceed 5 percent of any appropria-
7 tion made available for the current fiscal year for the Judi-
8 ciary in this Act may be transferred between such appro-
9 priations, but no such appropriation, except “Courts of
10 Appeals, District Courts, and Other Judicial Services, De-
11 fender Services” and “Courts of Appeals, District Courts,
12 and Other Judicial Services, Fees of Jurors and Commis-
13 sioners”, shall be increased by more than 10 percent by
14 any such transfers: *Provided*, That any transfer pursuant
15 to this section shall be treated as a reprogramming of
16 funds under sections 604 and 608 of this Act and shall
17 not be available for obligation or expenditure except in
18 compliance with the procedures set forth in section 608.

19 SEC. 303. Notwithstanding any other provision of
20 law, the salaries and expenses appropriation for “Courts
21 of Appeals, District Courts, and Other Judicial Services”
22 shall be available for official reception and representation
23 expenses of the Judicial Conference of the United States:
24 *Provided*, That such available funds shall not exceed
25 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 3315(a) of title 40, United States
4 Code, shall be applied by substituting “Federal” for “exec-
5 utive” each place it appears.

6 SEC. 305. In accordance with 28 U.S.C. 561–569,
7 and notwithstanding any other provision of law, the
8 United States Marshals Service shall provide, for such
9 courthouses as its Director may designate in consultation
10 with the Director of the Administrative Office of the
11 United States Courts, for purposes of a pilot program, the
12 security services that 40 U.S.C. 1315 authorizes the De-
13 partment of Homeland Security to provide, except for the
14 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
15 ing-specific security services at these courthouses, the Di-
16 rector of the Administrative Office of the United States
17 Courts shall reimburse the United States Marshals Service
18 rather than the Department of Homeland Security.

19 SEC. 306. (a) Section 203(c) of the Judicial Improve-
20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
21 note), is amended in the second sentence (relating to the
22 District of Kansas) following paragraph (12), by striking
23 “27 years and 6 months” and inserting “28 years and
24 6 months”.

1 (b) Section 406 of the Transportation, Treasury,
2 Housing and Urban Development, the Judiciary, the Dis-
3 trict of Columbia, and Independent Agencies Appropria-
4 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
5 28 U.S.C. 133 note) is amended in the second sentence
6 (relating to the Eastern District of Missouri) by striking
7 “25 years and 6 months” and inserting “26 years and
8 6 months”.

9 (c) Section 312(c)(2) of the 21st Century Depart-
10 ment of Justice Appropriations Authorization Act (Public
11 Law 107–273; 28 U.S.C. 133 note), is amended—

12 (1) in the first sentence by inserting after “ex-
13 cept in the case of” the following: “the northern dis-
14 trict of Alabama,”;

15 (2) in the first sentence by inserting after “the
16 central district of California” the following: “,”;

17 (3) in the first sentence by striking “16 years”
18 and inserting “17 years”;

19 (4) by adding at the end of the first sentence
20 the following: “The first vacancy in the office of dis-
21 trict judge in the northern district of Alabama oc-
22 ccurring 16 years or more after the confirmation date
23 of the judge named to fill the temporary district
24 judgeship created in that district by this subsection,
25 shall not be filled.”;

1 (5) in the third sentence (relating to the central
2 District of California), by striking “15 years and 6
3 months” and inserting “16 years and 6 months”;
4 and

5 (6) in the fourth sentence (relating to the west-
6 ern district of North Carolina), by striking “14
7 years” and inserting “15 years”.

8 This title may be cited as the “Judiciary Appropria-
9 tions Act, 2019”.

10 TITLE IV
11 DISTRICT OF COLUMBIA
12 FEDERAL FUNDS

13 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

14 For a Federal payment to the District of Columbia,
15 to be deposited into a dedicated account, for a nationwide
16 program to be administered by the Mayor, for District of
17 Columbia resident tuition support, \$30,000,000, to remain
18 available until expended: *Provided*, That such funds, in-
19 cluding any interest accrued thereon, may be used on be-
20 half of eligible District of Columbia residents to pay an
21 amount based upon the difference between in-State and
22 out-of-State tuition at public institutions of higher edu-
23 cation, or to pay up to \$2,500 each year at eligible private
24 institutions of higher education: *Provided further*, That the
25 awarding of such funds may be prioritized on the basis

1 of a resident's academic merit, the income and need of
2 eligible students and such other factors as may be author-
3 ized: *Provided further*, That the District of Columbia gov-
4 ernment shall maintain a dedicated account for the Resi-
5 dent Tuition Support Program that shall consist of the
6 Federal funds appropriated to the Program in this Act
7 and any subsequent appropriations, any unobligated bal-
8 ances from prior fiscal years, and any interest earned in
9 this or any fiscal year: *Provided further*, That the account
10 shall be under the control of the District of Columbia
11 Chief Financial Officer, who shall use those funds solely
12 for the purposes of carrying out the Resident Tuition Sup-
13 port Program: *Provided further*, That the Office of the
14 Chief Financial Officer shall provide a quarterly financial
15 report to the Committees on Appropriations of the House
16 of Representatives and the Senate for these funds show-
17 ing, by object class, the expenditures made and the pur-
18 pose therefor.

19 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
20 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

21 For a Federal payment of necessary expenses, as de-
22 termined by the Mayor of the District of Columbia in writ-
23 ten consultation with the elected county or city officials
24 of surrounding jurisdictions, \$13,000,000, to remain
25 available until expended, for the costs of providing public

1 safety at events related to the presence of the National
2 Capital in the District of Columbia, including support re-
3 quested by the Director of the United States Secret Serv-
4 ice in carrying out protective duties under the direction
5 of the Secretary of Homeland Security, and for the costs
6 of providing support to respond to immediate and specific
7 terrorist threats or attacks in the District of Columbia or
8 surrounding jurisdictions.

9 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

10 COURTS

11 For salaries and expenses for the District of Colum-
12 bia Courts, \$288,280,000 to be allocated as follows: for
13 the District of Columbia Court of Appeals, \$14,670,000,
14 of which not to exceed \$2,500 is for official reception and
15 representation expenses; for the Superior Court of the
16 District of Columbia, \$122,770,000, of which not to ex-
17 ceed \$2,500 is for official reception and representation ex-
18 penses; for the District of Columbia Court System,
19 \$77,016,000, of which not to exceed \$2,500 is for official
20 reception and representation expenses; and \$73,824,000,
21 to remain available until September 30, 2020, for capital
22 improvements for District of Columbia courthouse facili-
23 ties: *Provided*, That funds made available for capital im-
24 provements shall be expended consistent with the District
25 of Columbia Courts master plan study and facilities condi-

tion assessment: *Provided further*, That, in addition to the amounts appropriated herein, fees received by the District of Columbia Courts for administering bar examinations and processing District of Columbia bar admissions may be retained and credited to this appropriation, to remain available until expended, for salaries and expenses associated with such activities, notwithstanding section 450 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.50): *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than \$9,000,000 of the funds provided under this heading among the items and entities funded under this heading: *Provided further*, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

1 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
2 DISTRICT OF COLUMBIA COURTS
3 (INCLUDING TRANSFER OF FUNDS)

4 For payments authorized under section 11–2604 and
5 section 11–2605, D.C. Official Code (relating to represen-
6 tation provided under the District of Columbia Criminal
7 Justice Act), payments for counsel appointed in pro-
8 ceedings in the Family Court of the Superior Court of the
9 District of Columbia under chapter 23 of title 16, D.C.
10 Official Code, or pursuant to contractual agreements to
11 provide guardian ad litem representation, training, tech-
12 nical assistance, and such other services as are necessary
13 to improve the quality of guardian ad litem representation,
14 payments for counsel appointed in adoption proceedings
15 under chapter 3 of title 16, D.C. Official Code, and pay-
16 ments authorized under section 21–2060, D.C. Official
17 Code (relating to services provided under the District of
18 Columbia Guardianship, Protective Proceedings, and Du-
19 rable Power of Attorney Act of 1986), \$49,890,000, to
20 remain available until expended: *Provided*, That not more
21 than \$20,000,000 in unobligated funds provided in this
22 account may be transferred to and merged with funds
23 made available under the heading “Federal Payment to
24 the District of Columbia Courts,” to be available for the
25 same period and purposes as funds made available under

1 that heading for capital improvements to District of Co-
2 lumbia courthouse facilities: *Provided further*, That funds
3 provided under this heading shall be administered by the
4 Joint Committee on Judicial Administration in the Dis-
5 trict of Columbia: *Provided further*, That, notwithstanding
6 any other provision of law, this appropriation shall be ap-
7 portioned quarterly by the Office of Management and
8 Budget and obligated and expended in the same manner
9 as funds appropriated for expenses of other Federal agen-
10 cies.

11 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
12 FENDER SUPERVISION AGENCY FOR THE DISTRICT
13 OF COLUMBIA

14 For salaries and expenses, including the transfer and
15 hire of motor vehicles, of the Court Services and Offender
16 Supervision Agency for the District of Columbia, as au-
17 thorized by the National Capital Revitalization and Self-
18 Government Improvement Act of 1997, \$256,724,000, of
19 which not to exceed \$2,000 is for official reception and
20 representation expenses related to Community Supervision
21 and Pretrial Services Agency programs, and of which not
22 to exceed \$25,000 is for dues and assessments relating
23 to the implementation of the Court Services and Offender
24 Supervision Agency Interstate Supervision Act of 2002:
25 *Provided*, That, of the funds appropriated under this head-

1 ing, \$183,166,000 shall be for necessary expenses of Com-
2 munity Supervision and Sex Offender Registration, to in-
3 clude expenses relating to the supervision of adults subject
4 to protection orders or the provision of services for or re-
5 lated to such persons, of which \$5,919,000 shall remain
6 available until September 30, 2021 for costs associated
7 with relocation under a replacement lease for headquarters
8 offices, field offices, and related facilities: *Provided further*,
9 That, of the funds appropriated under this heading,
10 \$73,558,000 shall be available to the Pretrial Services
11 Agency, of which \$7,304,000 shall remain available until
12 September 30, 2021 for costs associated with relocation
13 under a replacement lease for headquarters offices, field
14 offices, and related facilities: *Provided further*, That not-
15 withstanding any other provision of law, all amounts
16 under this heading shall be apportioned quarterly by the
17 Office of Management and Budget and obligated and ex-
18 pended in the same manner as funds appropriated for sal-
19 aries and expenses of other Federal agencies: *Provided fur-*
20 *ther*, That amounts under this heading may be used for
21 programmatic incentives for defendants to successfully
22 complete their terms of supervision.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

2 PUBLIC DEFENDER SERVICE

3 For salaries and expenses, including the transfer and
4 hire of motor vehicles, of the District of Columbia Public
5 Defender Service, as authorized by the National Capital
6 Revitalization and Self-Government Improvement Act of
7 1997, \$45,858,000, of which \$4,471,000 shall remain
8 available until September 30, 2021 for costs associated
9 with relocation under a replacement lease for headquarters
10 offices, field offices, and related facilities: *Provided*, That
11 notwithstanding any other provision of law, all amounts
12 under this heading shall be apportioned quarterly by the
13 Office of Management and Budget and obligated and ex-
14 pended in the same manner as funds appropriated for sal-
15 aries and expenses of Federal agencies.

16 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

17 COORDINATING COUNCIL

18 For a Federal payment to the Criminal Justice Co-
19 ordinating Council, \$2,000,000, to remain available until
20 expended, to support initiatives related to the coordination
21 of Federal and local criminal justice resources in the Dis-
22 trict of Columbia.

23 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

24 For a Federal payment, to remain available until
25 September 30, 2020, to the Commission on Judicial Dis-

1 abilities and Tenure, \$295,000, and for the Judicial Nomi-
2 nation Commission, \$270,000.

3 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

4 For a Federal payment for a school improvement pro-
5 gram in the District of Columbia, \$45,000,000, to remain
6 available until expended, for payments authorized under
7 the Scholarship for Opportunity and Results Act (division
8 C of Public Law 112–10): *Provided*, That, to the extent
9 that funds are available for opportunity scholarships and
10 following the priorities included in section 3006 of such
11 Act, the Secretary of Education shall make scholarships
12 available to students eligible under section 3013(3) of such
13 Act (Public Law 112–10; 125 Stat. 211) including stu-
14 dents who were not offered a scholarship during any pre-
15 vious school year: *Provided further*, That within funds pro-
16 vided for opportunity scholarships up to \$3,200,000 shall
17 be for the activities specified in sections 3007(b) through
18 3007(d) and 3009 of such Act.

19 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

20 NATIONAL GUARD

21 For a Federal payment to the District of Columbia
22 National Guard, \$435,000, to remain available until ex-
23 pended for the Major General David F. Wherley, Jr. Dis-
24 trict of Columbia National Guard Retention and College
25 Access Program.

3 For a Federal payment to the District of Columbia
4 for the testing of individuals for, and the treatment of in-
5 dividuals with, human immunodeficiency virus and ac-
6 quired immunodeficiency syndrome in the District of Co-
7 lumbia, \$5,000,000.

9 Local funds are appropriated for the District of Co-
10 lumbia for the current fiscal year out of the General Fund
11 of the District of Columbia (“General Fund”) for pro-
12 grams and activities set forth under the heading “PART
13 A—SUMMARY OF EXPENSES” and at the rate set forth
14 under such heading, as included in the Fiscal Year 2019
15 Budget Request Act of 2018 submitted to Congress by
16 the District of Columbia, as amended as of the date of
17 enactment of this Act: *Provided*, That notwithstanding
18 any other provision of law, except as provided in section
19 450A of the District of Columbia Home Rule Act (section
20 1–204.50a, D.C. Official Code), sections 816 and 817 of
21 the Financial Services and General Government Appro-
22 priations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C.
23 Official Code), and provisions of this Act, the total amount
24 appropriated in this Act for operating expenses for the
25 District of Columbia for fiscal year 2019 under this head-

1 ing shall not exceed the estimates included in the Fiscal
2 Year 2019 Budget Request Act of 2018 submitted to Con-
3 gress by the District of Columbia, as amended as of the
4 date of enactment of this Act or the sum of the total reve-
5 nues of the District of Columbia for such fiscal year: *Pro-*
6 *vided further*, That the amount appropriated may be in-
7 creased by proceeds of one-time transactions, which are
8 expended for emergency or unanticipated operating or
9 capital needs: *Provided further*, That such increases shall
10 be approved by enactment of local District law and shall
11 comply with all reserve requirements contained in the Dis-
12 trict of Columbia Home Rule Act: *Provided further*, That
13 the Chief Financial Officer of the District of Columbia
14 shall take such steps as are necessary to assure that the
15 District of Columbia meets these requirements, including
16 the apportioning by the Chief Financial Officer of the ap-
17 propriations and funds made available to the District dur-
18 ing fiscal year 2019, except that the Chief Financial Offi-
19 cer may not reprogram for operating expenses any funds
20 derived from bonds, notes, or other obligations issued for
21 capital projects.

22 This title may be cited as the “District of Columbia
23 Appropriations Act, 2019”.

1 TITLE V
2 INDEPENDENT AGENCIES
3 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
4 SALARIES AND EXPENSES

5 For necessary expenses of the Administrative Con-
6 ference of the United States, authorized by 5 U.S.C. 591
7 et seq., \$3,100,000, to remain available until September
8 30, 2019, of which not to exceed \$1,000 is for official re-
9 ception and representation expenses.

10 CONSUMER PRODUCT SAFETY COMMISSION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Consumer Product
13 Safety Commission, including hire of passenger motor ve-
14 hicles, services as authorized by 5 U.S.C. 3109, but at
15 rates for individuals not to exceed the per diem rate equiv-
16 alent to the maximum rate payable under 5 U.S.C. 5376,
17 purchase of nominal awards to recognize non-Federal offi-
18 cials' contributions to Commission activities, and not to
19 exceed \$8,000 for official reception and representation ex-
20 penses, \$127,000,000.

21 ADMINISTRATIVE PROVISION—CONSUMER PRODUCT
22 SAFETY COMMISSION

23 SEC. 501. During fiscal year 2019, none of the
24 amounts made available by this Act may be used to final-
25 ize or implement the Safety Standard for Recreational

1 Off-Highway Vehicles published by the Consumer Product
2 Safety Commission in the Federal Register on November
3 19, 2014 (79 Fed. Reg. 68964) until after—

4 (1) the National Academy of Sciences, in con-
5 sultation with the National Highway Traffic Safety
6 Administration and the Department of Defense,
7 completes a study to determine—

8 (A) the technical validity of the lateral sta-
9 bility and vehicle handling requirements pro-
10 posed by such standard for purposes of reduc-
11 ing the risk of Recreational Off-Highway Vehi-
12 cle (referred to in this section as “ROV”) roll-
13 overs in the off-road environment, including the
14 repeatability and reproducibility of testing for
15 compliance with such requirements;

16 (B) the number of ROV rollovers that
17 would be prevented if the proposed require-
18 ments were adopted;

19 (C) whether there is a technical basis for
20 the proposal to provide information on a point-
21 of-sale hangtag about a ROV’s rollover resist-
22 ance on a progressive scale; and

23 (D) the effect on the utility of ROVs used
24 by the United States military if the proposed
25 requirements were adopted; and

1 (2) a report containing the results of the study
2 completed under paragraph (1) is delivered to—

3 (A) the Committee on Commerce, Science,
4 and Transportation of the Senate;

5 (B) the Committee on Energy and Com-
6 merce of the House of Representatives;

7 (C) the Committee on Appropriations of
8 the Senate; and

9 (D) the Committee on Appropriations of
10 the House of Representatives.

11 ELECTION ASSISTANCE COMMISSION

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses to carry out the Help Amer-
15 ica Vote Act of 2002 (Public Law 107–252), \$10,100,000,
16 of which \$1,500,000 shall be transferred to the National
17 Institute of Standards and Technology for election reform
18 activities authorized under the Help America Vote Act of
19 2002.

20 FEDERAL COMMUNICATIONS COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Federal Communica-
23 tions Commission, as authorized by law, including uni-
24 forms and allowances therefor, as authorized by 5 U.S.C.
25 5901–5902; not to exceed \$4,000 for official reception and

1 representation expenses; purchase and hire of motor vehi-
2 cles; special counsel fees; and services as authorized by
3 5 U.S.C. 3109, \$335,118,000, to remain available until
4 expended: *Provided*, That \$335,118,000 of offsetting col-
5 lections shall be assessed and collected pursuant to section
6 9 of title I of the Communications Act of 1934, shall be
7 retained and used for necessary expenses and shall remain
8 available until expended: *Provided further*, That the sum
9 herein appropriated shall be reduced as such offsetting
10 collections are received during fiscal year 2019 so as to
11 result in a final fiscal year 2019 appropriation estimated
12 at \$0: *Provided further*, That any offsetting collections re-
13 ceived in excess of \$335,118,000 in fiscal year 2019 shall
14 not be available for obligation: *Provided further*, That re-
15 maining offsetting collections from prior years collected in
16 excess of the amount specified for collection in each such
17 year and otherwise becoming available on October 1, 2018,
18 shall not be available for obligation: *Provided further*,
19 That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds
20 from the use of a competitive bidding system that may
21 be retained and made available for obligation shall not ex-
22 ceed \$130,284,000 for fiscal year 2019: *Provided further*,
23 That, of the amount appropriated under this heading, not
24 less than \$11,064,000 shall be for the salaries and ex-
25 penses of the Office of Inspector General.

1 ADMINISTRATIVE PROVISION—FEDERAL
2 COMMUNICATIONS COMMISSION

3 SEC. 510. None of the funds appropriated by this Act
4 may be used by the Federal Communications Commission
5 to modify, amend, or change its rules or regulations for
6 universal service support payments to implement the Feb-
7 ruary 27, 2004 recommendations of the Federal-State
8 Joint Board on Universal Service regarding single connec-
9 tion or primary line restrictions on universal service sup-
10 port payments.

11 FEDERAL DEPOSIT INSURANCE CORPORATION
12 OFFICE OF THE INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, \$42,982,000, to be derived from the
16 Deposit Insurance Fund or, only when appropriate, the
17 FSLIC Resolution Fund.

18 FEDERAL ELECTION COMMISSION
19 SALARIES AND EXPENSES

20 For necessary expenses to carry out the provisions
21 of the Federal Election Campaign Act of 1971,
22 \$71,250,000, of which not to exceed \$5,000 shall be avail-
23 able for reception and representation expenses.

1 FEDERAL LABOR RELATIONS AUTHORITY

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Federal Labor Relations Authority, pursuant to Reorga-
5 nization Plan Numbered 2 of 1978, and the Civil Service
6 Reform Act of 1978, including services authorized by 5
7 U.S.C. 3109, and including hire of experts and consult-
8 ants, hire of passenger motor vehicles, and including offi-
9 cial reception and representation expenses (not to exceed
10 \$1,500) and rental of conference rooms in the District of
11 Columbia and elsewhere, \$26,200,000: *Provided*, That
12 public members of the Federal Service Impasses Panel
13 may be paid travel expenses and per diem in lieu of sub-
14 sistence as authorized by law (5 U.S.C. 5703) for persons
15 employed intermittently in the Government service, and
16 compensation as authorized by 5 U.S.C. 3109: *Provided*
17 *further*, That, notwithstanding 31 U.S.C. 3302, funds re-
18 ceived from fees charged to non-Federal participants at
19 labor-management relations conferences shall be credited
20 to and merged with this account, to be available without
21 further appropriation for the costs of carrying out these
22 conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses, \$311,700,000, to remain available until expended: *Provided*, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed \$136,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed \$17,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses

1 in this appropriation: *Provided further*, That the sum here-
 2 in appropriated from the general fund shall be reduced
 3 as such offsetting collections are received during fiscal
 4 year 2019, so as to result in a final fiscal year 2019 appro-
 5 priation from the general fund estimated at not more than
 6 \$158,700,000: *Provided further*, That none of the funds
 7 made available to the Federal Trade Commission may be
 8 used to implement subsection (e)(2)(B) of section 43 of
 9 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

10 GENERAL SERVICES ADMINISTRATION

11 REAL PROPERTY ACTIVITIES

12 FEDERAL BUILDINGS FUND

13 LIMITATIONS ON AVAILABILITY OF REVENUE

14 (INCLUDING TRANSFERS OF FUNDS)

15 Amounts in the Fund, including revenues and collec-
 16 tions deposited into the Fund, shall be available for nec-
 17 essary expenses of real property management and related
 18 activities not otherwise provided for, including operation,
 19 maintenance, and protection of federally owned and leased
 20 buildings; rental of buildings in the District of Columbia;
 21 restoration of leased premises; moving governmental agen-
 22 cies (including space adjustments and telecommunications
 23 relocation expenses) in connection with the assignment, al-
 24 location, and transfer of space; contractual services inci-
 25 dent to cleaning or servicing buildings, and moving; repair

1 and alteration of federally owned buildings, including
2 grounds, approaches, and appurtenances; care and safe-
3 guarding of sites; maintenance, preservation, demolition,
4 and equipment; acquisition of buildings and sites by pur-
5 chase, condemnation, or as otherwise authorized by law;
6 acquisition of options to purchase buildings and sites; con-
7 version and extension of federally owned buildings; pre-
8 liminary planning and design of projects by contract or
9 otherwise; construction of new buildings (including equip-
10 ment for such buildings); and payment of principal, inter-
11 est, and any other obligations for public buildings acquired
12 by installment purchase and purchase contract; in the ag-
13 gregate amount of \$8,634,574,000 (reduced by
14 \$2,000,000) (reduced by \$5,000,000) (reduced by
15 \$5,000,000), of which—

16 (1) \$275,900,000 shall remain available until
17 expended for construction and acquisition (including
18 funds for sites and expenses, and associated design
19 and construction services) as follows:

20 (A) \$275,900,000 shall be for the Calexico,
21 California, Calexico West Land Port of Entry;
22 *Provided*, That each of the foregoing limits of costs
23 on new construction and acquisition projects may be
24 exceeded to the extent that savings are effected in
25 other such projects, but not to exceed 10 percent of

1 the amounts included in a transmitted prospectus, if
2 required, unless advance approval is obtained from
3 the Committees on Appropriations of a greater
4 amount;

5 (2) \$679,934,000 shall remain available until
6 expended for repairs and alterations, including asso-
7 ciated design and construction services, of which—

8 (A) \$286,344,000 is for Major Repairs and
9 Alterations;

10 (B) \$312,090,000 is for Basic Repairs and
11 Alterations; and

12 (C) \$81,500,000 is for Special Emphasis
13 Programs, of which—

14 (i) \$30,000,000 is for Fire and Life
15 Safety;

16 (ii) \$11,500,000 is for Judiciary Cap-
17 ital Security; and

18 (iii) \$40,000,000 is for Consolidation
19 Activities: *Provided*, That consolidation
20 projects result in reduced annual rent paid
21 by the tenant agency: *Provided further*,
22 That no consolidation project exceed
23 \$10,000,000 in costs: *Provided further*,
24 That consolidation projects are approved
25 by each of the committees specified in sec-

1 tion 3307(a) of title 40, United States
2 Code: *Provided further*, That preference is
3 given to consolidation projects that achieve
4 a utilization rate of 130 usable square feet
5 or less per person for office space: *Pro-*
6 *vided further*, That the obligation of funds
7 under this paragraph for consolidation ac-
8 tivities may not be made until 10 days
9 after a proposed spending plan and expla-
10 nation for each project to be undertaken,
11 including estimated savings, has been sub-
12 mitted to the Committees on Appropria-
13 tions of the House of Representatives and
14 the Senate:

15 *Provided*, That funds made available in this or any
16 previous Act in the Federal Buildings Fund for Re-
17 pairs and Alterations shall, for prospectus projects,
18 be limited to the amount identified for each project,
19 except each project in this or any previous Act may
20 be increased by an amount not to exceed 10 percent
21 unless advance approval is obtained from the Com-
22 mittees on Appropriations of a greater amount: *Pro-*
23 *vided further*, That additional projects for which
24 prospectuses have been fully approved may be fund-
25 ed under this category only if advance approval is

1 obtained from the Committees on Appropriations:
2 *Provided further*, That the amounts provided in this
3 or any prior Act for “Repairs and Alterations” may
4 be used to fund costs associated with implementing
5 security improvements to buildings necessary to
6 meet the minimum standards for security in accord-
7 ance with current law and in compliance with the re-
8 programming guidelines of the appropriate Commit-
9 tees of the House and Senate: *Provided further*, That
10 the difference between the funds appropriated and
11 expended on any projects in this or any prior Act,
12 under the heading “Repairs and Alterations”, may
13 be transferred to Basic Repairs and Alterations or
14 used to fund authorized increases in prospectus
15 projects: *Provided further*, That the amount provided
16 in this or any prior Act for Basic Repairs and Alter-
17 ations may be used to pay claims against the Gov-
18 ernment arising from any projects under the heading
19 “Repairs and Alterations” or used to fund author-
20 ized increases in prospectus projects;
21 (3) \$5,430,345,000 (reduced by \$2,000,000)
22 (reduced by \$5,000,000) (reduced by \$5,000,000)
23 for rental of space to remain available until ex-
24 pended; and

1 (4) \$2,248,395,000 for building operations to
2 remain available until expended, of which
3 \$1,126,014,000 is for building services, and
4 \$1,122,381,000 is for salaries and expenses: *Pro-*
5 *vided*, That not to exceed 5 percent of any appro-
6 priation made available under this paragraph for
7 building operations may be transferred between and
8 merged with such appropriations upon notification
9 to the Committees on Appropriations of the House
10 of Representatives and the Senate, but no such ap-
11 propriation shall be increased by more than 5 per-
12 cent by any such transfers: *Provided further*, That
13 section 521 of this title shall not apply with respect
14 to funds made available under this heading for
15 building operations: *Provided further*, That the total
16 amount of funds made available from this Fund to
17 the General Services Administration shall not be
18 available for expenses of any construction, repair, al-
19 teration and acquisition project for which a pro-
20 spectus, if required by 40 U.S.C. 3307(a), has not
21 been approved, except that necessary funds may be
22 expended for each project for required expenses for
23 the development of a proposed prospectus: *Provided*
24 *further*, That funds available in the Federal Build-
25 ings Fund may be expended for emergency repairs

1 when advance approval is obtained from the Com-
2 mittees on Appropriations: *Provided further*, That
3 amounts necessary to provide reimbursable special
4 services to other agencies under 40 U.S.C. 592(b)(2)
5 and amounts to provide such reimbursable fencing,
6 lighting, guard booths, and other facilities on private
7 or other property not in Government ownership or
8 control as may be appropriate to enable the United
9 States Secret Service to perform its protective func-
10 tions pursuant to 18 U.S.C. 3056, shall be available
11 from such revenues and collections: *Provided further*,
12 That revenues and collections and any other sums
13 accruing to this Fund during fiscal year 2019, ex-
14 cluding reimbursements under 40 U.S.C. 592(b)(2),
15 in excess of the aggregate new obligational authority
16 authorized for Real Property Activities of the Fed-
17 eral Buildings Fund in this Act shall remain in the
18 Fund and shall not be available for expenditure ex-
19 cept as authorized in appropriations Acts.

20 GENERAL ACTIVITIES

21 GOVERNMENT-WIDE POLICY

22 For expenses authorized by law, not otherwise pro-
23 vided for, for Government-wide policy and evaluation ac-
24 tivities associated with the management of real and per-
25 sonal property assets and certain administrative services;

1 Government-wide policy support responsibilities relating to
2 acquisition, travel, motor vehicles, information technology
3 management, and related technology activities; and serv-
4 ices as authorized by 5 U.S.C. 3109; \$60,000,000.

5 OPERATING EXPENSES

6 For expenses authorized by law, not otherwise pro-
7 vided for, for Government-wide activities associated with
8 utilization and donation of surplus personal property; dis-
9 posal of real property; agency-wide policy direction, man-
10 agement, and communications; and services as authorized
11 by 5 U.S.C. 3109; \$49,440,000, of which \$26,890,000 is
12 for Real and Personal Property Management and Dis-
13 posal; \$22,550,000 is for the Office of the Administrator,
14 of which not to exceed \$7,500 is for official reception and
15 representation expenses.

16 CIVILIAN BOARD OF CONTRACT APPEALS

17 For expenses authorized by law, not otherwise pro-
18 vided for, for the activities associated with the Civilian
19 Board of Contract Appeals, \$9,301,000.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General and service authorized by 5 U.S.C. 3109,
23 \$67,000,000: *Provided*, That not to exceed \$50,000 shall
24 be available for payment for information and detection of
25 fraud against the Government, including payment for re-

8 For carrying out the provisions of the Act of August
9 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138,
10 \$4,796,000.

For necessary expenses of the Office of Products and Programs, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses in support of interagency projects that enable the Federal Government to enhance its ability to conduct activities electronically, through the development and implementation of innovative uses of information technology; \$55,000,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: *Provided further*, That the appropriations, revenues, reimbursements, and collections deposited into the Fund shall be available until expended for

1 necessary expenses of Federal Citizen Services and other
2 activities that enable the Federal Government to enhance
3 its ability to conduct activities electronically in the aggregate amount not to exceed \$100,000,000: *Provided further*, That appropriations, revenues, reimbursements, and
4 collections accruing to this Fund during fiscal year 2019
5 in excess of such amount shall remain in the Fund and
6 shall not be available for expenditure except as authorized
7 in appropriations Acts: *Provided further*, That any appropriations provided to the Electronic Government Fund
8 that remain unobligated may be transferred to the Federal
9 Citizen Services Fund: *Provided further*, That the transfer
10 authorities provided herein shall be in addition to any
11 other transfer authority provided in this Act.

12
13
14
15 TECHNOLOGY MODERNIZATION FUND

16 For the Technology Modernization Fund,
17 \$150,000,000, to remain available until expended, for
18 technology-related modernization activities.

19 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

20 For carrying out the purposes of the Federal Assets
21 Sale and Transfer Act of 2016 (Public Law 114–287),
22 \$31,000,000, to be deposited into the Asset Proceeds and
23 Space Management Fund, to remain available until ex-
24 pended.

1 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

2 For necessary expenses of the Environmental Review
3 Improvement Fund established pursuant to 42 U.S.C.
4 4370m-8(d), \$6,070,000, to remain available until ex-
5 pended.

6 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

7 ADMINISTRATION

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 520. Funds available to the General Services
10 Administration shall be available for the hire of passenger
11 motor vehicles.

12 SEC. 521. Funds in the Federal Buildings Fund
13 made available for fiscal year 2019 for Federal Buildings
14 Fund activities may be transferred between such activities
15 only to the extent necessary to meet program require-
16 ments: *Provided*, That any proposed transfers shall be ap-
17 proved in advance by the Committees on Appropriations
18 of the House of Representatives and the Senate.

19 SEC. 522. Except as otherwise provided in this title,
20 funds made available by this Act shall be used to transmit
21 a fiscal year 2019 request for United States Courthouse
22 construction only if the request: (1) meets the design guide
23 standards for construction as established and approved by
24 the General Services Administration, the Judicial Con-
25 ference of the United States, and the Office of Manage-

1 ment and Budget; (2) reflects the priorities of the Judicial
2 Conference of the United States as set out in its approved
3 Courthouse Project Priorities plan; and (3) includes a
4 standardized courtroom utilization study of each facility
5 to be constructed, replaced, or expanded.

6 SEC. 523. None of the funds provided in this Act may
7 be used to increase the amount of occupiable square feet,
8 provide cleaning services, security enhancements, or any
9 other service usually provided through the Federal Build-
10 ings Fund, to any agency that does not pay the rate per
11 square foot assessment for space and services as deter-
12 mined by the General Services Administration in consider-
13 ation of the Public Buildings Amendments Act of 1972
14 (Public Law 92–313).

15 SEC. 524. From funds made available under the
16 heading “Federal Buildings Fund, Limitations on Avail-
17 ability of Revenue”, claims against the Government of less
18 than \$250,000 arising from direct construction projects
19 and acquisition of buildings may be liquidated from sav-
20 ings effected in other construction projects with prior noti-
21 fication to the Committees on Appropriations of the House
22 of Representatives and the Senate.

23 SEC. 525. In any case in which the Committee on
24 Transportation and Infrastructure of the House of Rep-
25 resentatives and the Committee on Environment and Pub-

1 lie Works of the Senate adopt a resolution granting lease
2 authority pursuant to a prospectus transmitted to Con-
3 gress by the Administrator of the General Services Admin-
4 istration under 40 U.S.C. 3307, the Administrator shall
5 ensure that the delineated area of procurement is identical
6 to the delineated area included in the prospectus for all
7 lease agreements, except that, if the Administrator deter-
8 mines that the delineated area of the procurement should
9 not be identical to the delineated area included in the pro-
10 spectus, the Administrator shall provide an explanatory
11 statement to each of such committees and the Committees
12 on Appropriations of the House of Representatives and the
13 Senate prior to exercising any lease authority provided in
14 the resolution.

15 SEC. 526. With respect to each project funded under
16 the heading “Major Repairs and Alterations” or “Judici-
17 ary Capital Security Program”, and with respect to E-
18 Government projects funded under the heading “Federal
19 Citizen Services Fund”, the Administrator of General
20 Services shall submit a spending plan and explanation for
21 each project to be undertaken to the Committees on Ap-
22 propriations of the House of Representatives and the Sen-
23 ate not later than 60 days after the date of enactment
24 of this Act.

1 SEC. 527. The Administrator of General Services
2 shall submit a report to the Committees on Appropriations
3 of the Senate and House of Representatives not later than
4 30 days following implementation of the initiative estab-
5 lished under (c)(2) of Section 846 of the National Defense
6 Authorization Act for Fiscal Year 2018 (Public Law 115–
7 91; 41 U.S.C. 1901 note) containing a market analysis
8 and an implementation strategy related to the require-
9 ments under subparagraph (h) of Section 846. The report
10 shall address strategies and processes for proper govern-
11 ment safeguards to data management and privacy for in-
12 corporation into the implementation of Section 846 to en-
13 sure a competitive environment.

14 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

15 SALARIES AND EXPENSES

16 For payment to the Harry S Truman Scholarship
17 Foundation Trust Fund, established by section 10 of Pub-
18 lic Law 93–642, \$1,000,000, to remain available until ex-
19 pended.

20 MERIT SYSTEMS PROTECTION BOARD

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses to carry out functions of the
24 Merit Systems Protection Board pursuant to Reorganiza-
25 tion Plan Numbered 2 of 1978, the Civil Service Reform

1 Act of 1978, and the Whistleblower Protection Act of
2 1989 (5 U.S.C. 5509 note), including services as author-
3 ized by 5 U.S.C. 3109, rental of conference rooms in the
4 District of Columbia and elsewhere, hire of passenger
5 motor vehicles, direct procurement of survey printing, and
6 not to exceed \$2,000 for official reception and representa-
7 tion expenses, \$44,490,000, to remain available until Sep-
8 tember 30, 2020, and in addition not to exceed
9 \$2,345,000, to remain available until September 30, 2020,
10 for administrative expenses to adjudicate retirement ap-
11 peals to be transferred from the Civil Service Retirement
12 and Disability Fund in amounts determined by the Merit
13 Systems Protection Board.

14 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
15 OPERATING EXPENSES

16 For necessary expenses in connection with the admin-
17 istration of the National Archives and Records Adminis-
18 tration and archived Federal records and related activities,
19 as provided by law, and for expenses necessary for the re-
20 view and declassification of documents, the activities of
21 the Public Interest Declassification Board, the operations
22 and maintenance of the electronic records archives, the
23 hire of passenger motor vehicles, and for uniforms or al-
24 lowances therefor, as authorized by law (5 U.S.C. 5901),

1 including maintenance, repairs, and cleaning,
2 \$372,400,000.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Reform Act of 2008, Public Law 110–409, 122
7 Stat. 4302–16 (2008), and the Inspector General Act of
8 1978 (5 U.S.C. App.), and for the hire of passenger motor
9 vehicles, \$4,823,000.

10 REPAIRS AND RESTORATION

11 For the repair, alteration, and improvement of ar-
12 chives facilities, and to provide adequate storage for hold-
13 ings, \$7,500,000, to remain available until expended.

14 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

15 COMMISSION

16 GRANTS PROGRAM

17 For necessary expenses for allocations and grants for
18 historical publications and records as authorized by 44
19 U.S.C. 2504, \$6,000,000, to remain available until ex-
20 pended.

21 NATIONAL CREDIT UNION ADMINISTRATION

22 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

23 For the Community Development Revolving Loan
24 Fund program as authorized by 42 U.S.C. 9812, 9822
25 and 9910, \$2,000,000 shall be available until September

1 30, 2020, for technical assistance to low-income des-
2 ignated credit unions.

3 OFFICE OF GOVERNMENT ETHICS

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out functions of the
6 Office of Government Ethics pursuant to the Ethics in
7 Government Act of 1978, the Ethics Reform Act of 1989,
8 and the Stop Trading on Congressional Knowledge Act of
9 2012, including services as authorized by 5 U.S.C. 3109,
10 rental of conference rooms in the District of Columbia and
11 elsewhere, hire of passenger motor vehicles, and not to ex-
12 ceed \$1,500 for official reception and representation ex-
13 penses, \$17,019,000.

14 OFFICE OF PERSONNEL MANAGEMENT

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF TRUST FUNDS)

17 For necessary expenses to carry out functions of the
18 Office of Personnel Management (OPM) pursuant to Re-
19 organization Plan Numbered 2 of 1978 and the Civil Serv-
20 ice Reform Act of 1978, including services as authorized
21 by 5 U.S.C. 3109; medical examinations performed for
22 veterans by private physicians on a fee basis; rental of con-
23 ference rooms in the District of Columbia and elsewhere;
24 hire of passenger motor vehicles; not to exceed \$2,500 for
25 official reception and representation expenses; advances

1 for reimbursements to applicable funds of OPM and the
2 Federal Bureau of Investigation for expenses incurred
3 under Executive Order No. 10422 of January 9, 1953,
4 as amended; and payment of per diem and/or subsistence
5 allowances to employees where Voting Rights Act activities
6 require an employee to remain overnight at his or her post
7 of duty, \$132,172,000: *Provided*, That of the total amount
8 made available under this heading, not to exceed
9 \$14,000,000 shall remain available until September 30,
10 2020, for information technology infrastructure mod-
11 ernization and Trust Fund Federal Financial System mi-
12 gration or modernization, and shall be in addition to funds
13 otherwise made available for such purposes upon submit-
14 ting to the Committees on Appropriations of the Senate
15 and House of Representatives the plan of expenditure as
16 required by the “Consolidated Appropriations Act, 2017”:
17 *Provided further*, That the amount made available by the
18 previous proviso may not be obligated until the Director
19 of the Office of Personnel Management submits to the
20 Committees on Appropriations of the Senate and the
21 House of Representatives within 90 days of enactment a
22 plan for expenditure of such amount, prepared in con-
23 sultation with the Director of the Office of Management
24 and Budget, the Administrator of the United States Dig-

1 ital Service, and the Secretary of Homeland Security,
2 that—

3 (1) identifies the full scope and cost of the IT
4 systems remediation and stabilization project;

5 (2) meets the capital planning and investment
6 control review requirements established by the Office
7 of Management and Budget, including Circular A–
8 11, part 7;

9 (3) includes a Major IT Business Case under
10 the requirements established by the Office of Man-
11 agement and Budget Exhibit 300;

12 (4) complies with the acquisition rules, require-
13 ments, guidelines, and systems acquisition manage-
14 ment practices of the Government;

15 (5) complies with all Office of Management and
16 Budget, Department of Homeland Security and Na-
17 tional Institute of Standards and Technology re-
18 quirements related to securing the agency’s informa-
19 tion system as described in 44 U.S.C. 3554; and

20 (6) is reviewed and commented upon within 60
21 days of plan development by the Inspector General
22 of the Office of Personnel Management, and such
23 comments are submitted to the Director of the Of-
24 fice of Personnel Management before the date of
25 such submission:

1 *Provided further*, That of the total amount made available
2 under this heading, \$639,018 may be made available for
3 strengthening the capacity and capabilities of the acquisi-
4 tion workforce (as defined by the Office of Federal Pro-
5 curement Policy Act, as amended (41 U.S.C. 4001 et
6 seq.)), including the recruitment, hiring, training, and re-
7 tention of such workforce and information technology in
8 support of acquisition workforce effectiveness or for man-
9 agement solutions to improve acquisition management;
10 and in addition \$133,483,000 for administrative expenses,
11 to be transferred from the appropriate trust funds of OPM
12 without regard to other statutes, including direct procure-
13 ment of printed materials, for the retirement and insur-
14 ance programs: *Provided further*, That the provisions of
15 this appropriation shall not affect the authority to use ap-
16 plicable trust funds as provided by sections 8348(a)(1)(B),
17 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title
18 5, United States Code: *Provided further*, That no part of
19 this appropriation shall be available for salaries and ex-
20 penses of the Legal Examining Unit of OPM established
21 pursuant to Executive Order No. 9358 of July 1, 1943,
22 or any successor unit of like purpose: *Provided further*,
23 That the President's Commission on White House Fel-
24 lows, established by Executive Order No. 11183 of Octo-
25 ber 3, 1964, may, during fiscal year 2019, accept dona-

1 tions of money, property, and personal services: *Provided*
2 *further*, That such donations, including those from prior
3 years, may be used for the development of publicity mate-
4 rials to provide information about the White House Fel-
5 lows, except that no such donations shall be accepted for
6 travel or reimbursement of travel expenses, or for the sala-
7 ries of employees of such Commission.

8 OFFICE OF INSPECTOR GENERAL

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFER OF TRUST FUNDS)

11 For necessary expenses of the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, including services as authorized by
14 5 U.S.C. 3109, hire of passenger motor vehicles,
15 \$5,000,000, and in addition, not to exceed \$25,265,000
16 for administrative expenses to audit, investigate, and pro-
17 vide other oversight of the Office of Personnel Manage-
18 ment's retirement and insurance programs, to be trans-
19 ferred from the appropriate trust funds of the Office of
20 Personnel Management, as determined by the Inspector
21 General: *Provided*, That the Inspector General is author-
22 ized to rent conference rooms in the District of Columbia
23 and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; \$26,252,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), \$15,200,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

1 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

2 SALARIES AND EXPENSES

3 For necessary expenses of the Privacy and Civil Lib-
4 erties Oversight Board, as authorized by section 1061 of
5 the Intelligence Reform and Terrorism Prevention Act of
6 2004 (42 U.S.C. 2000ee), \$5,000,000, to remain available
7 until September 30, 2020.

8 PUBLIC BUILDINGS REFORM BOARD

9 SALARIES AND EXPENSES

10 For salaries and expenses of the Public Buildings Re-
11 form Board in carrying out the Federal Assets Sale and
12 Transfer Act of 2016 (Public Law 114–287), \$2,000,000,
13 to remain available until expended.

14 SECURITIES AND EXCHANGE COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses for the Securities and Ex-
17 change Commission, including services as authorized by
18 5 U.S.C. 3109, the rental of space (to include multiple
19 year leases) in the District of Columbia and elsewhere, and
20 not to exceed \$3,500 for official reception and representa-
21 tion expenses, \$1,658,302,000, to remain available until
22 expended; of which not less than \$15,206,000 shall be for
23 the Office of Inspector General; of which not to exceed
24 \$75,000 shall be available for a permanent secretariat for
25 the International Organization of Securities Commissions;

1 and of which not to exceed \$100,000 shall be available
2 for expenses for consultations and meetings hosted by the
3 Commission with foreign governmental and other regu-
4 latory officials, members of their delegations and staffs to
5 exchange views concerning securities matters, such ex-
6 penses to include necessary logistic and administrative ex-
7 penses and the expenses of Commission staff and foreign
8 invitees in attendance including: (1) incidental expenses
9 such as meals; (2) travel and transportation; and (3) re-
10 lated lodging or subsistence.

11 In addition to the foregoing appropriation, for costs
12 associated with relocation under a replacement lease for
13 the Commission's New York regional office facilities, not
14 to exceed \$37,189,000, to remain available until expended:
15 *Provided*, That for purposes of calculating the fee rate
16 under section 31(j) of the Securities Exchange Act of
17 1934 (15 U.S.C. 78ee(j)) for fiscal year 2019, all amounts
18 appropriated under this heading shall be deemed to be the
19 regular appropriation to the Commission for fiscal year
20 2019: *Provided further*, That fees and charges authorized
21 by section 31 of the Securities Exchange Act of 1934 (15
22 U.S.C. 78ee) shall be credited to this account as offsetting
23 collections: *Provided further*, That not to exceed
24 \$1,658,302,000 of such offsetting collections shall be
25 available until expended for necessary expenses of this ac-

1 count and not to exceed \$37,189,000 of such offsetting
2 collections shall be available until expended for costs under
3 this heading associated with relocation under a replace-
4 ment lease for the Commission's New York regional office
5 facilities: *Provided further*, That the total amount appro-
6 priated under this heading from the general fund for fiscal
7 year 2019 shall be reduced as such offsetting fees are re-
8 ceived so as to result in a final total fiscal year 2019 ap-
9 propriation from the general fund estimated at not more
10 than \$0: *Provided further*, That if any amount of the ap-
11 propriation for costs associated with relocation under a re-
12 placement lease for the Commission's New York regional
13 office facilities is subsequently de-obligated by the Com-
14 mission, such amount that was derived from the general
15 fund shall be returned to the general fund, and such
16 amounts that were derived from fees or assessments col-
17 lected for such purpose shall be paid to each national secu-
18 rities exchange and national securities association, respec-
19 tively, in proportion to any fees or assessments paid by
20 such national securities exchange or national securities as-
21 sociation under section 31 of the Securities Exchange Act
22 of 1934 (15 U.S.C. 78ee) in fiscal year 2019.

1 SELECTIVE SERVICE SYSTEM

2 SALARIES AND EXPENSES

3 For necessary expenses of the Selective Service Sys-
4 tem, including expenses of attendance at meetings and of
5 training for uniformed personnel assigned to the Selective
6 Service System, as authorized by 5 U.S.C. 4101–4118 for
7 civilian employees; hire of passenger motor vehicles; serv-
8 ices as authorized by 5 U.S.C. 3109; and not to exceed
9 \$750 for official reception and representation expenses;
10 \$26,000,000: *Provided*, That during the current fiscal
11 year, the President may exempt this appropriation from
12 the provisions of 31 U.S.C. 1341, whenever the President
13 deems such action to be necessary in the interest of na-
14 tional defense: *Provided further*, That none of the funds
15 appropriated by this Act may be expended for or in con-
16 nection with the induction of any person into the Armed
17 Forces of the United States.

18 SMALL BUSINESS ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses, not otherwise provided for,
21 of the Small Business Administration, including hire of
22 passenger motor vehicles as authorized by sections 1343
23 and 1344 of title 31, United States Code, and not to ex-
24 ceed \$3,500 for official reception and representation ex-
25 penses, \$268,500,000, of which not less than \$12,000,000

1 shall be available for examinations, reviews, and other
2 lender oversight activities: *Provided*, That the Adminis-
3 trator is authorized to charge fees to cover the cost of pub-
4 lications developed by the Small Business Administration,
5 and certain loan program activities, including fees author-
6 ized by section 5(b) of the Small Business Act: *Provided*
7 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
8 received from all such activities shall be credited to this
9 account, to remain available until expended, for carrying
10 out these purposes without further appropriations: *Pro-*
11 *vided further*, That the Small Business Administration
12 may accept gifts in an amount not to exceed \$4,000,000
13 and may co-sponsor activities, each in accordance with sec-
14 tion 132(a) of division K of Public Law 108–447, during
15 fiscal year 2019: *Provided further*, That \$6,100,000 shall
16 be available for the Loan Modernization and Accounting
17 System, to be available until September 30, 2020: *Pro-*
18 *vided further*, That \$3,000,000 shall be for the Federal
19 and State Technology Partnership Program under section
20 34 of the Small Business Act (15 U.S.C. 657d).

21 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

22 For necessary expenses of programs supporting en-
23 trepreneurial and small business development,
24 \$251,900,000 (reduced by \$1,000,000) (increased by
25 \$1,000,000), to remain available until September 30,

1 2020: *Provided*, That \$132,600,000 shall be available to
2 fund grants for performance in fiscal year 2019 or fiscal
3 year 2020 as authorized by section 21 of the Small Busi-
4 ness Act: *Provided further*, That \$31,600,000 shall be for
5 marketing, management, and technical assistance under
6 section 7(m) of the Small Business Act (15 U.S.C.
7 636(m)(4)) by intermediaries that make microloans under
8 the microloan program: *Provided further*, That
9 \$18,000,000 shall be available for grants to States to
10 carry out export programs that assist small business con-
11 cerns authorized under section 22(l) of the Small Business
12 Act (15 U.S.C. 649(l)).

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, \$21,900,000.

17 OFFICE OF ADVOCACY

18 For necessary expenses of the Office of Advocacy in
19 carrying out the provisions of title II of Public Law 94–
20 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
21 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to
22 remain available until expended.

1 BUSINESS LOANS PROGRAM ACCOUNT

2 (INCLUDING TRANSFER OF FUNDS)

3 For the cost of direct loans, \$4,000,000, to remain
4 available until expended: *Provided*, That such costs, in-
5 cluding the cost of modifying such loans, shall be as de-
6 fined in section 502 of the Congressional Budget Act of
7 1974: *Provided further*, That subject to section 502 of the
8 Congressional Budget Act of 1974, during fiscal year
9 2019 commitments to guarantee loans under section 503
10 of the Small Business Investment Act of 1958 shall not
11 exceed \$7,500,000,000: *Provided further*, That during fis-
12 cal year 2019 commitments for general business loans au-
13 thorized under section 7(a) of the Small Business Act
14 shall not exceed \$30,000,000,000 for a combination of
15 amortizing term loans and the aggregated maximum line
16 of credit provided by revolving loans: *Provided further*,
17 That during fiscal year 2019 commitments for loans au-
18 thorized under subparagraph (C) of section 502(7) of The
19 Small Business Investment Act of 1958 (15 U.S.C.
20 696(7)) shall not exceed \$7,500,000,000: *Provided further*,
21 That during fiscal year 2019 commitments to guarantee
22 loans for debentures under section 303(b) of the Small
23 Business Investment Act of 1958 shall not exceed
24 \$4,000,000,000: *Provided further*, That during fiscal year
25 2019, guarantees of trust certificates authorized by sec-

tion 5(g) of the Small Business Act shall not exceed a principal amount of \$12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$155,150,000 (reduced by \$1,000,000) (increased by \$1,000,000), which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, \$31,308,000, to be available until expended, of which \$1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which \$22,308,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which \$9,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

1 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

2 ADMINISTRATION

3 (INCLUDING RESCISSION AND TRANSFER OF FUNDS)

4 SEC. 530. Not to exceed 5 percent of any appropria-
5 tion made available for the current fiscal year for the
6 Small Business Administration in this Act may be trans-
7 ferred between such appropriations, but no such appro-
8 priation shall be increased by more than 10 percent by
9 any such transfers: *Provided*, That any transfer pursuant
10 to this paragraph shall be treated as a reprogramming of
11 funds under section 608 of this Act and shall not be avail-
12 able for obligation or expenditure except in compliance
13 with the procedures set forth in that section.

14 SEC. 531. Of the unobligated balances from prior
15 year appropriations available under the “Business Loans
16 Program Account” heading for the Certified Development
17 Company Program, \$50,000,000 are hereby permanently
18 rescinded: *Provided*, That no amounts may be rescinded
19 under this section from amounts that were designated by
20 the Congress as an emergency requirement pursuant to
21 a concurrent resolution on the budget or the Balanced
22 Budget and Emergency Deficit Control Act of 1985.

23 SEC. 532. Section 12085 of Public Law 110–246 is
24 repealed.

1 UNITED STATES POSTAL SERVICE

2 PAYMENT TO THE POSTAL SERVICE FUND

3 For payment to the Postal Service Fund for revenue
4 forgone on free and reduced rate mail, pursuant to sub-
5 sections (c) and (d) of section 2401 of title 39, United
6 States Code, \$58,118,000: *Provided*, That mail for over-
7 seas voting and mail for the blind shall continue to be free:
8 *Provided further*, That 6-day delivery and rural delivery
9 of mail shall continue at not less than the 1983 level: *Pro-*
10 *vided further*, That none of the funds made available to
11 the Postal Service by this Act shall be used to implement
12 any rule, regulation, or policy of charging any officer or
13 employee of any State or local child support enforcement
14 agency, or any individual participating in a State or local
15 program of child support enforcement, a fee for informa-
16 tion requested or provided concerning an address of a
17 postal customer: *Provided further*, That none of the funds
18 provided in this Act shall be used to consolidate or close
19 small rural and other small post offices: *Provided further*,
20 That the Postal Service shall maintain and comply with
21 service standards for First Class Mail and periodicals ef-
22 fective on July 1, 2012.

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, \$250,000,000, to be derived by
7 transfer from the Postal Service Fund and expended as
8 authorized by section 603(b)(3) of the Postal Account-
9 ability and Enhancement Act (Public Law 109–435).

10 UNITED STATES TAX COURT

11 SALARIES AND EXPENSES

12 For necessary expenses, including contract reporting
13 and other services as authorized by 5 U.S.C. 3109,
14 \$51,515,000, of which \$500,000 shall remain available
15 until expended: *Provided*, That travel expenses of the
16 judges shall be paid upon the written certificate of the
17 judge.

18 TITLE VI

19 GENERAL PROVISIONS—THIS ACT

20 SEC. 601. None of the funds in this Act shall be used
21 for the planning or execution of any program to pay the
22 expenses of, or otherwise compensate, non-Federal parties
23 intervening in regulatory or adjudicatory proceedings
24 funded in this Act.

1 SEC. 602. None of the funds appropriated in this Act
2 shall remain available for obligation beyond the current
3 fiscal year, nor may any be transferred to other appropria-
4 tions, unless expressly so provided herein.

5 SEC. 603. The expenditure of any appropriation
6 under this Act for any consulting service through procure-
7 ment contract pursuant to 5 U.S.C. 3109, shall be limited
8 to those contracts where such expenditures are a matter
9 of public record and available for public inspection, except
10 where otherwise provided under existing law, or under ex-
11 isting Executive order issued pursuant to existing law.

12 SEC. 604. None of the funds made available in this
13 Act may be transferred to any department, agency, or in-
14 strumentality of the United States Government, except
15 pursuant to a transfer made by, or transfer authority pro-
16 vided in, this Act or any other appropriations Act.

17 SEC. 605. None of the funds made available by this
18 Act shall be available for any activity or for paying the
19 salary of any Government employee where funding an ac-
20 tivity or paying a salary to a Government employee would
21 result in a decision, determination, rule, regulation, or pol-
22 icy that would prohibit the enforcement of section 307 of
23 the Tariff Act of 1930 (19 U.S.C. 1307).

24 SEC. 606. No funds appropriated pursuant to this
25 Act may be expended by an entity unless the entity agrees

1 that in expending the assistance the entity will comply
2 with chapter 83 of title 41, United States Code.

3 SEC. 607. No funds appropriated or otherwise made
4 available under this Act shall be made available to any
5 person or entity that has been convicted of violating chap-
6 ter 83 of title 41, United States Code.

7 SEC. 608. Except as otherwise provided in this Act,
8 none of the funds provided in this Act, provided by pre-
9 vious appropriations Acts to the agencies or entities fund-
10 ed in this Act that remain available for obligation or ex-
11 penditure in fiscal year 2019, or provided from any ac-
12 counts in the Treasury derived by the collection of fees
13 and available to the agencies funded by this Act, shall be
14 available for obligation or expenditure through a re-
15 programming of funds that: (1) creates a new program;
16 (2) eliminates a program, project, or activity; (3) increases
17 funds or personnel for any program, project, or activity
18 for which funds have been denied or restricted by the Con-
19 gress; (4) proposes to use funds directed for a specific ac-
20 tivity by the Committee on Appropriations of either the
21 House of Representatives or the Senate for a different
22 purpose; (5) augments existing programs, projects, or ac-
23 tivities in excess of \$5,000,000 or 10 percent, whichever
24 is less; (6) reduces existing programs, projects, or activi-
25 ties by \$5,000,000 or 10 percent, whichever is less; or (7)

1 creates or reorganizes offices, programs, or activities un-
2 less prior approval is received from the Committees on Ap-
3 propriations of the House of Representatives and the Sen-
4 ate: *Provided*, That prior to any significant reorganization
5 or restructuring of offices, programs, or activities, each
6 agency or entity funded in this Act shall consult with the
7 Committees on Appropriations of the House of Represent-
8 atives and the Senate: *Provided further*, That not later
9 than 60 days after the date of enactment of this Act, each
10 agency funded by this Act shall submit a report to the
11 Committees on Appropriations of the House of Represent-
12 atives and the Senate to establish the baseline for applica-
13 tion of reprogramming and transfer authorities for the
14 current fiscal year: *Provided further*, That at a minimum
15 the report shall include: (1) a table for each appropriation
16 with a separate column to display the President's budget
17 request, adjustments made by Congress, adjustments due
18 to enacted rescissions, if appropriate, and the fiscal year
19 enacted level; (2) a delineation in the table for each appro-
20 priation both by object class and program, project, and
21 activity as detailed in the budget appendix for the respec-
22 tive appropriation; and (3) an identification of items of
23 special congressional interest: *Provided further*, That the
24 amount appropriated or limited for salaries and expenses
25 for an agency shall be reduced by \$100,000 per day for

1 each day after the required date that the report has not
2 been submitted to the Congress.

3 SEC. 609. Except as otherwise specifically provided
4 by law, not to exceed 50 percent of unobligated balances
5 remaining available at the end of fiscal year 2019 from
6 appropriations made available for salaries and expenses
7 for fiscal year 2019 in this Act, shall remain available
8 through September 30, 2020, for each such account for
9 the purposes authorized: *Provided*, That a request shall
10 be submitted to the Committees on Appropriations of the
11 House of Representatives and the Senate for approval
12 prior to the expenditure of such funds: *Provided further*,
13 That these requests shall be made in compliance with re-
14 programming guidelines.

15 SEC. 610. (a) None of the funds made available in
16 this Act may be used by the Executive Office of the Presi-
17 dent to request—

18 (1) any official background investigation report
19 on any individual from the Federal Bureau of Inves-
20 tigation; or

21 (2) a determination with respect to the treat-
22 ment of an organization as described in section
23 501(c) of the Internal Revenue Code of 1986 and
24 exempt from taxation under section 501(a) of such

1 Code from the Department of the Treasury or the
2 Internal Revenue Service.

3 (b) Subsection (a) shall not apply—

4 (1) in the case of an official background inves-
5 tigation report, if such individual has given express
6 written consent for such request not more than 6
7 months prior to the date of such request and during
8 the same presidential administration; or

9 (2) if such request is required due to extraor-
10 dinary circumstances involving national security.

11 SEC. 611. The cost accounting standards promul-
12 gated under chapter 15 of title 41, United States Code
13 shall not apply with respect to a contract under the Fed-
14 eral Employees Health Benefits Program established
15 under chapter 89 of title 5, United States Code.

16 SEC. 612. For the purpose of resolving litigation and
17 implementing any settlement agreements regarding the
18 nonforeign area cost-of-living allowance program, the Of-
19 fice of Personnel Management may accept and utilize
20 (without regard to any restriction on unanticipated travel
21 expenses imposed in an Appropriations Act) funds made
22 available to the Office of Personnel Management pursuant
23 to court approval.

24 SEC. 613. No funds appropriated by this Act shall
25 be available to pay for an abortion, or the administrative

1 expenses in connection with any health plan under the
2 Federal employees health benefits program which provides
3 any benefits or coverage for abortions.

4 SEC. 614. The provision of section 613 shall not
5 apply where the life of the mother would be endangered
6 if the fetus were carried to term, or the pregnancy is the
7 result of an act of rape or incest.

8 SEC. 615. In order to promote Government access to
9 commercial information technology, the restriction on pur-
10 chasing nondomestic articles, materials, and supplies set
11 forth in chapter 83 of title 41, United States Code (popu-
12 larly known as the Buy American Act), shall not apply
13 to the acquisition by the Federal Government of informa-
14 tion technology (as defined in section 11101 of title 40,
15 United States Code), that is a commercial item (as defined
16 in section 103 of title 41, United States Code).

17 SEC. 616. Notwithstanding section 1353 of title 31,
18 United States Code, no officer or employee of any regu-
19 latory agency or commission funded by this Act may ac-
20 cept on behalf of that agency, nor may such agency or
21 commission accept, payment or reimbursement from a
22 non-Federal entity for travel, subsistence, or related ex-
23 penses for the purpose of enabling an officer or employee
24 to attend and participate in any meeting or similar func-
25 tion relating to the official duties of the officer or em-

1 ployee when the entity offering payment or reimbursement
2 is a person or entity subject to regulation by such agency
3 or commission, or represents a person or entity subject
4 to regulation by such agency or commission, unless the
5 person or entity is an organization described in section
6 501(c)(3) of the Internal Revenue Code of 1986 and ex-
7 empt from tax under section 501(a) of such Code.

8 SEC. 617. Notwithstanding section 708 of this Act,
9 funds made available to the Commodity Futures Trading
10 Commission and the Securities and Exchange Commission
11 by this or any other Act may be used for the interagency
12 funding and sponsorship of a joint advisory committee to
13 advise on emerging regulatory issues.

14 SEC. 618. (a)(1) Notwithstanding any other provision
15 of law, an Executive agency covered by this Act otherwise
16 authorized to enter into contracts for either leases or the
17 construction or alteration of real property for office, meet-
18 ing, storage, or other space must consult with the General
19 Services Administration before issuing a solicitation for of-
20 fers of new leases or construction contracts, and in the
21 case of succeeding leases, before entering into negotiations
22 with the current lessor.

23 (2) Any such agency with authority to enter into an
24 emergency lease may do so during any period declared by

1 the President to require emergency leasing authority with
2 respect to such agency.

3 (b) For purposes of this section, the term “Executive
4 agency covered by this Act” means any Executive agency
5 provided funds by this Act, but does not include the Gen-
6 eral Services Administration or the United States Postal
7 Service.

8 SEC. 619. (a) There are appropriated for the fol-
9 lowing activities the amounts required under current law:

10 (1) Compensation of the President (3 U.S.C.
11 102).

12 (2) Payments to—

13 (A) the Judicial Officers’ Retirement Fund
14 (28 U.S.C. 377(o));

15 (B) the Judicial Survivors’ Annuities Fund
16 (28 U.S.C. 376(c)); and

17 (C) the United States Court of Federal
18 Claims Judges’ Retirement Fund (28 U.S.C.
19 178(l)).

20 (3) Payment of Government contributions—

21 (A) with respect to the health benefits of
22 retired employees, as authorized by chapter 89
23 of title 5, United States Code, and the Retired
24 Federal Employees Health Benefits Act (74
25 Stat. 849); and

1 (B) with respect to the life insurance bene-
2 fits for employees retiring after December 31,
3 1989 (5 U.S.C. ch. 87).

4 (4) Payment to finance the unfunded liability of
5 new and increased annuity benefits under the Civil
6 Service Retirement and Disability Fund (5 U.S.C.
7 8348).

8 (5) Payment of annuities authorized to be paid
9 from the Civil Service Retirement and Disability
10 Fund by statutory provisions other than subchapter
11 III of chapter 83 or chapter 84 of title 5, United
12 States Code.

13 (b) Nothing in this section may be construed to ex-
14 empt any amount appropriated by this section from any
15 otherwise applicable limitation on the use of funds con-
16 tained in this Act.

17 SEC. 620. None of the funds made available in this
18 Act may be used by the Federal Trade Commission to
19 complete the draft report entitled “Interagency Working
20 Group on Food Marketed to Children: Preliminary Pro-
21 posed Nutrition Principles to Guide Industry Self-Regu-
22 latory Efforts” unless the Interagency Working Group on
23 Food Marketed to Children complies with Executive Order
24 No. 13563.

1 SEC. 621. None of the funds in this Act may be used
2 for the Director of the Office of Personnel Management
3 to award a contract, enter an extension of, or exercise an
4 option on a contract to a contractor conducting the final
5 quality review processes for background investigation
6 fieldwork services or background investigation support
7 services that, as of the date of the award of the contract,
8 are being conducted by that contractor.

9 SEC. 622. (a) The head of each executive branch
10 agency funded by this Act shall ensure that the Chief In-
11 formation Officer of the agency has the authority to par-
12 ticipate in decisions regarding the budget planning process
13 related to information technology.

14 (b) Amounts appropriated for any executive branch
15 agency funded by this Act that are available for informa-
16 tion technology shall be allocated within the agency, con-
17 sistent with the provisions of appropriations Acts and
18 budget guidelines and recommendations from the Director
19 of the Office of Management and Budget, in such manner
20 as specified by, or approved by, the Chief Information Of-
21 ficer of the agency in consultation with the Chief Financial
22 Officer of the agency and budget officials.

23 SEC. 623. None of the funds made available in this
24 Act may be used in contravention of chapter 29, 31, or
25 33 of title 44, United States Code.

1 SEC. 624. None of the funds made available in this
2 Act may be used by a governmental entity to require the
3 disclosure by a provider of electronic communication serv-
4 ice to the public or remote computing service of the con-
5 tents of a wire or electronic communication that is in elec-
6 tronic storage with the provider (as such terms are defined
7 in sections 2510 and 2711 of title 18, United States Code)
8 in a manner that violates the Fourth Amendment to the
9 Constitution of the United States.

10 SEC. 625. None of the funds appropriated by this Act
11 may be used by the Federal Communications Commission
12 to modify, amend, or change the rules or regulations of
13 the Commission for universal service high-cost support for
14 competitive eligible telecommunications carriers in a way
15 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
16 tion 54.307 of title 47, Code of Federal Regulations, as
17 in effect on July 15, 2015: *Provided*, That this section
18 shall not prohibit the Commission from considering, devel-
19 oping, or adopting other support mechanisms as an alter-
20 native to Mobility Fund Phase II.

21 SEC. 626. No funds provided in this Act shall be used
22 to deny an Inspector General funded under this Act timely
23 access to any records, documents, or other materials avail-
24 able to the department or agency over which that Inspec-
25 tor General has responsibilities under the Inspector Gen-

1 eral Act of 1978, or to prevent or impede that Inspector
2 General's access to such records, documents, or other ma-
3 terials, under any provision of law, except a provision of
4 law that expressly refers to the Inspector General and ex-
5 pressly limits the Inspector General's right of access. A
6 department or agency covered by this section shall provide
7 its Inspector General with access to all such records, docu-
8 ments, and other materials in a timely manner. Each In-
9 spector General shall ensure compliance with statutory
10 limitations on disclosure relevant to the information pro-
11 vided by the establishment over which that Inspector Gen-
12 eral has responsibilities under the Inspector General Act
13 of 1978. Each Inspector General covered by this section
14 shall report to the Committees on Appropriations of the
15 House of Representatives and the Senate within 5 cal-
16 endar days any failures to comply with this requirement.

17 SEC. 627. (a) None of the funds made available in
18 this Act may be used to maintain or establish a computer
19 network unless such network blocks the viewing,
20 downloading, and exchanging of pornography.

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

1 other law enforcement- or victim assistance-related activ-
2 ity.

3 SEC. 628. None of the funds made available by this
4 Act shall be used by the Securities and Exchange Commis-
5 sion to finalize, issue, or implement any rule, regulation,
6 or order regarding the disclosure of political contributions,
7 contributions to tax exempt organizations, or dues paid
8 to trade associations.

9 SEC. 629. Title 44, United States Code, is amended
10 as follows:

11 (1) In subsection (a)(2) of section 2107, by
12 striking “the head of such agency has certified in
13 writing to the Archivist” and inserting “the Archi-
14 vist determines, after consulting with the head of
15 such agency,”.

16 (2) In subsection (d) of section 2904, by strik-
17 ing the first instance of “digital or electronic”.

18 (3) In subsection (e) of section 3303a, by strik-
19 ing “the written consent of” and inserting “advance
20 notice to”.

21 (4) In section 3308, by striking “empower” and
22 inserting “direct”.

23 SEC. 630. None of the funds made available by this
24 Act may be used to enforce the requirements in section
25 316(b)(4)(D) of the Federal Election Campaign Act of

1 1971 (52 U.S.C. 30118(b)(4)(D)) that the solicitation of
2 contributions from member corporations stockholders and
3 executive or administrative personnel, and the families of
4 such stockholders or personnel, by trade associations must
5 be separately and specifically approved by the member cor-
6 poration involved prior to such solicitation, and that such
7 member corporation does not approve any such solicitation
8 by more than one such trade association in any calendar
9 year.

10 SEC. 631. (1) None of the funds appropriated by this
11 Act shall be available to pay for an abortion or the admin-
12 istrative expenses in connection with a multi-State quali-
13 fied health plan offered under a contract under section
14 1334 of the Patient Protection and Affordable Care Act
15 (42 U.S.C. 18054) which provides any benefits or coverage
16 for abortions.

17 (2) The provision of paragraph (1) shall not apply
18 where the life of the mother would be endangered if the
19 fetus were carried to term, or the pregnancy is the result
20 of an act of rape or incest.

21 SEC. 632. None of the funds made available by this
22 Act may be used by the Securities and Exchange Commis-
23 sion to propose, issue, implement, administer, or enforce
24 any requirement that a solicitation of a proxy, consent,
25 or authorization to vote a security of an issuer in an elec-

tion of members of the board of directors of the issuer
be made using a single ballot or card that lists both individuals nominated by (or on behalf of) the issuer and individuals nominated by (or on behalf of) other proponents and permits the person granting the proxy, consent, or authorization to select from individuals in both groups.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2019 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor ve-

1 hicle (exclusive of buses, ambulances, law enforcement ve-
2 hicles, protective vehicles, and undercover surveillance ve-
3 hicles), is hereby fixed at \$19,947 except station wagons
4 for which the maximum shall be \$19,997: *Provided*, That
5 these limits may be exceeded by not to exceed \$7,250 for
6 police-type vehicles: *Provided further*, That the limits set
7 forth in this section may not be exceeded by more than
8 5 percent for electric or hybrid vehicles purchased for
9 demonstration under the provisions of the Electric and
10 Hybrid Vehicle Research, Development, and Demonstra-
11 tion Act of 1976: *Provided further*, That the limits set
12 forth in this section may be exceeded by the incremental
13 cost of clean alternative fuels vehicles acquired pursuant
14 to Public Law 101-549 over the cost of comparable con-
15 ventionally fueled vehicles: *Provided further*, That the lim-
16 its set forth in this section shall not apply to any vehicle
17 that is a commercial item and which operates on alter-
18 native fuel, including but not limited to electric, plug-in
19 hybrid electric, and hydrogen fuel cell vehicles.

20 SEC. 703. Appropriations of the executive depart-
21 ments and independent establishments for the current fis-
22 cal year available for expenses of travel, or for the ex-
23 penses of the activity concerned, are hereby made available
24 for quarters allowances and cost-of-living allowances, in
25 accordance with 5 U.S.C. 5922-5924.

1 SEC. 704. Unless otherwise specified in law during
2 the current fiscal year, no part of any appropriation con-
3 tained in this or any other Act shall be used to pay the
4 compensation of any officer or employee of the Govern-
5 ment of the United States (including any agency the ma-
6 jority of the stock of which is owned by the Government
7 of the United States) whose post of duty is in the conti-
8 nental United States unless such person: (1) is a citizen
9 of the United States; (2) is a person who is lawfully admit-
10 ted for permanent residence and is seeking citizenship as
11 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
12 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
13 ed asylum under 8 U.S.C. 1158 and has filed a declaration
14 of intention to become a lawful permanent resident and
15 then a citizen when eligible; or (4) is a person who owes
16 allegiance to the United States: *Provided*, That for pur-
17 poses of this section, affidavits signed by any such person
18 shall be considered prima facie evidence that the require-
19 ments of this section with respect to his or her status are
20 being complied with: *Provided further*, That for purposes
21 of subsections (2) and (3) such affidavits shall be sub-
22 mitted prior to employment and updated thereafter as nec-
23 essary: *Provided further*, That any person making a false
24 affidavit shall be guilty of a felony, and upon conviction,
25 shall be fined no more than \$4,000 or imprisoned for not

1 more than 1 year, or both: *Provided further*, That the
2 above penal clause shall be in addition to, and not in sub-
3 stitution for, any other provisions of existing law: *Provided*
4 *further*, That any payment made to any officer or em-
5 ployee contrary to the provisions of this section shall be
6 recoverable in action by the Federal Government: *Provided*
7 *further*, That this section shall not apply to any person
8 who is an officer or employee of the Government of the
9 United States on the date of enactment of this Act, or
10 to international broadcasters employed by the Broad-
11 casting Board of Governors, or to temporary employment
12 of translators, or to temporary employment in the field
13 service (not to exceed 60 days) as a result of emergencies:
14 *Provided further*, That this section does not apply to the
15 employment as Wildland firefighters for not more than
16 120 days of nonresident aliens employed by the Depart-
17 ment of the Interior or the USDA Forest Service pursuant
18 to an agreement with another country.

19 SEC. 705. Appropriations available to any depart-
20 ment or agency during the current fiscal year for nec-
21 essary expenses, including maintenance or operating ex-
22 penses, shall also be available for payment to the General
23 Services Administration for charges for space and services
24 and those expenses of renovation and alteration of build-
25 ings and facilities which constitute public improvements

1 performed in accordance with the Public Buildings Act of
2 1959 (73 Stat. 479), the Public Buildings Amendments
3 of 1972 (86 Stat. 216), or other applicable law.

4 SEC. 706. In addition to funds provided in this or
5 any other Act, all Federal agencies are authorized to re-
6 ceive and use funds resulting from the sale of materials,
7 including Federal records disposed of pursuant to a
8 records schedule recovered through recycling or waste pre-
9 vention programs. Such funds shall be available until ex-
10 pended for the following purposes:

11 (1) Acquisition, waste reduction and prevention,
12 and recycling programs as described in Executive
13 Order No. 13693 (March 19, 2015), including any
14 such programs adopted prior to the effective date of
15 the Executive order.

16 (2) Other Federal agency environmental man-
17 agement programs, including, but not limited to, the
18 development and implementation of hazardous waste
19 management and pollution prevention programs.

20 (3) Other employee programs as authorized by
21 law or as deemed appropriate by the head of the
22 Federal agency.

23 SEC. 707. Funds made available by this or any other
24 Act for administrative expenses in the current fiscal year
25 of the corporations and agencies subject to chapter 91 of

1 title 31, United States Code, shall be available, in addition
2 to objects for which such funds are otherwise available,
3 for rent in the District of Columbia; services in accordance
4 with 5 U.S.C. 3109; and the objects specified under this
5 head, all the provisions of which shall be applicable to the
6 expenditure of such funds unless otherwise specified in the
7 Act by which they are made available: *Provided*, That in
8 the event any functions budgeted as administrative ex-
9 penses are subsequently transferred to or paid from other
10 funds, the limitations on administrative expenses shall be
11 correspondingly reduced.

12 SEC. 708. No part of any appropriation contained in
13 this or any other Act shall be available for interagency
14 financing of boards (except Federal Executive Boards),
15 commissions, councils, committees, or similar groups
16 (whether or not they are interagency entities) which do
17 not have a prior and specific statutory approval to receive
18 financial support from more than one agency or instru-
19 mentality.

20 SEC. 709. None of the funds made available pursuant
21 to the provisions of this or any other Act shall be used
22 to implement, administer, or enforce any regulation which
23 has been disapproved pursuant to a joint resolution duly
24 adopted in accordance with the applicable law of the
25 United States.

1 SEC. 710. During the period in which the head of
2 any department or agency, or any other officer or civilian
3 employee of the Federal Government appointed by the
4 President of the United States, holds office, no funds may
5 be obligated or expended in excess of \$5,000 to furnish
6 or redecorate the office of such department head, agency
7 head, officer, or employee, or to purchase furniture or
8 make improvements for any such office, unless advance
9 notice of such furnishing or redecoration is transmitted
10 to the Committees on Appropriations of the House of Rep-
11 resentatives and the Senate. For the purposes of this sec-
12 tion, the term “office” shall include the entire suite of of-
13 fices assigned to the individual, as well as any other space
14 used primarily by the individual or the use of which is
15 directly controlled by the individual.

16 SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-
17 tion 708 of this Act, funds made available for the current
18 fiscal year by this or any other Act shall be available for
19 the interagency funding of national security and emer-
20 gency preparedness telecommunications initiatives which
21 benefit multiple Federal departments, agencies, or enti-
22 ties, as provided by Executive Order No. 13618 (July 6,
23 2012).

24 SEC. 712. (a) None of the funds made available by
25 this or any other Act may be obligated or expended by

1 any department, agency, or other instrumentality of the
2 Federal Government to pay the salaries or expenses of any
3 individual appointed to a position of a confidential or pol-
4 icy-determining character that is excepted from the com-
5 petitive service under section 3302 of title 5, United
6 States Code, (pursuant to schedule C of subpart C of part
7 213 of title 5 of the Code of Federal Regulations) unless
8 the head of the applicable department, agency, or other
9 instrumentality employing such schedule C individual cer-
10 tifies to the Director of the Office of Personnel Manage-
11 ment that the schedule C position occupied by the indi-
12 vidual was not created solely or primarily in order to detail
13 the individual to the White House.

14 (b) The provisions of this section shall not apply to
15 Federal employees or members of the armed forces de-
16 tailed to or from an element of the intelligence community
17 (as that term is defined under section 3(4) of the National
18 Security Act of 1947 (50 U.S.C. 3003(4))).

19 SEC. 713. No part of any appropriation contained in
20 this or any other Act shall be available for the payment
21 of the salary of any officer or employee of the Federal
22 Government, who—

23 (1) prohibits or prevents, or attempts or threat-
24 ens to prohibit or prevent, any other officer or em-
25 ployee of the Federal Government from having any

1 direct oral or written communication or contact with
2 any Member, committee, or subcommittee of the
3 Congress in connection with any matter pertaining
4 to the employment of such other officer or employee
5 or pertaining to the department or agency of such
6 other officer or employee in any way, irrespective of
7 whether such communication or contact is at the ini-
8 tiative of such other officer or employee or in re-
9 sponse to the request or inquiry of such Member,
10 committee, or subcommittee; or

11 (2) removes, suspends from duty without pay,
12 demotes, reduces in rank, seniority, status, pay, or
13 performance or efficiency rating, denies promotion
14 to, relocates, reassigns, transfers, disciplines, or dis-
15 criminate in regard to any employment right, enti-
16 tlement, or benefit, or any term or condition of em-
17 ployment of, any other officer or employee of the
18 Federal Government, or attempts or threatens to
19 commit any of the foregoing actions with respect to
20 such other officer or employee, by reason of any
21 communication or contact of such other officer or
22 employee with any Member, committee, or sub-
23 committee of the Congress as described in paragraph
24 (1).

1 SEC. 714. (a) None of the funds made available in
2 this or any other Act may be obligated or expended for
3 any employee training that—

4 (1) does not meet identified needs for knowl-
5 edge, skills, and abilities bearing directly upon the
6 performance of official duties;

7 (2) contains elements likely to induce high lev-
8 els of emotional response or psychological stress in
9 some participants;

10 (3) does not require prior employee notification
11 of the content and methods to be used in the train-
12 ing and written end of course evaluation;

13 (4) contains any methods or content associated
14 with religious or quasi-religious belief systems or
15 “new age” belief systems as defined in Equal Em-
16 ployment Opportunity Commission Notice N-
17 915.022, dated September 2, 1988; or

18 (5) is offensive to, or designed to change, par-
19 ticipants’ personal values or lifestyle outside the
20 workplace.

21 (b) Nothing in this section shall prohibit, restrict, or
22 otherwise preclude an agency from conducting training
23 bearing directly upon the performance of official duties.

24 SEC. 715. No part of any funds appropriated in this
25 or any other Act shall be used by an agency of the execu-

1 tive branch, other than for normal and recognized execu-
2 tive-legislative relationships, for publicity or propaganda
3 purposes, and for the preparation, distribution or use of
4 any kit, pamphlet, booklet, publication, radio, television,
5 or film presentation designed to support or defeat legisla-
6 tion pending before the Congress, except in presentation
7 to the Congress itself.

8 SEC. 716. None of the funds appropriated by this or
9 any other Act may be used by an agency to provide a Fed-
10 eral employee's home address to any labor organization
11 except when the employee has authorized such disclosure
12 or when such disclosure has been ordered by a court of
13 competent jurisdiction.

14 SEC. 717. None of the funds made available in this
15 or any other Act may be used to provide any non-public
16 information such as mailing, telephone or electronic mail-
17 ing lists to any person or any organization outside of the
18 Federal Government without the approval of the Commit-
19 tees on Appropriations of the House of Representatives
20 and the Senate.

21 SEC. 718. No part of any appropriation contained in
22 this or any other Act shall be used directly or indirectly,
23 including by private contractor, for publicity or propa-
24 ganda purposes within the United States not heretofore
25 authorized by Congress.

1 SEC. 719. (a) In this section, the term “agency”—

2 (1) means an Executive agency, as defined
3 under 5 U.S.C. 105; and

4 (2) includes a military department, as defined
5 under section 102 of such title, the United States
6 Postal Service, and the Postal Regulatory Commis-
7 sion.

8 (b) Unless authorized in accordance with law or regu-
9 lations to use such time for other purposes, an employee
10 of an agency shall use official time in an honest effort
11 to perform official duties. An employee not under a leave
12 system, including a Presidential appointee exempted under
13 5 U.S.C. 6301(2), has an obligation to expend an honest
14 effort and a reasonable proportion of such employee’s time
15 in the performance of official duties.

16 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
17 tion 708 of this Act, funds made available for the current
18 fiscal year by this or any other Act to any department
19 or agency, which is a member of the Federal Accounting
20 Standards Advisory Board (FASAB), shall be available to
21 finance an appropriate share of FASAB administrative
22 costs.

23 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
24 tion 708 of this Act, the head of each Executive depart-
25 ment and agency is hereby authorized to transfer to or

1 reimburse “General Services Administration, Government-
2 wide Policy” with the approval of the Director of the Of-
3 fice of Management and Budget, funds made available for
4 the current fiscal year by this or any other Act, including
5 rebates from charge card and other contracts: *Provided*,
6 That these funds shall be administered by the Adminis-
7 trator of General Services to support Government-wide
8 and other multi-agency financial, information technology,
9 procurement, and other management innovations, initia-
10 tives, and activities, including improving coordination and
11 reducing duplication, as approved by the Director of the
12 Office of Management and Budget, in consultation with
13 the appropriate interagency and multi-agency groups des-
14 ignated by the Director (including the President’s Man-
15 agement Council for overall management improvement ini-
16 tiatives, the Chief Financial Officers Council for financial
17 management initiatives, the Chief Information Officers
18 Council for information technology initiatives, the Chief
19 Human Capital Officers Council for human capital initia-
20 tives, the Chief Acquisition Officers Council for procure-
21 ment initiatives, and the Performance Improvement Coun-
22 cil for performance improvement initiatives): *Provided fur-*
23 *ther*, That the total funds transferred or reimbursed shall
24 not exceed \$15,000,000 to improve coordination, reduce
25 duplication, and for other activities related to Federal

1 Government Priority Goals established by 31 U.S.C. 1120,
2 and not to exceed \$17,000,000 for Government-Wide inno-
3 vations, initiatives, and activities: *Provided further*, That
4 the funds transferred to or for reimbursement of “General
5 Services Administration, Government-wide Policy” during
6 fiscal year 2019 shall remain available for obligation
7 through September 30, 2020: *Provided further*, That such
8 transfers or reimbursements may only be made after 15
9 days following notification of the Committees on Appro-
10 priations of the House of Representatives and the Senate
11 by the Director of the Office of Management and Budget.

12 SEC. 722. Notwithstanding any other provision of
13 law, a woman may breastfeed her child at any location
14 in a Federal building or on Federal property, if the woman
15 and her child are otherwise authorized to be present at
16 the location.

17 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
18 tion 708 of this Act, funds made available for the current
19 fiscal year by this or any other Act shall be available for
20 the interagency funding of specific projects, workshops,
21 studies, and similar efforts to carry out the purposes of
22 the National Science and Technology Council (authorized
23 by Executive Order No. 12881), which benefit multiple
24 Federal departments, agencies, or entities: *Provided*, That
25 the Office of Management and Budget shall provide a re-

1 port describing the budget of and resources connected with
2 the National Science and Technology Council to the Com-
3 mittees on Appropriations, the House Committee on
4 Science and Technology, and the Senate Committee on
5 Commerce, Science, and Transportation 90 days after en-
6 actment of this Act.

7 SEC. 724. Any request for proposals, solicitation,
8 grant application, form, notification, press release, or
9 other publications involving the distribution of Federal
10 funds shall comply with any relevant requirements in part
11 200 of title 2, Code of Federal Regulations: *Provided*,
12 That this section shall apply to direct payments, formula
13 funds, and grants received by a State receiving Federal
14 funds.

15 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
16 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
17 the funds made available in this or any other Act may
18 be used by any Federal agency—

19 (1) to collect, review, or create any aggregation
20 of data, derived from any means, that includes any
21 personally identifiable information relating to an in-
22 dividual's access to or use of any Federal Govern-
23 ment Internet site of the agency; or

24 (2) to enter into any agreement with a third
25 party (including another government agency) to col-

1 lect, review, or obtain any aggregation of data, de-
2 rived from any means, that includes any personally
3 identifiable information relating to an individual's
4 access to or use of any nongovernmental Internet
5 site.

6 (b) EXCEPTIONS.—The limitations established in
7 subsection (a) shall not apply to—

8 (1) any record of aggregate data that does not
9 identify particular persons;

10 (2) any voluntary submission of personally iden-
11 tifiable information;

12 (3) any action taken for law enforcement, regu-
13 latory, or supervisory purposes, in accordance with
14 applicable law; or

15 (4) any action described in subsection (a)(1)
16 that is a system security action taken by the oper-
17 ator of an Internet site and is necessarily incident
18 to providing the Internet site services or to pro-
19 tecting the rights or property of the provider of the
20 Internet site.

21 (c) DEFINITIONS.—For the purposes of this section:

22 (1) The term “regulatory” means agency ac-
23 tions to implement, interpret or enforce authorities
24 provided in law.

1 (2) The term “supervisory” means examina-
2 tions of the agency’s supervised institutions, includ-
3 ing assessing safety and soundness, overall financial
4 condition, management practices and policies and
5 compliance with applicable standards as provided in
6 law.

7 SEC. 726. (a) None of the funds appropriated by this
8 Act may be used to enter into or renew a contract which
9 includes a provision providing prescription drug coverage,
10 except where the contract also includes a provision for con-
11 traceptive coverage.

12 (b) Nothing in this section shall apply to a contract
13 with—

14 (1) any of the following religious plans:

15 (A) Personal Care’s HMO; and

16 (B) OSF HealthPlans, Inc.; and

17 (2) any existing or future plan, if the carrier
18 for the plan objects to such coverage on the basis of
19 religious beliefs.

20 (c) In implementing this section, any plan that enters
21 into or renews a contract under this section may not sub-
22 ject any individual to discrimination on the basis that the
23 individual refuses to prescribe or otherwise provide for
24 contraceptives because such activities would be contrary
25 to the individual’s religious beliefs or moral convictions.

1 (d) Nothing in this section shall be construed to re-
2 quire coverage of abortion or abortion-related services.

3 SEC. 727. The United States is committed to ensur-
4 ing the health of its Olympic, Pan American, and
5 Paralympic athletes, and supports the strict adherence to
6 anti-doping in sport through testing, adjudication, edu-
7 cation, and research as performed by nationally recognized
8 oversight authorities.

9 SEC. 728. Notwithstanding any other provision of
10 law, funds appropriated for official travel to Federal de-
11 partments and agencies may be used by such departments
12 and agencies, if consistent with Office of Management and
13 Budget Circular A-126 regarding official travel for Gov-
14 ernment personnel, to participate in the fractional aircraft
15 ownership pilot program.

16 SEC. 729. Notwithstanding any other provision of
17 law, no executive branch agency shall purchase, construct,
18 or lease any additional facilities, except within or contig-
19 uous to existing locations, to be used for the purpose of
20 conducting Federal law enforcement training without the
21 advance approval of the Committees on Appropriations of
22 the House of Representatives and the Senate, except that
23 the Federal Law Enforcement Training Center is author-
24 ized to obtain the temporary use of additional facilities

1 by lease, contract, or other agreement for training which
2 cannot be accommodated in existing Center facilities.

3 SEC. 730. Unless otherwise authorized by existing
4 law, none of the funds provided in this or any other Act
5 may be used by an executive branch agency to produce
6 any prepackaged news story intended for broadcast or dis-
7 tribution in the United States, unless the story includes
8 a clear notification within the text or audio of the pre-
9 packaged news story that the prepackaged news story was
10 prepared or funded by that executive branch agency.

11 SEC. 731. None of the funds made available in this
12 Act may be used in contravention of section 552a of title
13 5, United States Code (popularly known as the Privacy
14 Act), and regulations implementing that section.

15 SEC. 732. (a) IN GENERAL.—None of the funds ap-
16 propriated or otherwise made available by this or any
17 other Act may be used for any Federal Government con-
18 tract with any foreign incorporated entity which is treated
19 as an inverted domestic corporation under section 835(b)
20 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
21 or any subsidiary of such an entity.

22 (b) WAIVERS.—

23 (1) IN GENERAL.—Any Secretary shall waive
24 subsection (a) with respect to any Federal Govern-
25 ment contract under the authority of such Secretary

1 if the Secretary determines that the waiver is re-
2 quired in the interest of national security.

3 (2) REPORT TO CONGRESS.—Any Secretary
4 issuing a waiver under paragraph (1) shall report
5 such issuance to Congress.

6 (c) EXCEPTION.—This section shall not apply to any
7 Federal Government contract entered into before the date
8 of the enactment of this Act, or to any task order issued
9 pursuant to such contract.

10 SEC. 733. During fiscal year 2019, for each employee
11 who—

12 (1) retires under section 8336(d)(2) or
13 8414(b)(1)(B) of title 5, United States Code; or

14 (2) retires under any other provision of sub-
15 chapter III of chapter 83 or chapter 84 of such title
16 5 and receives a payment as an incentive to sepa-
17 rate, the separating agency shall remit to the Civil
18 Service Retirement and Disability Fund an amount
19 equal to the Office of Personnel Management's aver-
20 age unit cost of processing a retirement claim for
21 the preceding fiscal year. Such amounts shall be
22 available until expended to the Office of Personnel
23 Management and shall be deemed to be an adminis-
24 trative expense under section 8348(a)(1)(B) of title
25 5, United States Code.

1 SEC. 734. (a) None of the funds made available in
2 this or any other Act may be used to recommend or re-
3 quire any entity submitting an offer for a Federal contract
4 to disclose any of the following information as a condition
5 of submitting the offer:

6 (1) Any payment consisting of a contribution,
7 expenditure, independent expenditure, or disburse-
8 ment for an electioneering communication that is
9 made by the entity, its officers or directors, or any
10 of its affiliates or subsidiaries to a candidate for
11 election for Federal office or to a political com-
12 mittee, or that is otherwise made with respect to any
13 election for Federal office.

14 (2) Any disbursement of funds (other than a
15 payment described in paragraph (1)) made by the
16 entity, its officers or directors, or any of its affiliates
17 or subsidiaries to any person with the intent or the
18 reasonable expectation that the person will use the
19 funds to make a payment described in paragraph
20 (1).

21 (b) In this section, each of the terms “contribution”,
22 “expenditure”, “independent expenditure”, “election-
23 eering communication”, “candidate”, “election”, and
24 “Federal office” has the meaning given such term in the

1 Federal Election Campaign Act of 1971 (52 U.S.C. 30101
2 et seq.).

3 SEC. 735. None of the funds made available in this
4 or any other Act may be used to pay for the painting of
5 a portrait of an officer or employee of the Federal govern-
6 ment, including the President, the Vice President, a mem-
7 ber of Congress (including a Delegate or a Resident Com-
8 missioner to Congress), the head of an executive branch
9 agency (as defined in section 133 of title 41, United States
10 Code), or the head of an office of the legislative branch.

11 SEC. 736. (a)(1) Notwithstanding any other provision
12 of law, and except as otherwise provided in this section,
13 no part of any of the funds appropriated for fiscal year
14 2019, by this or any other Act, may be used to pay any
15 prevailing rate employee described in section
16 5342(a)(2)(A) of title 5, United States Code—

17 (A) during the period from the date of expira-
18 tion of the limitation imposed by the comparable sec-
19 tion for the previous fiscal years until the normal ef-
20 fective date of the applicable wage survey adjust-
21 ment that is to take effect in fiscal year 2019, in an
22 amount that exceeds the rate payable for the appli-
23 cable grade and step of the applicable wage schedule
24 in accordance with such section; and

1 (B) during the period consisting of the remain-
2 der of fiscal year 2019, in an amount that exceeds,
3 as a result of a wage survey adjustment, the rate
4 payable under subparagraph (A) by more than the
5 sum of—

6 (i) the percentage adjustment taking effect
7 in fiscal year 2019 under section 5303 of title
8 5, United States Code, in the rates of pay
9 under the General Schedule; and

10 (ii) the difference between the overall aver-
11 age percentage of the locality-based com-
12 parability payments taking effect in fiscal year
13 2019 under section 5304 of such title (whether
14 by adjustment or otherwise), and the overall av-
15 erage percentage of such payments which was
16 effective in the previous fiscal year under such
17 section.

18 (2) Notwithstanding any other provision of law, no
19 prevailing rate employee described in subparagraph (B) or
20 (C) of section 5342(a)(2) of title 5, United States Code,
21 and no employee covered by section 5348 of such title,
22 may be paid during the periods for which paragraph (1)
23 is in effect at a rate that exceeds the rates that would
24 be payable under paragraph (1) were paragraph (1) appli-
25 cable to such employee.

1 (3) For the purposes of this subsection, the rates pay-
2 able to an employee who is covered by this subsection and
3 who is paid from a schedule not in existence on September
4 30, 2018, shall be determined under regulations pre-
5 scribed by the Office of Personnel Management.

6 (4) Notwithstanding any other provision of law, rates
7 of premium pay for employees subject to this subsection
8 may not be changed from the rates in effect on September
9 30, 2018, except to the extent determined by the Office
10 of Personnel Management to be consistent with the pur-
11 pose of this subsection.

12 (5) This subsection shall apply with respect to pay
13 for service performed after September 30, 2017.

14 (6) For the purpose of administering any provision
15 of law (including any rule or regulation that provides pre-
16 mium pay, retirement, life insurance, or any other em-
17 ployee benefit) that requires any deduction or contribu-
18 tion, or that imposes any requirement or limitation on the
19 basis of a rate of salary or basic pay, the rate of salary
20 or basic pay payable after the application of this sub-
21 section shall be treated as the rate of salary or basic pay.

22 (7) Nothing in this subsection shall be considered to
23 permit or require the payment to any employee covered
24 by this subsection at a rate in excess of the rate that would
25 be payable were this subsection not in effect.

1 (8) The Office of Personnel Management may provide
2 for exceptions to the limitations imposed by this sub-
3 section if the Office determines that such exceptions are
4 necessary to ensure the recruitment or retention of quali-
5 fied employees.

6 (b) Notwithstanding subsection (a), the adjustment
7 in rates of basic pay for the statutory pay systems that
8 take place in fiscal year 2019 under sections 5344 and
9 5348 of title 5, United States Code, shall be—

- 10 (1) not less than the percentage received by em-
11 ployees in the same location whose rates of basic pay
12 are adjusted pursuant to the statutory pay systems
13 under sections 5303 and 5304 of title 5, United
14 States Code: *Provided*, That prevailing rate employ-
15 ees at locations where there are no employees whose
16 pay is increased pursuant to sections 5303 and 5304
17 of title 5, United States Code, and prevailing rate
18 employees described in section 5343(a)(5) of title 5,
19 United States Code, shall be considered to be located
20 in the pay locality designated as “Rest of United
21 States” pursuant to section 5304 of title 5, United
22 States Code, for purposes of this subsection; and
- 23 (2) effective as of the first day of the first ap-
24 plicable pay period beginning after September 30,
25 2018.

1 SEC. 737. (a) The head of any Executive branch de-
2 partment, agency, board, commission, or office funded by
3 this or any other appropriations Act shall submit annual
4 reports to the Inspector General or senior ethics official
5 for any entity without an Inspector General, regarding the
6 costs and contracting procedures related to each con-
7 ference held by any such department, agency, board, com-
8 mission, or office during fiscal year 2019 for which the
9 cost to the United States Government was more than
10 \$100,000.

11 (b) Each report submitted shall include, for each con-
12 ference described in subsection (a) held during the applica-
13 ble period—

14 (1) a description of its purpose;

15 (2) the number of participants attending;

16 (3) a detailed statement of the costs to the
17 United States Government, including—

18 (A) the cost of any food or beverages;

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

20 (C) the cost of employee or contractor
21 travel to and from the conference; and

22 (D) a discussion of the methodology used
23 to determine which costs relate to the con-
24 ference; and

1 (4) a description of the contracting procedures
2 used including—

3 (A) whether contracts were awarded on a
4 competitive basis; and

5 (B) a discussion of any cost comparison
6 conducted by the departmental component or
7 office in evaluating potential contractors for the
8 conference.

9 (c) Within 15 days after the end of a quarter, the
10 head of any such department, agency, board, commission,
11 or office shall notify the Inspector General or senior ethics
12 official for any entity without an Inspector General, of the
13 date, location, and number of employees attending a con-
14 ference held by any Executive branch department, agency,
15 board, commission, or office funded by this or any other
16 appropriations Act during fiscal year 2019 for which the
17 cost to the United States Government was more than
18 \$20,000.

19 (d) A grant or contract funded by amounts appro-
20 priated by this or any other appropriations Act may not
21 be used for the purpose of defraying the costs of a con-
22 ference described in subsection (c) that is not directly and
23 programmatically related to the purpose for which the
24 grant or contract was awarded, such as a conference held
25 in connection with planning, training, assessment, review,

1 or other routine purposes related to a project funded by
2 the grant or contract.

3 (e) None of the funds made available in this or any
4 other appropriations Act may be used for travel and con-
5 ference activities that are not in compliance with Office
6 of Management and Budget Memorandum M-12-12
7 dated May 11, 2012 or any subsequent revisions to that
8 memorandum.

9 SEC. 738. None of the funds made available in this
10 or any other appropriations Act may be used to increase,
11 eliminate, or reduce funding for a program, project, or ac-
12 tivity as proposed in the President's budget request for
13 a fiscal year until such proposed change is subsequently
14 enacted in an appropriation Act, or unless such change
15 is made pursuant to the reprogramming or transfer provi-
16 sions of this or any other appropriations Act.

17 SEC. 739. None of the funds made available by this
18 or any other Act may be used to implement, administer,
19 enforce, or apply the rule entitled "Competitive Area"
20 published by the Office of Personnel Management in the
21 Federal Register on April 15, 2008 (73 Fed. Reg. 2019
22 0 et seq.).

23 SEC. 740. (a) None of the funds appropriated or oth-
24 erwise made available by this or any other Act may be
25 available for a contract, grant, or cooperative agreement

1 with an entity that requires employees or contractors of
2 such entity seeking to report fraud, waste, or abuse to sign
3 internal confidentiality agreements or statements prohib-
4 iting or otherwise restricting such employees or contrac-
5 tors from lawfully reporting such waste, fraud, or abuse
6 to a designated investigative or law enforcement represent-
7 ative of a Federal department or agency authorized to re-
8 ceive such information.

9 (b) The limitation in subsection (a) shall not con-
10 travene requirements applicable to Standard Form 312,
11 Form 4414, or any other form issued by a Federal depart-
12 ment or agency governing the nondisclosure of classified
13 information.

14 SEC. 741. (a) No funds appropriated in this or any
15 other Act may be used to implement or enforce the agree-
16 ments in Standard Forms 312 and 4414 of the Govern-
17 ment or any other nondisclosure policy, form, or agree-
18 ment if such policy, form, or agreement does not contain
19 the following provisions: “These provisions are consistent
20 with and do not supersede, conflict with, or otherwise alter
21 the employee obligations, rights, or liabilities created by
22 existing statute or Executive order relating to: (1) classi-
23 fied information; (2) communications to Congress; (3) the
24 reporting to an Inspector General of a violation of any
25 law, rule, or regulation, or mismanagement, a gross waste

1 of funds, an abuse of authority, or a substantial and spe-
2 cific danger to public health or safety; or (4) any other
3 whistleblower protection. The definitions, requirements,
4 obligations, rights, sanctions, and liabilities created by
5 controlling Executive orders and statutory provisions are
6 incorporated into this agreement and are controlling.”:
7 *Provided*, That notwithstanding the preceding provision of
8 this section, a nondisclosure policy form or agreement that
9 is to be executed by a person connected with the conduct
10 of an intelligence or intelligence-related activity, other
11 than an employee or officer of the United States Govern-
12 ment, may contain provisions appropriate to the particular
13 activity for which such document is to be used. Such form
14 or agreement shall, at a minimum, require that the person
15 will not disclose any classified information received in the
16 course of such activity unless specifically authorized to do
17 so by the United States Government. Such nondisclosure
18 forms shall also make it clear that they do not bar disclo-
19 sures to Congress, or to an authorized official of an execu-
20 tive agency or the Department of Justice, that are essen-
21 tial to reporting a substantial violation of law.

22 (b) A nondisclosure agreement may continue to be
23 implemented and enforced notwithstanding subsection (a)
24 if it complies with the requirements for such agreement
25 that were in effect when the agreement was entered into.

1 (c) No funds appropriated in this or any other Act
2 may be used to implement or enforce any agreement en-
3 tered into during fiscal year 2014 which does not contain
4 substantially similar language to that required in sub-
5 section (a).

6 SEC. 742. None of the funds made available by this
7 or any other Act may be used to enter into a contract,
8 memorandum of understanding, or cooperative agreement
9 with, make a grant to, or provide a loan or loan guarantee
10 to, any corporation that has any unpaid Federal tax liabil-
11 ity that has been assessed, for which all judicial and ad-
12 ministrative remedies have been exhausted or have lapsed,
13 and that is not being paid in a timely manner pursuant
14 to an agreement with the authority responsible for col-
15 lecting the tax liability, where the awarding agency is
16 aware of the unpaid tax liability, unless a Federal agency
17 has considered suspension or debarment of the corporation
18 and has made a determination that this further action is
19 not necessary to protect the interests of the Government.

20 SEC. 743. None of the funds made available by this
21 or any other Act may be used to enter into a contract,
22 memorandum of understanding, or cooperative agreement
23 with, make a grant to, or provide a loan or loan guarantee
24 to, any corporation that was convicted of a felony criminal
25 violation under any Federal law within the preceding 24

1 months, where the awarding agency is aware of the convic-
2 tion, unless a Federal agency has considered suspension
3 or debarment of the corporation and has made a deter-
4 mination that this further action is not necessary to pro-
5 tect the interests of the Government.

6 SEC. 744. (a) During fiscal year 2019, on the date
7 on which a request is made for a transfer of funds in ac-
8 cordance with section 1017 of Public Law 111–203, the
9 Bureau of Consumer Financial Protection shall notify the
10 Committees on Appropriations of the House of Represent-
11 atives and the Senate, the Committee on Financial Serv-
12 ices of the House of Representatives, and the Committee
13 on Banking, Housing, and Urban Affairs of the Senate
14 of such request.

15 (b) Any notification required by this section shall be
16 made available on the Bureau’s public Web site.

17 SEC. 745. If, for fiscal year 2019, new budget author-
18 ity provided in appropriations Acts exceeds the discre-
19 tionary spending limit for any category set forth in section
20 251(c) of the Balanced Budget and Emergency Deficit
21 Control Act of 1985 due to estimating differences with the
22 Congressional Budget Office, an adjustment to the discre-
23 tionary spending limit in such category for fiscal year
24 2019 shall be made by the Director of the Office of Man-
25 agement and Budget in the amount of the excess but the

1 total of all such adjustments shall not exceed 0.2 percent
2 of the sum of the adjusted discretionary spending limits
3 for all categories for that fiscal year.

4 SEC. 746. None of the funds made available under
5 this or any other Act may be used to implement or enforce
6 Executive Order No. 13690, Establishing a Federal Flood
7 Risk Management Standard and a Process for Further
8 Soliciting and Considering Stakeholder Input, including
9 any related rules, interim final rules, or guidance.

10 SEC. 747. None of the funds made available by this
11 Act may be used to implement, administer, or enforce a
12 rule issued pursuant to section 13(p) of the Securities Ex-
13 change Act of 1934.

14 SEC. 748. None of the funds made available by this
15 Act may be used to plan for, begin, continue, complete,
16 process, or approve a public-private competition under the
17 Office of Management and Budget Circular A–76.

18 SEC. 749. Except as expressly provided otherwise,
19 any reference to “this Act” contained in any title other
20 than title IV or VIII shall not apply to such title IV or
21 VIII.

1 TITLE VIII
2 GENERAL PROVISIONS—DISTRICT OF
3 COLUMBIA

4 (INCLUDING TRANSFERS OF FUNDS)

5 SEC. 801. There are appropriated from the applicable
6 funds of the District of Columbia such sums as may be
7 necessary for making refunds and for the payment of legal
8 settlements or judgments that have been entered against
9 the District of Columbia government.

10 SEC. 802. None of the Federal funds provided in this
11 Act shall be used for publicity or propaganda purposes or
12 implementation of any policy including boycott designed
13 to support or defeat legislation pending before Congress
14 or any State legislature.

15 SEC. 803. (a) None of the Federal funds provided
16 under this Act to the agencies funded by this Act, both
17 Federal and District government agencies, that remain
18 available for obligation or expenditure in fiscal year 2019,
19 or provided from any accounts in the Treasury of the
20 United States derived by the collection of fees available
21 to the agencies funded by this Act, shall be available for
22 obligation or expenditures for an agency through a re-
23 programming of funds which—

24 (1) creates new programs;

1 (2) eliminates a program, project, or responsi-
2 bility center;

3 (3) establishes or changes allocations specifi-
4 cally denied, limited or increased under this Act;

5 (4) increases funds or personnel by any means
6 for any program, project, or responsibility center for
7 which funds have been denied or restricted;

8 (5) re-establishes any program or project pre-
9 viously deferred through reprogramming;

10 (6) augments any existing program, project, or
11 responsibility center through a reprogramming of
12 funds in excess of \$3,000,000 or 10 percent, which-
13 ever is less; or

14 (7) increases by 20 percent or more personnel
15 assigned to a specific program, project or responsi-
16 bility center,

17 unless prior approval is received from the Committees on
18 Appropriations of the House of Representatives and the
19 Senate.

20 (b) The District of Columbia government is author-
21 ized to approve and execute reprogramming and transfer
22 requests of local funds under this title through November
23 7, 2019.

24 SEC. 804. None of the Federal funds provided in this
25 Act may be used by the District of Columbia to provide

1 for salaries, expenses, or other costs associated with the
2 offices of United States Senator or United States Rep-
3 resentative under section 4(d) of the District of Columbia
4 Statehood Constitutional Convention Initiatives of 1979
5 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

6 SEC. 805. Except as otherwise provided in this sec-
7 tion, none of the funds made available by this Act or by
8 any other Act may be used to provide any officer or em-
9 ployee of the District of Columbia with an official vehicle
10 unless the officer or employee uses the vehicle only in the
11 performance of the officer’s or employee’s official duties.
12 For purposes of this section, the term “official duties”
13 does not include travel between the officer’s or employee’s
14 residence and workplace, except in the case of—

15 (1) an officer or employee of the Metropolitan
16 Police Department who resides in the District of Co-
17 lumbia or is otherwise designated by the Chief of the
18 Department;

19 (2) at the discretion of the Fire Chief, an offi-
20 cer or employee of the District of Columbia Fire and
21 Emergency Medical Services Department who re-
22 sides in the District of Columbia and is on call 24
23 hours a day;

24 (3) at the discretion of the Director of the De-
25 partment of Corrections, an officer or employee of

1 the District of Columbia Department of Corrections
2 who resides in the District of Columbia and is on
3 call 24 hours a day;

4 (4) at the discretion of the Chief Medical Ex-
5 aminer, an officer or employee of the Office of the
6 Chief Medical Examiner who resides in the District
7 of Columbia and is on call 24 hours a day;

8 (5) at the discretion of the Director of the
9 Homeland Security and Emergency Management
10 Agency, an officer or employee of the Homeland Se-
11 curity and Emergency Management Agency who re-
12 sides in the District of Columbia and is on call 24
13 hours a day;

14 (6) the Mayor of the District of Columbia; and

15 (7) the Chairman of the Council of the District
16 of Columbia.

17 SEC. 806. (a) None of the Federal funds contained
18 in this Act may be used by the District of Columbia Attor-
19 ney General or any other officer or entity of the District
20 government to provide assistance for any petition drive or
21 civil action which seeks to require Congress to provide for
22 voting representation in Congress for the District of Co-
23 lumbia.

24 (b) Nothing in this section bars the District of Co-
25 lumbia Attorney General from reviewing or commenting

1 on briefs in private lawsuits, or from consulting with offi-
2 cials of the District government regarding such lawsuits.

3 SEC. 807. None of the Federal funds contained in
4 this Act may be used to distribute any needle or syringe
5 for the purpose of preventing the spread of blood borne
6 pathogens in any location that has been determined by the
7 local public health or local law enforcement authorities to
8 be inappropriate for such distribution, or used for the op-
9 eration of a supervised drug consumption facility that per-
10 mits the consumption of any substance listed in Schedule
11 I of section 202 of the Controlled Substances Act (21
12 U.S.C. 812) onsite.

13 SEC. 808. Nothing in this Act may be construed to
14 prevent the Council or Mayor of the District of Columbia
15 from addressing the issue of the provision of contraceptive
16 coverage by health insurance plans, but it is the intent
17 of Congress that any legislation enacted on such issue
18 should include a “conscience clause” which provides excep-
19 tions for religious beliefs and moral convictions.

20 SEC. 809. (a) None of the Federal funds contained
21 in this Act may be used to enact or carry out any law,
22 rule, or regulation to legalize or otherwise reduce penalties
23 associated with the possession, use, or distribution of any
24 schedule I substance under the Controlled Substances Act

1 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
2 rivative.

3 (b) No funds available for obligation or expenditure
4 by the District of Columbia government under any author-
5 ity may be used to enact any law, rule, or regulation to
6 legalize or otherwise reduce penalties associated with the
7 possession, use, or distribution of any schedule I substance
8 under the Controlled Substances Act (21 U.S.C. 801 et
9 seq.) or any tetrahydrocannabinols derivative for rec-
10 reational purposes.

11 SEC. 810. No funds available for obligation or ex-
12 penditure by the District of Columbia government under
13 any authority shall be expended for any abortion except
14 where the life of the mother would be endangered if the
15 fetus were carried to term or where the pregnancy is the
16 result of an act of rape or incest.

17 SEC. 811. (a) No later than 30 calendar days after
18 the date of the enactment of this Act, the Chief Financial
19 Officer for the District of Columbia shall submit to the
20 appropriate committees of Congress, the Mayor, and the
21 Council of the District of Columbia, a revised appropriated
22 funds operating budget in the format of the budget that
23 the District of Columbia government submitted pursuant
24 to section 442 of the District of Columbia Home Rule Act
25 (D.C. Official Code, sec. 1–204.42), for all agencies of the

1 District of Columbia government for fiscal year 2019 that
2 is in the total amount of the approved appropriation and
3 that realigns all budgeted data for personal services and
4 other-than-personal services, respectively, with anticipated
5 actual expenditures.

6 (b) This section shall apply only to an agency for
7 which the Chief Financial Officer for the District of Co-
8 lumbia certifies that a reallocation is required to address
9 unanticipated changes in program requirements.

10 SEC. 812. No later than 30 calendar days after the
11 date of the enactment of this Act, the Chief Financial Offi-
12 cer for the District of Columbia shall submit to the appro-
13 priate committees of Congress, the Mayor, and the Council
14 for the District of Columbia, a revised appropriated funds
15 operating budget for the District of Columbia Public
16 Schools that aligns schools budgets to actual enrollment.
17 The revised appropriated funds budget shall be in the for-
18 mat of the budget that the District of Columbia govern-
19 ment submitted pursuant to section 442 of the District
20 of Columbia Home Rule Act (D.C. Official Code, sec. 1–
21 204.42).

22 SEC. 813. (a) Amounts appropriated in this Act as
23 operating funds may be transferred to the District of Co-
24 lumbia’s enterprise and capital funds and such amounts,

1 once transferred, shall retain appropriation authority con-
2 sistent with the provisions of this Act.

3 (b) The District of Columbia government is author-
4 ized to reprogram or transfer for operating expenses any
5 local funds transferred or reprogrammed in this or the
6 four prior fiscal years from operating funds to capital
7 funds, and such amounts, once transferred or repro-
8 grammed, shall retain appropriation authority consistent
9 with the provisions of this Act.

10 (c) The District of Columbia government may not
11 transfer or reprogram for operating expenses any funds
12 derived from bonds, notes, or other obligations issued for
13 capital projects.

14 SEC. 814. None of the Federal funds appropriated
15 in this Act shall remain available for obligation beyond
16 the current fiscal year, nor may any be transferred to
17 other appropriations, unless expressly so provided herein.

18 SEC. 815. Except as otherwise specifically provided
19 by law or under this Act, not to exceed 50 percent of unob-
20 ligated balances remaining available at the end of fiscal
21 year 2019 from appropriations of Federal funds made
22 available for salaries and expenses for fiscal year 2019 in
23 this Act, shall remain available through September 30,
24 2020, for each such account for the purposes authorized:
25 *Provided*, That a request shall be submitted to the Com-

1 mittees on Appropriations of the House of Representatives
2 and the Senate for approval prior to the expenditure of
3 such funds: *Provided further*, That these requests shall be
4 made in compliance with reprogramming guidelines out-
5 lined in section 803 of this Act.

6 SEC. 816. (a)(1) During fiscal year 2020, during a
7 period in which neither a District of Columbia continuing
8 resolution or a regular District of Columbia appropriation
9 bill is in effect, local funds are appropriated in the amount
10 provided for any project or activity for which local funds
11 are provided in the Act referred to in paragraph (2) (sub-
12 ject to any modifications enacted by the District of Colum-
13 bia as of the beginning of the period during which this
14 subsection is in effect) at the rate set forth by such Act.

15 (2) The Act referred to in this paragraph is the Act
16 of the Council of the District of Columbia pursuant to
17 which a proposed budget is approved for fiscal year 2020
18 which (subject to the requirements of the District of Co-
19 lumbia Home Rule Act) will constitute the local portion
20 of the annual budget for the District of Columbia govern-
21 ment for fiscal year 2020 for purposes of section 446 of
22 the District of Columbia Home Rule Act (sec. 1–204.46,
23 D.C. Official Code).

24 (b) Appropriations made by subsection (a) shall cease
25 to be available—

1 (1) during any period in which a District of Co-
2 lumbia continuing resolution for fiscal year 2020 is
3 in effect; or

4 (2) upon the enactment into law of the regular
5 District of Columbia appropriation bill for fiscal year
6 2020.

7 (c) An appropriation made by subsection (a) is pro-
8 vided under the authority and conditions as provided
9 under this Act and shall be available to the extent and
10 in the manner that would be provided by this Act.

11 (d) An appropriation made by subsection (a) shall
12 cover all obligations or expenditures incurred for such
13 project or activity during the portion of fiscal year 2020
14 for which this section applies to such project or activity.

15 (e) This section shall not apply to a project or activity
16 during any period of fiscal year 2020 if any other provi-
17 sion of law (other than an authorization of appropria-
18 tions)—

19 (1) makes an appropriation, makes funds avail-
20 able, or grants authority for such project or activity
21 to continue for such period; or

22 (2) specifically provides that no appropriation
23 shall be made, no funds shall be made available, or
24 no authority shall be granted for such project or ac-
25 tivity to continue for such period.

1 (f) Nothing in this section shall be construed to affect
2 obligations of the government of the District of Columbia
3 mandated by other law.

4 SEC. 817. (a) No funds available for obligation or ex-
5 penditure by the District of Columbia government under
6 any authority may be used to enact any act, resolution,
7 rule, regulation, guidance, or other law to permit any per-
8 son to carry out any activity, or to reduce the penalties
9 imposed with respect to any activity, to which subsection
10 (a) of section 3 of the Assisted Suicide Funding Restric-
11 tion Act of 1997 (42 U.S.C. 14402) applies (taking into
12 consideration subsection (b) of such section).

13 (b) Effective February 18, 2017, the Death With
14 Dignity Act of 2016 (D.C. Law 21–182) is hereby re-
15 pealed.

16 SEC. 818. None of the funds made available by this
17 Act may be used to carry out the Reproductive Health
18 Non-Discrimination Amendment Act of 2014 (D.C. Law
19 20–261) or to implement any rule or regulation promul-
20 gated to carry out such Act.

21 SEC. 819. (a) Effective with respect to fiscal year
22 2013 and each succeeding fiscal year, the Local Budget
23 Autonomy Amendment Act of 2012 (D.C. Law 19–321)
24 is hereby repealed, and any provision of law amended or

1 repealed by such Act shall be restored or revived as if such
2 Act had not been enacted into law.

3 (b)(1) Section 450 of the District of Columbia Home
4 Rule Act (sec. 1–204.50, D.C. Official Code) is amend-
5 ed—

6 (A) in the first sentence, by striking “The
7 General Fund” and inserting “(a) IN GEN-
8 ERAL.—The General Fund”; and

9 (B) by adding at the end the following new
10 subsection:

11 “(b) APPLICATION OF FEDERAL APPROPRIATIONS
12 PROCESS.—Nothing in this Act shall be construed as cre-
13 ating a continuing appropriation of the General Fund de-
14 scribed in subsection (a). All funds provided for the Dis-
15 trict of Columbia shall be appropriated on an annual fiscal
16 year basis through the Federal appropriations process.
17 For each fiscal year, the District shall be subject to all
18 applicable requirements of subchapter III of chapter 13
19 and subchapter II of chapter 15 of title 31, United States
20 Code (commonly known as the ‘Anti-Deficiency Act’), the
21 Budget and Accounting Act of 1921, and all other require-
22 ments and restrictions applicable to appropriations for
23 such fiscal year.”.

24 (2) Section 603(a) of such Act (sec. 1–206.03(a),
25 D.C. Official Code) is amended—

1 (A) by striking “existing”; and

2 (B) by striking the period at the end and in-
 3 serting the following: “, or as authorizing the Dis-
 4 trict of Columbia to make any such change.”.

5 (3) The amendments made by this subsection shall
 6 take effect as if included in the enactment of the District
 7 of Columbia Home Rule Act.

8 SEC. 820. Except as expressly provided otherwise,
 9 any reference to “this Act” contained in this title or in
 10 title IV shall be treated as referring only to the provisions
 11 of this title or of title IV.

12 **TITLE IX—FINANCIAL REFORM**

Subtitle A—Helping Angels Lead Our Startups Act

Sec. 901. Definition of angel investor group.

Sec. 902. Clarification of general solicitation.

Subtitle B—Credit Access and Inclusion Act

Sec. 903. Positive credit reporting permitted.

Subtitle C—Small Business Mergers, Acquisitions, Sales and Brokerage Simplification Act

Sec. 904. Registration exemption for merger and acquisition brokers.

Sec. 905. Effective date.

Subtitle D—Mortgage Choice Act

Sec. 906. Definition of points and fees.

Sec. 907. Rulemaking.

Subtitle E—Fair Investment Opportunities for Professional Experts Act

Sec. 908. Definition of accredited investor.

Subtitle F—Fostering Innovation Act

Sec. 909. Temporary exemption for low-revenue issuers.

Subtitle G—End Banking for Human Traffickers Act

Sec. 910. Increasing the role of the financial industry in combating human traf-
 ficking.

- Sec. 911. Coordination of human trafficking issues by the Office of Terrorism and Financial Intelligence.
- Sec. 912. Additional reporting requirement under the Trafficking Victims Protection Act of 2000.
- Sec. 913. Minimum standards for the elimination of trafficking.

Subtitle H—Investing in Main Street Act

- Sec. 914. Investment in small business investment companies.

Subtitle I—Privacy Notification Technical Clarification Act

- Sec. 915. Exception to annual notice requirement.

Subtitle J—Financial Institution Customer Protection Act

- Sec. 916. Requirements for deposit account termination requests and orders.

Subtitle K—Encouraging Public Offerings Act

- Sec. 917. Expanding testing the waters and confidential submissions.

Subtitle L—Risk-Based Credit Examination Act

- Sec. 918. Risk-Based Examinations of Nationally Recognized Statistical Rating Organizations.

Subtitle M—Protection of Source Code Act

- Sec. 919. Procedure for obtaining certain intellectual property.

Subtitle N—Family Office Technical Correction Act

- Sec. 920. Accredited investor clarification.

Subtitle O—Market Data Protection Act

- Sec. 921. Internal risk controls.

Subtitle P—Financial Stability Oversight Council Improvement Act

- Sec. 922. SIFI designation process.
- Sec. 923. Rule of construction.

Subtitle Q—Expanding Access to Capital for Rural Job Creators Act

- Sec. 925. Access to capital for rural-area small businesses.

Subtitle R—Volcker Rule Regulatory Harmonization Act

- Sec. 926. Rulemaking authority under the Volcker rule.
- Sec. 927. Enforcement; anti-evasion.
- Sec. 928. Exclusion of community banks from Volcker rule.

Subtitle S—Financial Institution Living Will Improvement Act

- Sec. 929. Living will reforms.

Subtitle T—Financial Institutions Examination Fairness and Reform Act

- Sec. 930. Amendment to definition of financial institution.

- Sec. 931. Timeliness of examination reports.
- Sec. 932. Independent Examination Review Director.
- Sec. 933. Right to independent review of material supervisory determinations.
- Sec. 934. Additional amendments.

Subtitle U—TRID Improvement Act

- Sec. 936. Amendments to mortgage disclosure requirements.

Subtitle V—Common Sense Credit Union Capital Relief Act

- Sec. 938. Delay in effective date.

Subtitle W—Bureau of Consumer Financial Protection–Inspector General Reform Act

- Sec. 939. Appointment of Inspector General.
- Sec. 940. Requirements for the Inspector General for the Bureau of Consumer Financial Protection.
- Sec. 941. Effective date.
- Sec. 942. Transition period.

Subtitle X—BCFP on Appropriations

- Sec. 943. Bureau appropriations.

Subtitle Y—Stress Test Relief for Nonbanks

- Sec. 944. Stress test relief for nonbanks.

Subtitle Z—Interaffiliate Language

- Sec. 945. Interaffiliate treatment with respect to initial margin requirements.

Subtitle AA—Tailored Application of Prudential Standards

- Sec. 946. Tailored application of prudential standards.

Subtitle BB—Authority to Remove Bureau Director

- Sec. 947. Authority to remove Bureau Director.

Subtitle CC—Congressional Review of Bureau Rulemaking

- Sec. 948. Congressional review of Bureau rulemaking.
- Sec. 949. Budgetary effects of rules subject to section 802 of title 5, United States Code.
- Sec. 950. Government Accountability Office study of rules.
- Sec. 951. Effective date.

1 **Subtitle A—Helping Angels Lead** 2 **Our Startups Act**

3 **SEC. 901. DEFINITION OF ANGEL INVESTOR GROUP.**

4 As used in this subtitle, the term “angel investor
5 group” means any group that—

1 (1) is composed of accredited investors inter-
2 ested in investing personal capital in early-stage
3 companies;

4 (2) holds regular meetings and has defined
5 processes and procedures for making investment de-
6 cisions, either individually or among the membership
7 of the group as a whole; and

8 (3) is neither associated nor affiliated with bro-
9 kers, dealers, or investment advisers.

10 **SEC. 902. CLARIFICATION OF GENERAL SOLICITATION.**

11 (a) IN GENERAL.—Not later than 6 months after the
12 date of enactment of this Act, the Securities and Ex-
13 change Commission shall revise Regulation D of its rules
14 (17 CFR 230.500 et seq.) to require that in carrying out
15 the prohibition against general solicitation or general ad-
16 vertising contained in section 230.502(c) of title 17, Code
17 of Federal Regulations, the prohibition shall not apply to
18 a presentation or other communication made by or on be-
19 half of an issuer which is made at an event—

20 (1) sponsored by—

21 (A) the United States or any territory
22 thereof, by the District of Columbia, by any
23 State, by a political subdivision of any State or
24 territory, or by any agency or public instrumen-
25 tality of any of the foregoing;

1 (B) a college, university, or other institu-
2 tion of higher education;

3 (C) a nonprofit organization;

4 (D) an angel investor group;

5 (E) a venture forum, venture capital asso-
6 ciation, or trade association; or

7 (F) any other group, person or entity as
8 the Securities and Exchange Commission may
9 determine by rule;

10 (2) where any advertising for the event does not
11 reference any specific offering of securities by the
12 issuer;

13 (3) the sponsor of which—

14 (A) does not make investment rec-
15 ommendations or provide investment advice to
16 event attendees;

17 (B) does not engage in an active role in
18 any investment negotiations between the issuer
19 and investors attending the event;

20 (C) does not charge event attendees any
21 fees other than administrative fees; and

22 (D) does not receive any compensation
23 with respect to such event that would require
24 registration of the sponsor as a broker or a
25 dealer under the Securities Exchange Act of

1 1934, or as an investment advisor under the In-
 2 vestment Advisers Act of 1940; and

3 (4) where no specific information regarding an
 4 offering of securities by the issuer is communicated
 5 or distributed by or on behalf of the issuer, other
 6 than—

7 (A) that the issuer is in the process of of-
 8 fering securities or planning to offer securities;

9 (B) the type and amount of securities
 10 being offered;

11 (C) the amount of securities being offered
 12 that have already been subscribed for; and

13 (D) the intended use of proceeds of the of-
 14 fering.

15 (b) RULE OF CONSTRUCTION.—Subsection (a) may
 16 only be construed as requiring the Securities and Ex-
 17 change Commission to amend the requirements of Regula-
 18 tion D with respect to presentations and communications,
 19 and not with respect to purchases or sales.

20 **Subtitle B—Credit Access and** 21 **Inclusion Act**

22 **SEC. 903. POSITIVE CREDIT REPORTING PERMITTED.**

23 (a) IN GENERAL.—Section 623 of the Fair Credit
 24 Reporting Act (15 U.S.C. 1681s–2) is amended by adding
 25 at the end the following new subsection:

1 “(f) FULL-FILE CREDIT REPORTING.—

2 “(1) IN GENERAL.—Subject to the limitation in
3 paragraph (2) and notwithstanding any other provi-
4 sion of law, a person or the Secretary of Housing
5 and Urban Development may furnish to a consumer
6 reporting agency information relating to the per-
7 formance of a consumer in making payments—

8 “(A) under a lease agreement with respect
9 to a dwelling, including such a lease in which
10 the Department of Housing and Urban Devel-
11 opment provides subsidized payments for occu-
12 pancy in a dwelling; or

13 “(B) pursuant to a contract for a utility or
14 telecommunications service.

15 “(2) LIMITATION.—Information about a con-
16 sumer’s usage of any utility services provided by a
17 utility or telecommunication firm may be furnished
18 to a consumer reporting agency only to the extent
19 that such information relates to payment by the con-
20 sumer for the services of such utility or tele-
21 communication service or other terms of the provi-
22 sion of the services to the consumer, including any
23 deposit, discount, or conditions for interruption or
24 termination of the services.

1 “(3) PAYMENT PLAN.—An energy utility firm
2 may not report payment information to a consumer
3 reporting agency with respect to an outstanding bal-
4 ance of a consumer as late if—

5 “(A) the energy utility firm and the con-
6 sumer have entered into a payment plan (in-
7 cluding a deferred payment agreement, an ar-
8 rearage management program, or a debt for-
9 giveness program) with respect to such out-
10 standing balance; and

11 “(B) the consumer is meeting the obliga-
12 tions of the payment plan, as determined by the
13 energy utility firm.

14 “(4) DEFINITIONS.—In this subsection, the fol-
15 lowing definitions shall apply:

16 “(A) ENERGY UTILITY FIRM.—The term
17 ‘energy utility firm’ means an entity that pro-
18 vides gas or electric utility services to the pub-
19 lic.

20 “(B) UTILITY OR TELECOMMUNICATION
21 FIRM.—The term ‘utility or telecommunication
22 firm’ means an entity that provides utility serv-
23 ices to the public through pipe, wire, landline,
24 wireless, cable, or other connected facilities, or

1 radio, electronic, or similar transmission (in-
2 cluding the extension of such facilities).”.

3 (b) LIMITATION ON LIABILITY.—Section 623(c) of
4 the Consumer Credit Protection Act (15 U.S.C. 1681s–
5 2(c)) is amended—

6 (1) in paragraph (2), by striking “or” at the
7 end;

8 (2) by redesignating paragraph (3) as para-
9 graph (4); and

10 (3) by inserting after paragraph (2) the fol-
11 lowing new paragraph:

12 “(3) subsection (f) of this section, including any
13 regulations issued thereunder; or”.

14 (c) GAO STUDY AND REPORT.—Not later than 2
15 years after the date of the enactment of this Act, the
16 Comptroller General of the United States shall submit to
17 Congress a report on the impact of furnishing information
18 pursuant to subsection (f) of section 623 of the Fair Cred-
19 it Reporting Act (15 U.S.C. 1681s–2) (as added by this
20 subtitle) on consumers.

1 **Subtitle C—Small Business Merg-**
2 **ers, Acquisitions, Sales and Bro-**
3 **kerage Simplification Act**

4 **SEC. 904. REGISTRATION EXEMPTION FOR MERGER AND**
5 **ACQUISITION BROKERS.**

6 Section 15(b) of the Securities Exchange Act of 1934
7 (15 U.S.C. 78o(b)) is amended by adding at the end the
8 following:

9 “(13) REGISTRATION EXEMPTION FOR MERGER
10 AND ACQUISITION BROKERS.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraph (B), an M&A broker shall be ex-
13 empt from registration under this section.

14 “(B) EXCLUDED ACTIVITIES.—An M&A
15 broker is not exempt from registration under
16 this paragraph if such broker does any of the
17 following:

18 “(i) Directly or indirectly, in connec-
19 tion with the transfer of ownership of an
20 eligible privately held company, receives,
21 holds, transmits, or has custody of the
22 funds or securities to be exchanged by the
23 parties to the transaction.

24 “(ii) Engages on behalf of an issuer in
25 a public offering of any class of securities

1 that is registered, or is required to be reg-
2 istered, with the Commission under section
3 12 or with respect to which the issuer files,
4 or is required to file, periodic information,
5 documents, and reports under subsection
6 (d).

7 “(iii) Engages on behalf of any party
8 in a transaction involving a shell company,
9 other than a business combination related
10 shell company.

11 “(iv) Directly, or indirectly through
12 any of its affiliates, provides financing re-
13 lated to the transfer of ownership of an eli-
14 gible privately held company.

15 “(v) Assists any party to obtain fi-
16 nancing from an unaffiliated third party
17 without—

18 “(I) complying with all other ap-
19 plicable laws in connection with such
20 assistance, including, if applicable,
21 Regulation T (12 CFR 220 et seq.);
22 and

23 “(II) disclosing any compensation
24 in writing to the party.

1 “(vi) Represents both the buyer and
2 the seller in the same transaction without
3 providing clear written disclosure as to the
4 parties the broker represents and obtaining
5 written consent from both parties to the
6 joint representation.

7 “(vii) Facilitates a transaction with a
8 group of buyers formed with the assistance
9 of the M&A broker to acquire the eligible
10 privately held company.

11 “(viii) Engages in a transaction in-
12 volving the transfer of ownership of an eli-
13 gible privately held company to a passive
14 buyer or group of passive buyers. For pur-
15 poses of the preceding sentence, a buyer
16 that is actively involved in managing the
17 acquired company is not a passive buyer,
18 regardless of whether such buyer is itself
19 owned by passive beneficial owners.

20 “(ix) Binds a party to a transfer of
21 ownership of an eligible privately held com-
22 pany.

23 “(C) DISQUALIFICATIONS.—An M&A
24 broker is not exempt from registration under
25 this paragraph if such broker is subject to—

1 “(i) suspension or revocation of reg-
2 istration under paragraph (4);

3 “(ii) a statutory disqualification de-
4 scribed in section 3(a)(39);

5 “(iii) a disqualification under the
6 rules adopted by the Commission under
7 section 926 of the Investor Protection and
8 Securities Reform Act of 2010 (15 U.S.C.
9 77d note); or

10 “(iv) a final order described in para-
11 graph (4)(H).

12 “(D) RULE OF CONSTRUCTION.—Nothing
13 in this paragraph shall be construed to limit
14 any other authority of the Commission to ex-
15 empt any person, or any class of persons, from
16 any provision of this title, or from any provision
17 of any rule or regulation thereunder.

18 “(E) DEFINITIONS.—In this paragraph:

19 “(i) BUSINESS COMBINATION RE-
20 LATED SHELL COMPANY.—The term ‘busi-
21 ness combination related shell company’
22 means a shell company that is formed by
23 an entity that is not a shell company—

24 “(I) solely for the purpose of
25 changing the corporate domicile of

1 that entity solely within the United
2 States; or

3 “(II) solely for the purpose of
4 completing a business combination
5 transaction (as defined under section
6 230.165(f) of title 17, Code of Fed-
7 eral Regulations) among one or more
8 entities other than the company itself,
9 none of which is a shell company.

10 “(ii) CONTROL.—The term ‘control’
11 means the power, directly or indirectly, to
12 direct the management or policies of a
13 company, whether through ownership of
14 securities, by contract, or otherwise. There
15 is a presumption of control for any person
16 who—

17 “(I) is a director, general part-
18 ner, member or manager of a limited
19 liability company, or corporate officer
20 of a corporation or limited liability
21 company, and exercises executive re-
22 sponsibility (or has similar status or
23 functions);

24 “(II) has the right to vote 25
25 percent or more of a class of voting

1 securities or the power to sell or direct
2 the sale of 25 percent or more of a
3 class of voting securities; or

4 “(III) in the case of a partner-
5 ship or limited liability company, has
6 the right to receive upon dissolution,
7 or has contributed, 25 percent or
8 more of the capital.

9 “(iii) ELIGIBLE PRIVATELY HELD
10 COMPANY.—The term ‘eligible privately
11 held company’ means a privately held com-
12 pany that meets both of the following con-
13 ditions:

14 “(I) The company does not have
15 any class of securities registered, or
16 required to be registered, with the
17 Commission under section 12 or with
18 respect to which the company files, or
19 is required to file, periodic informa-
20 tion, documents, and reports under
21 subsection (d).

22 “(II) In the fiscal year ending
23 immediately before the fiscal year in
24 which the services of the M&A broker
25 are initially engaged with respect to

1 the securities transaction, the com-
2 pany meets either or both of the fol-
3 lowing conditions (determined in ac-
4 cordance with the historical financial
5 accounting records of the company):

6 “(aa) The earnings of the
7 company before interest, taxes,
8 depreciation, and amortization
9 are less than \$25,000,000.

10 “(bb) The gross revenues of
11 the company are less than
12 \$250,000,000.

13 For purposes of this subclause, the
14 Commission may by rule modify the
15 dollar figures if the Commission deter-
16 mines that such a modification is nec-
17 essary or appropriate in the public in-
18 terest or for the protection of inves-
19 tors.

20 “(iv) M&A BROKER.—The term ‘M&A
21 broker’ means a broker, and any person
22 associated with a broker, engaged in the
23 business of effecting securities transactions
24 solely in connection with the transfer of
25 ownership of an eligible privately held com-

1 pany, regardless of whether the broker acts
2 on behalf of a seller or buyer, through the
3 purchase, sale, exchange, issuance, repur-
4 chase, or redemption of, or a business com-
5 bination involving, securities or assets of
6 the eligible privately held company, if the
7 broker reasonably believes that—

8 “(I) upon consummation of the
9 transaction, any person acquiring se-
10 curities or assets of the eligible pri-
11 vately held company, acting alone or
12 in concert, will control and, directly or
13 indirectly, will be active in the man-
14 agement of the eligible privately held
15 company or the business conducted
16 with the assets of the eligible privately
17 held company; and

18 “(II) if any person is offered se-
19 curities in exchange for securities or
20 assets of the eligible privately held
21 company, such person will, prior to
22 becoming legally bound to consum-
23 mate the transaction, receive or have
24 reasonable access to the most recent
25 fiscal year-end financial statements of

1 the issuer of the securities as custom-
2 arily prepared by the management of
3 the issuer in the normal course of op-
4 erations and, if the financial state-
5 ments of the issuer are audited, re-
6 viewed, or compiled, any related state-
7 ment by the independent accountant,
8 a balance sheet dated not more than
9 120 days before the date of the offer,
10 and information pertaining to the
11 management, business, results of op-
12 erations for the period covered by the
13 foregoing financial statements, and
14 material loss contingencies of the
15 issuer.

16 “(v) SHELL COMPANY.—The term
17 ‘shell company’ means a company that at
18 the time of a transaction with an eligible
19 privately held company—

20 “(I) has no or nominal oper-
21 ations; and

22 “(II) has—

23 “(aa) no or nominal assets;

24 “(bb) assets consisting solely
25 of cash and cash equivalents; or

1 “(cc) assets consisting of
2 any amount of cash and cash
3 equivalents and nominal other as-
4 sets.

5 “(F) INFLATION ADJUSTMENT.—

6 “(i) IN GENERAL.—On the date that
7 is 5 years after the date of the enactment
8 of the Small Business Mergers, Acquisi-
9 tions, Sales, and Brokerage Simplification
10 Act of 2018, and every 5 years thereafter,
11 each dollar amount in subparagraph
12 (E)(ii)(II) shall be adjusted by—

13 “(I) dividing the annual value of
14 the Employment Cost Index For
15 Wages and Salaries, Private Industry
16 Workers (or any successor index), as
17 published by the Bureau of Labor
18 Statistics, for the calendar year pre-
19 ceding the calendar year in which the
20 adjustment is being made by the an-
21 nual value of such index (or suc-
22 cessor) for the calendar year ending
23 December 31, 2012; and

1 “(II) multiplying such dollar
2 amount by the quotient obtained
3 under subclause (I).

4 “(ii) ROUNDING.—Each dollar
5 amount determined under clause (i) shall
6 be rounded to the nearest multiple of
7 \$100,000.”.

8 **SEC. 905. EFFECTIVE DATE.**

9 This subtitle and any amendment made by this sub-
10 title shall take effect on the date that is 90 days after
11 the date of the enactment of this Act.

12 **Subtitle D—Mortgage Choice Act**

13 **SEC. 906. DEFINITION OF POINTS AND FEES.**

14 (a) AMENDMENT TO SECTION 103 OF TILA.—Sec-
15 tion 103(bb)(4) of the Truth in Lending Act (15 U.S.C.
16 1602(bb)(4)) is amended—

17 (1) by striking “paragraph (1)(B)” and insert-
18 ing “paragraph (1)(A) and section 129C”;

19 (2) in subparagraph (C)—

20 (A) by inserting “and insurance” after
21 “taxes”;

22 (B) in clause (ii), by inserting “, except as
23 retained by a creditor or its affiliate as a result
24 of their participation in an affiliated business
25 arrangement (as defined in section 2(7) of the

1 Real Estate Settlement Procedures Act of 1974
2 (12 U.S.C. 2602(7))” after “compensation”;
3 and

4 (C) by striking clause (iii) and inserting
5 the following:

6 “(iii) the charge is—

7 “(I) a bona fide third-party charge
8 not retained by the mortgage originator,
9 creditor, or an affiliate of the creditor or
10 mortgage originator; or

11 “(II) a charge set forth in section
12 106(e)(1);”; and

13 (3) in subparagraph (D)—

14 (A) by striking “accident,”; and

15 (B) by striking “or any payments” and in-
16 serting “and any payments”.

17 (b) AMENDMENT TO SECTION 129C OF TILA.—Sec-
18 tion 129C of the Truth in Lending Act (15 U.S.C. 1639c)
19 is amended—

20 (1) in subsection (a)(5)(C), by striking “103”
21 and all that follows through “or mortgage origi-
22 nator” and inserting “103(bb)(4)”; and

23 (2) in subsection (b)(2)(C)(i), by striking “103”
24 and all that follows through “or mortgage origi-
25 nator)” and inserting “103(bb)(4)”.

1 **SEC. 907. RULEMAKING.**

2 Not later than the end of the 90-day period beginning
3 on the date of the enactment of this Act, the Bureau of
4 Consumer Financial Protection shall issue final regula-
5 tions to carry out the amendments made by this subtitle,
6 and such regulations shall be effective upon issuance.

7 **Subtitle E—Fair Investment Oppor-**
8 **tunities for Professional Experts**
9 **Act**

10 **SEC. 908. DEFINITION OF ACCREDITED INVESTOR.**

11 (a) IN GENERAL.—Section 2(a)(15) of the Securities
12 Act of 1933 (15 U.S.C. 77b(a)(15) is amended—

13 (1) by redesignating clauses (i) and (ii) as sub-
14 paragraphs (A) and (F), respectively; and

15 (2) in subparagraph (A) (as so redesignated),
16 by striking “; or” and inserting a semicolon, and in-
17 serting after such subparagraph the following:

18 “(B) any natural person whose individual
19 net worth, or joint net worth with that person’s
20 spouse, exceeds \$1,000,000 (which amount,
21 along with the amounts set forth in subpara-
22 graph (C), shall be adjusted for inflation by the
23 Commission every 5 years to the nearest
24 \$10,000 to reflect the change in the Consumer
25 Price Index for All Urban Consumers published
26 by the Bureau of Labor Statistics) where, for

1 purposes of calculating net worth under this
2 subparagraph—

3 “(i) the person’s primary residence
4 shall not be included as an asset;

5 “(ii) indebtedness that is secured by
6 the person’s primary residence, up to the
7 estimated fair market value of the primary
8 residence at the time of the sale of securi-
9 ties, shall not be included as a liability (ex-
10 cept that if the amount of such indebted-
11 ness outstanding at the time of sale of se-
12 curities exceeds the amount outstanding 60
13 days before such time, other than as a re-
14 sult of the acquisition of the primary resi-
15 dence, the amount of such excess shall be
16 included as a liability); and

17 “(iii) indebtedness that is secured by
18 the person’s primary residence in excess of
19 the estimated fair market value of the pri-
20 mary residence at the time of the sale of
21 securities shall be included as a liability;

22 “(C) any natural person who had an indi-
23 vidual income in excess of \$200,000 in each of
24 the 2 most recent years or joint income with
25 that person’s spouse in excess of \$300,000 in

1 each of those years and has a reasonable expect-
2 tation of reaching the same income level in the
3 current year;

4 “(D) any natural person who is currently
5 licensed or registered as a broker or investment
6 adviser by the Commission, the Financial In-
7 dustry Regulatory Authority, or an equivalent
8 self-regulatory organization (as defined in sec-
9 tion 3(a)(26) of the Securities Exchange Act of
10 1934), or the securities division of a State or
11 the equivalent State division responsible for li-
12 censing or registration of individuals in connec-
13 tion with securities activities;

14 “(E) any natural person the Commission
15 determines, by regulation, to have demonstrable
16 education or job experience to qualify such per-
17 son as having professional knowledge of a sub-
18 ject related to a particular investment, and
19 whose education or job experience is verified by
20 the Financial Industry Regulatory Authority or
21 an equivalent self-regulatory organization (as
22 defined in section 3(a)(26) of the Securities Ex-
23 change Act of 1934); or”.

24 (b) RULEMAKING.—The Commission shall revise the
25 definition of accredited investor under Regulation D (17

1 CFR 230.501 et seq.) to conform with the amendments
2 made by subsection (a).

3 **Subtitle F—Fostering Innovation**
4 **Act**

5 **SEC. 909. TEMPORARY EXEMPTION FOR LOW-REVENUE**
6 **ISSUERS.**

7 Section 404 of the Sarbanes-Oxley Act of 2002 (15
8 U.S.C. 7262) is amended by adding at the end the fol-
9 lowing:

10 “(d) TEMPORARY EXEMPTION FOR LOW-REVENUE
11 ISSUERS.—

12 “(1) LOW-REVENUE EXEMPTION.—Subsection
13 (b) shall not apply with respect to an audit report
14 prepared for an issuer that—

15 “(A) ceased to be an emerging growth
16 company on the last day of the fiscal year of
17 the issuer following the fifth anniversary of the
18 date of the first sale of common equity securi-
19 ties of the issuer pursuant to an effective reg-
20 istration statement under the Securities Act of
21 1933;

22 “(B) had average annual gross revenues of
23 less than \$50,000,000 as of its most recently
24 completed fiscal year; and

25 “(C) is not a large accelerated filer.

1 “(2) EXPIRATION OF TEMPORARY EXEMP-
2 TION.—An issuer ceases to be eligible for the exemp-
3 tion described under paragraph (1) at the earliest
4 of—

5 “(A) the last day of the fiscal year of the
6 issuer following the tenth anniversary of the
7 date of the first sale of common equity securi-
8 ties of the issuer pursuant to an effective reg-
9 istration statement under the Securities Act of
10 1933;

11 “(B) the last day of the fiscal year of the
12 issuer during which the average annual gross
13 revenues of the issuer exceed \$50,000,000; or

14 “(C) the date on which the issuer becomes
15 a large accelerated filer.

16 “(3) DEFINITIONS.—For purposes of this sub-
17 section:

18 “(A) AVERAGE ANNUAL GROSS REVE-
19 NUES.—The term ‘average annual gross reve-
20 nues’ means the total gross revenues of an
21 issuer over its most recently completed three
22 fiscal years divided by three.

23 “(B) EMERGING GROWTH COMPANY.—The
24 term ‘emerging growth company’ has the mean-

ing given such term under section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

“(C) LARGE ACCELERATED FILER.—The term ‘large accelerated filer’ has the meaning given that term under section 240.12b–2 of title 17, Code of Federal Regulations, or any successor thereto.”.

Subtitle G—End Banking for Human Traffickers Act

SEC. 910. INCREASING THE ROLE OF THE FINANCIAL INDUSTRY IN COMBATING HUMAN TRAFFICKING.

(a) TREASURY AS A MEMBER OF THE PRESIDENT’S INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.—Section 105(b) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting “the Secretary of the Treasury,” after “the Secretary of Education,”.

(b) REQUIRED REVIEW OF PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Financial Institutions Examination Council, in consultation with the Secretary of the Treasury, the private sector, and appropriate law enforcement agencies, shall—

(1) review and enhance training and examinations procedures to improve the capabilities of anti-

1 money laundering and countering the financing of
2 terrorism programs to detect financial transactions
3 relating to severe forms of trafficking in persons;

4 (2) review and enhance procedures for referring
5 potential cases relating to severe forms of trafficking
6 in persons to the appropriate law enforcement agen-
7 cy; and

8 (3) determine, as appropriate, whether require-
9 ments for financial institutions are sufficient to de-
10 tect and deter money laundering relating to severe
11 forms of trafficking in persons.

12 (c) INTERAGENCY TASK FORCE RECOMMENDATIONS
13 TARGETING MONEY LAUNDERING RELATED TO HUMAN
14 TRAFFICKING.—

15 (1) IN GENERAL.—Not later than 270 days
16 after the date of the enactment of this Act, the
17 Interagency Task Force to Monitor and Combat
18 Trafficking shall submit to the Committee on Finan-
19 cial Services and the Committee on the Judiciary of
20 the House of Representatives, the Committee on
21 Banking, Housing, and Urban Affairs and the Com-
22 mittee on the Judiciary of the Senate, and the head
23 of each appropriate Federal banking agency—

24 (A) an analysis of anti-money laundering
25 efforts of the United States Government and

1 United States financial institutions relating to
2 severe forms of trafficking in persons; and

3 (B) appropriate legislative, administrative,
4 and other recommendations to strengthen ef-
5 forts against money laundering relating to se-
6 vere forms of trafficking in persons.

7 (2) REQUIRED RECOMMENDATIONS.—The rec-
8 ommendations under paragraph (1) shall include—

9 (A) feedback from financial institutions on
10 best practices of successful programs to combat
11 severe forms of trafficking in persons currently
12 in place that may be suitable for broader adop-
13 tion by similarly situated financial institutions;

14 (B) feedback from stakeholders, including
15 victims of severe forms of trafficking in persons
16 and financial institutions, on policy proposals
17 derived from the analysis conducted by the task
18 force referred to in paragraph (1) that would
19 enhance the efforts and programs of financial
20 institutions to detect and deter money laun-
21 dering relating to severe forms of trafficking in
22 persons, including any recommended changes to
23 internal policies, procedures, and controls relat-
24 ing to severe forms of trafficking in persons;

1 (C) any recommended changes to training
2 programs at financial institutions to better
3 equip employees to deter and detect money
4 laundering relating to severe forms of traf-
5 ficking in persons;

6 (D) any recommended changes to expand
7 information sharing relating to severe forms of
8 trafficking in persons among financial institu-
9 tions and between such financial institutions,
10 appropriate law enforcement agencies, and ap-
11 propriate Federal agencies; and

12 (E) recommended changes, if necessary, to
13 existing statutory law to more effectively detect
14 and deter money laundering relating to severe
15 forms of trafficking in persons, where such
16 money laundering involves the use of emerging
17 technologies and virtual currencies.

18 (d) LIMITATION.—Nothing in this subtitle shall be
19 construed to grant rulemaking authority to the Inter-
20 agency Task Force to Monitor and Combat Trafficking.

21 (e) DEFINITIONS.—As used in this section—

22 (1) the term “appropriate Federal banking
23 agency” has the meaning given the term in section
24 3(q) of the Federal Deposit Insurance Act (12
25 U.S.C. 1813(q));

1 (2) the term “severe forms of trafficking in per-
2 sons” has the meaning given such term in section
3 103 of the Trafficking Victims Protection Act of
4 2000 (22 U.S.C. 7102);

5 (3) the term “Interagency Task Force to Mon-
6 itor and Combat Trafficking” means the Interagency
7 Task Force to Monitor and Combat Trafficking es-
8 tablished by the President pursuant to section 105
9 of the Victims of Trafficking and Violence Protec-
10 tion Act of 2000 (22 U.S.C. 7103); and

11 (4) the term “law enforcement agency” means
12 an agency of the United States, a State, or a polit-
13 ical subdivision of a State, authorized by law or by
14 a government agency to engage in or supervise the
15 prevention, detection, investigation, or prosecution of
16 any violation of criminal or civil law.

17 **SEC. 911. COORDINATION OF HUMAN TRAFFICKING ISSUES**

18 **BY THE OFFICE OF TERRORISM AND FINAN-**
19 **CIAL INTELLIGENCE.**

20 (a) **FUNCTIONS.**—Section 312(a)(4) of title 31,
21 United States Code, is amended—

22 (1) by redesignating subparagraphs (E), (F),
23 and (G) as subparagraphs (F), (G), and (H), respec-
24 tively; and

1 (2) by inserting after subparagraph (D) the fol-
2 lowing:

3 “(E) combating illicit financing relating to
4 severe forms of trafficking in persons;”.

5 (b) INTERAGENCY COORDINATION.—Section 312(a)
6 of title 31, United States Code, is amended by adding at
7 the end the following:

8 “(8) INTERAGENCY COORDINATION.—The Sec-
9 retary of the Treasury, after consultation with the
10 Undersecretary for Terrorism and Financial Crimes,
11 shall designate an office within the OTFI that shall
12 coordinate efforts to combat the illicit financing of
13 severe forms of trafficking in persons with—

14 “(A) other offices of the Department of the
15 Treasury;

16 “(B) other Federal agencies, including—

17 “(i) the Office to Monitor and Combat
18 Trafficking in Persons of the Department
19 of State; and

20 “(ii) the Interagency Task Force to
21 Monitor and Combat Trafficking;

22 “(C) State and local law enforcement agen-
23 cies; and

24 “(D) foreign governments.”.

1 (c) DEFINITION.—Section 312(a) of title 31, United
2 States Code, as amended by this section, is further amend-
3 ed by adding at the end the following:

4 “(9) DEFINITION.—In this subsection, the term
5 ‘severe forms of trafficking in persons’ has the
6 meaning given such term in section 103 of the Traf-
7 ficking Victims Protection Act of 2000 (22 U.S.C.
8 7102).”.

9 **SEC. 912. ADDITIONAL REPORTING REQUIREMENT UNDER**
10 **THE TRAFFICKING VICTIMS PROTECTION**
11 **ACT OF 2000.**

12 Section 105(d)(7) of the Trafficking Victims Protec-
13 tion Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

14 (1) in the matter preceding subparagraph (A)—

15 (A) by inserting “the Committee on Finan-
16 cial Services,” after “the Committee on Foreign
17 Affairs,”; and

18 (B) by inserting “the Committee on Bank-
19 ing, Housing, and Urban Affairs,” after “the
20 Committee on Foreign Relations,”;

21 (2) in subparagraph (Q)(vii), by striking “;
22 and” and inserting a semicolon;

23 (3) in subparagraph (R), by striking the period
24 at the end and inserting “; and”; and

25 (4) by adding at the end the following:

1 “(S) the efforts of the United States to
2 eliminate money laundering relating to severe
3 forms of trafficking in persons and the number
4 of investigations, arrests, indictments, and con-
5 victions in money laundering cases with a nexus
6 to severe forms of trafficking in persons.”.

7 **SEC. 913. MINIMUM STANDARDS FOR THE ELIMINATION OF**
8 **TRAFFICKING.**

9 Section 108(b) of the Trafficking Victims Protection
10 Act of 2000 (22 U.S.C. 7106(b)) is amended by adding
11 at the end the following new paragraph:

12 “(13) Whether the government of the country,
13 consistent with the capacity of the country, has in
14 effect a framework to prevent financial transactions
15 involving the proceeds of severe forms of trafficking
16 in persons, and is taking steps to implement such a
17 framework, including by investigating, prosecuting,
18 convicting, and sentencing individuals who attempt
19 or conduct such transactions.”.

20 **Subtitle H—Investing in Main**
21 **Street Act**

22 **SEC. 914. INVESTMENT IN SMALL BUSINESS INVESTMENT**
23 **COMPANIES.**

24 Section 302(b) of the Small Business Investment Act
25 of 1958 (15 U.S.C. 682(b)) is amended—

1 (1) in paragraph (1), by inserting before the pe-
 2 riod the following: “or, subject to the approval of the
 3 appropriate Federal banking agency, 15 percent of
 4 such capital and surplus”;

5 (2) in paragraph (2), by inserting before the pe-
 6 riod the following: “or, subject to the approval of the
 7 appropriate Federal banking agency, 15 percent of
 8 such capital and surplus”; and

9 (3) by adding at the end the following:

10 “(3) APPROPRIATE FEDERAL BANKING AGENCY
 11 DEFINED.—For purposes of this subsection, the
 12 term ‘appropriate Federal banking agency’ has the
 13 meaning given that term under section 3 of the Fed-
 14 eral Deposit Insurance Act.”.

15 **Subtitle I—Privacy Notification** 16 **Technical Clarification Act**

17 **SEC. 915. EXCEPTION TO ANNUAL NOTICE REQUIREMENT.**

18 Section 503 of the Gramm-Leach-Bliley Act (15
 19 U.S.C. 6803) is amended by adding at the end the fol-
 20 lowing:

21 “(g) ADDITIONAL EXCEPTION TO ANNUAL NOTICE
 22 REQUIREMENT.—

23 “(1) IN GENERAL.—A vehicle financial com-
 24 pany that has not changed its policies and practices
 25 with regard to disclosing nonpublic personal infor-

1 mation from the policies and practices that were dis-
2 closed in the most recent disclosure sent to con-
3 sumers in accordance with this section shall not be
4 required to provide an annual disclosure under this
5 section if—

6 “(A) the vehicle financial company makes
7 its current policy available to consumers on its
8 website and via mail upon written request sent
9 to a designated address identified for the pur-
10 pose of requesting the policy or upon telephone
11 request made using a toll free consumer service
12 telephone number;

13 “(B) the vehicle financial company con-
14 spicuously notifies consumers of the availability
15 of the current policy, including—

16 “(i) with respect to consumers who
17 are entitled to a periodic billing statement,
18 a message on the front page of each peri-
19 odic billing statement; and

20 “(ii) with respect to consumers who
21 are not entitled to a periodic billing state-
22 ment, through other reasonable means
23 such as through a link on the landing page
24 of the company’s website or with other
25 written communication, including elec-

1 tronic communication, sent to the con-
2 sumer; and

3 “(C) the vehicle financial company—

4 “(i) provides consumers with the abil-
5 ity to opt out, subject to any exemption or
6 exception provided under subsection (b)(2)
7 or (e) of section 502 or under regulations
8 prescribed under section 504(b), of having
9 the consumer’s nonpublic personal infor-
10 mation disclosed to a nonaffiliated third
11 party; and

12 “(ii) includes a description about
13 where to locate the procedures for a con-
14 sumer to select such opt out in each peri-
15 odic billing statement sent to the con-
16 sumer.

17 “(2) TREATMENT OF MULTIPLE POLICIES.—If
18 a vehicle financial company maintains more than one
19 set of policies described under paragraph (1) that
20 vary depending on the consumer’s account status or
21 State of residence, the vehicle financial company
22 may comply with the website posting requirement in
23 paragraph (1)(A) by posting all of such policies to
24 the public section of the vehicle financial company’s

1 website, with instructions for choosing the applicable
2 policy.

3 “(3) VEHICLE FINANCIAL COMPANY DE-
4 FINED.—For purposes of this subsection, the term
5 ‘vehicle financial company’ means—

6 “(A) a financial institution that—

7 “(i) is regularly engaged in the busi-
8 ness of extending credit for the purchase of
9 vehicles;

10 “(ii) is affiliated with a vehicle manu-
11 facturer; and

12 “(iii) only shares nonpublic personal
13 information of consumers with non-
14 affiliated third parties that are vehicle
15 dealers; or

16 “(B) a financial institution that—

17 “(i) regularly engages in the business
18 of extending credit for the purchase or
19 lease of vehicles from vehicle dealers; or

20 “(ii) purchases vehicle installment
21 sales contracts or leases from vehicle deal-
22 ers.”.

1 **Subtitle J—Financial Institution**
2 **Customer Protection Act**

3 **SEC. 916. REQUIREMENTS FOR DEPOSIT ACCOUNT TERMI-**
4 **NATION REQUESTS AND ORDERS.**

5 (a) TERMINATION REQUESTS OR ORDERS MUST BE
6 VALID.—

7 (1) IN GENERAL.—An appropriate Federal
8 banking agency may not formally or informally re-
9 quest or order a depository institution to terminate
10 a specific customer account or group of customer ac-
11 counts or to otherwise restrict or discourage a de-
12 pository institution from entering into or maintain-
13 ing a banking relationship with a specific customer
14 or group of customers unless—

15 (A) the agency has a valid reason for such
16 request or order; and

17 (B) such reason is not based solely on rep-
18 utation risk.

19 (2) TREATMENT OF NATIONAL SECURITY
20 THREATS.—If an appropriate Federal banking agen-
21 cy believes a specific customer or group of customers
22 is, or is acting as a conduit for, an entity which—

23 (A) poses a threat to national security;

24 (B) is involved in terrorist financing;

1 (C) is an agency of the Government of
2 Iran, North Korea, Syria, or any country listed
3 from time to time on the State Sponsors of
4 Terrorism list;

5 (D) is located in, or is subject to the juris-
6 diction of, any country specified in subpara-
7 graph (C); or

8 (E) does business with any entity described
9 in subparagraph (C) or (D), unless the appro-
10 priate Federal banking agency determines that
11 the customer or group of customers has used
12 due diligence to avoid doing business with any
13 entity described in subparagraph (C) or (D),
14 such belief shall satisfy the requirement under para-
15 graph (1).

16 (b) NOTICE REQUIREMENT.—

17 (1) IN GENERAL.—If an appropriate Federal
18 banking agency formally or informally requests or
19 orders a depository institution to terminate a spe-
20 cific customer account or a group of customer ac-
21 counts, the agency shall—

22 (A) provide such request or order to the
23 institution in writing; and

24 (B) accompany such request or order with
25 a written justification for why such termination

1 is needed, including any specific laws or regula-
2 tions the agency believes are being violated by
3 the customer or group of customers, if any.

4 (2) JUSTIFICATION REQUIREMENT.—A jus-
5 tification described under paragraph (1)(B) may not
6 be based solely on the reputation risk to the deposi-
7 tory institution.

8 (c) CUSTOMER NOTICE.—

9 (1) NOTICE REQUIRED.—Except as provided
10 under paragraph (2) or as otherwise prohibited from
11 being disclosed by law, if an appropriate Federal
12 banking agency orders a depository institution to
13 terminate a specific customer account or a group of
14 customer accounts, the depository institution shall
15 inform the specific customer or group of customers
16 of the justification for the customer's account termi-
17 nation described under subsection (b).

18 (2) NOTICE PROHIBITED.—

19 (A) NOTICE PROHIBITED IN CASES OF NA-
20 TIONAL SECURITY.—If an appropriate Federal
21 banking agency requests or orders a depository
22 institution to terminate a specific customer ac-
23 count or a group of customer accounts based on
24 a belief that the customer or customers pose a
25 threat to national security, or are otherwise de-

1 scribed under subsection (a)(2), neither the de-
2 pository institution nor the appropriate Federal
3 banking agency may inform the customer or
4 customers of the justification for the customer's
5 account termination.

6 (B) NOTICE PROHIBITED IN OTHER
7 CASES.—If an appropriate Federal banking
8 agency determines that the notice required
9 under paragraph (1) may interfere with an au-
10 thorized criminal investigation, neither the de-
11 pository institution nor the appropriate Federal
12 banking agency may inform the specific cus-
13 tomer or group of customers of the justification
14 for the customer's account termination.

15 (d) REPORTING REQUIREMENT.—Each appropriate
16 Federal banking agency shall issue an annual report to
17 the Congress stating—

18 (1) the aggregate number of specific customer
19 accounts that the agency requested or ordered a de-
20 pository institution to terminate during the previous
21 year; and

22 (2) the legal authority on which the agency re-
23 lied in making such requests and orders and the fre-
24 quency on which the agency relied on each such au-
25 thority.

1 (e) DEFINITIONS.—For purposes of this section:

2 (1) APPROPRIATE FEDERAL BANKING AGEN-
3 CY.—The term “appropriate Federal banking agen-
4 cy” means—

5 (A) the appropriate Federal banking agen-
6 cy, as defined under section 3 of the Federal
7 Deposit Insurance Act (12 U.S.C. 1813); and

8 (B) the National Credit Union Administra-
9 tion, in the case of an insured credit union.

10 (2) DEPOSITORY INSTITUTION.—The term “de-
11 pository institution” means—

12 (A) a depository institution, as defined
13 under section 3 of the Federal Deposit Insur-
14 ance Act (12 U.S.C. 1813); and

15 (B) an insured credit union.

16 **Subtitle K—Encouraging Public** 17 **Offerings Act**

18 **SEC. 917. EXPANDING TESTING THE WATERS AND CON-** 19 **FIDENTIAL SUBMISSIONS.**

20 The Securities Act of 1933 (15 U.S.C. 77a et seq.)
21 is amended—

22 (1) in section 5(d)—

23 (A) by striking “Notwithstanding” and in-
24 serting the following:

25 “(1) IN GENERAL.—Notwithstanding”;

1 (B) by striking “an emerging growth com-
2 pany or any person authorized to act on behalf
3 of an emerging growth company” and inserting
4 “an issuer or any person authorized to act on
5 behalf of an issuer”; and

6 (C) by adding at the end the following:

7 “(2) ADDITIONAL REQUIREMENTS.—

8 “(A) IN GENERAL.—The Commission may
9 issue regulations, subject to public notice and
10 comment, to impose such other terms, condi-
11 tions, or requirements on the engaging in oral
12 or written communications described under
13 paragraph (1) by an issuer other than an
14 emerging growth company as the Commission
15 determines appropriate.

16 “(B) REPORT TO CONGRESS.—Prior to any
17 rulemaking described under subparagraph (A),
18 the Commission shall issue a report to the Con-
19 gress containing a list of the findings sup-
20 porting the basis of such rulemaking.”; and
21 (2) in section 6(e)—

22 (A) in the heading, by striking “EMERG-
23 ING GROWTH COMPANIES” and inserting
24 “DRAFT REGISTRATION STATEMENTS”;

1 (B) by redesignating paragraph (2) as
2 paragraph (4); and

3 (C) by striking paragraph (1) and insert-
4 ing the following:

5 “(1) PRIOR TO INITIAL PUBLIC OFFERING.—
6 Any issuer, prior to its initial public offering date,
7 may confidentially submit to the Commission a draft
8 registration statement, for confidential nonpublic re-
9 view by the staff of the Commission prior to public
10 filing, provided that the initial confidential submis-
11 sion and all amendments thereto shall be publicly
12 filed with the Commission not later than 15 days be-
13 fore the date on which the issuer conducts a road
14 show (as defined under section 230.433(h)(4) of title
15 17, Code of Federal Regulations) or, in the absence
16 of a road show, at least 15 days prior to the re-
17 quested effective date of the registration statement.

18 “(2) WITHIN 1 YEAR AFTER INITIAL PUBLIC
19 OFFERING OR EXCHANGE REGISTRATION.—Any
20 issuer, within the 1-year period following its initial
21 public offering or its registration of a security under
22 section 12(b) of the Securities Exchange Act of
23 1934, may confidentially submit to the Commission
24 a draft registration statement, for confidential non-
25 public review by the staff of the Commission prior

1 to public filing, provided that the initial confidential
2 submission and all amendments thereto shall be pub-
3 licly filed with the Commission not later than 15
4 days before the date on which the issuer conducts a
5 road show (as defined under section 230.433(h)(4)
6 of title 17, Code of Federal Regulations) or, in the
7 absence of a road show, at least 15 days prior to the
8 requested effective date of the registration state-
9 ment.

10 “(3) ADDITIONAL REQUIREMENTS.—

11 “(A) IN GENERAL.—The Commission may
12 issue regulations, subject to public notice and
13 comment, to impose such other terms, condi-
14 tions, or requirements on the submission of
15 draft registration statements described under
16 this subsection by an issuer other than an
17 emerging growth company as the Commission
18 determines appropriate.

19 “(B) REPORT TO CONGRESS.—Prior to any
20 rulemaking described under subparagraph (A),
21 the Commission shall issue a report to the Con-
22 gress containing a list of the findings sup-
23 porting the basis of such rulemaking.”.

1 **Subtitle L—Risk-Based Credit**
2 **Examination Act**

3 **SEC. 918. RISK-BASED EXAMINATIONS OF NATIONALLY**
4 **RECOGNIZED STATISTICAL RATING ORGANI-**
5 **ZATIONS.**

6 Section 15E(p)(3)(B) of the Securities Exchange Act
7 of 1934 (15 U.S.C. 78o–7(p)(3)(B)) is amended in the
8 matter preceding clause (i), by inserting “, as appro-
9 priate,” after “Each examination under subparagraph (A)
10 shall include”.

11 **Subtitle M—Protection of Source**
12 **Code Act**

13 **SEC. 919. PROCEDURE FOR OBTAINING CERTAIN INTEL-**
14 **LECTUAL PROPERTY.**

15 (a) PERSONS UNDER SECURITIES ACT OF 1933.—
16 Section 8 of the Securities Act of 1933 (15 U.S.C. 77h)
17 is amended by adding at the end the following:

18 “(g) PROCEDURE FOR OBTAINING CERTAIN INTEL-
19 LECTUAL PROPERTY.—The Commission is not authorized
20 to compel under this title a person to produce or furnish
21 source code, including algorithmic trading source code or
22 similar intellectual property that forms the basis for de-
23 sign of the source code, to the Commission unless the
24 Commission first issues a subpoena.”.

1 (b) PERSONS UNDER THE SECURITIES EXCHANGE
2 ACT OF 1934.—Section 23 of the Securities Exchange Act
3 of 1934 (15 U.S.C. 78w) is amended by adding at the
4 end the following:

5 “(e) PROCEDURE FOR OBTAINING CERTAIN INTEL-
6 LECTUAL PROPERTY.—The Commission is not authorized
7 to compel under this title a person to produce or furnish
8 source code, including algorithmic trading source code or
9 similar intellectual property that forms the basis for de-
10 sign of the source code, to the Commission unless the
11 Commission first issues a subpoena.”.

12 (c) INVESTMENT COMPANIES.—Section 31 of the In-
13 vestment Company Act of 1940 (15 U.S.C. 80a–30) is
14 amended by adding at the end the following:

15 “(e) PROCEDURE FOR OBTAINING CERTAIN INTEL-
16 LECTUAL PROPERTY.—The Commission is not authorized
17 to compel under this title an investment company to
18 produce or furnish source code, including algorithmic trad-
19 ing source code or similar intellectual property that forms
20 the basis for design of the source code, to the Commission
21 unless the Commission first issues a subpoena.”.

22 (d) INVESTMENT ADVISERS.—Section 204 of the In-
23 vestment Advisers Act of 1940 (15 U.S.C. 80b–4) is
24 amended—

25 (1) by adding at the end the following:

1 “(f) PROCEDURE FOR OBTAINING CERTAIN INTEL-
 2 LECTUAL PROPERTY.—The Commission is not authorized
 3 to compel under this title an investment adviser to produce
 4 or furnish source code, including algorithmic trading
 5 source code or similar intellectual property that forms the
 6 basis for design of the source code, to the Commission un-
 7 less the Commission first issues a subpoena.”; and

8 (2) in the second subsection (d), by striking
 9 “(d)” and inserting “(e)”.

10 **Subtitle N—Family Office** 11 **Technical Correction Act**

12 **SEC. 920. ACCREDITED INVESTOR CLARIFICATION.**

13 (a) IN GENERAL.—Subject to subsection (b), any
 14 family office or a family client of a family office, as defined
 15 in section 275.202(a)(11)(G)–1 of title 17, Code of Fed-
 16 eral Regulations, shall be deemed to be an accredited in-
 17 vestor, as defined in Regulation D of the Securities and
 18 Exchange Commission (or any successor thereto) under
 19 the Securities Act of 1933.

20 (b) LIMITATION.—Subsection (a) only applies to a
 21 family office with assets under management in excess of
 22 \$5,000,000, and a family office or a family client not
 23 formed for the specific purpose of acquiring the securities
 24 offered, and whose purchase is directed by a person who
 25 has such knowledge and experience in financial and busi-

1 ness matters that such person is capable of evaluating the
 2 merits and risks of the prospective investment.

3 **Subtitle O—Market Data** 4 **Protection Act**

5 **SEC. 921. INTERNAL RISK CONTROLS.**

6 The Securities Exchange Act of 1934 (15 U.S.C. 78a
 7 et seq.) is amended—

8 (1) by inserting after section 4E the following:

9 **“SEC. 4F. INTERNAL RISK CONTROLS.**

10 “(a) IN GENERAL.—Each of the following entities, in
 11 consultation with the Chief Economist, shall develop com-
 12 prehensive internal risk control mechanisms to safeguard
 13 and govern the storage of all market data by such entity,
 14 all market data sharing agreements of such entity, and
 15 all academic research performed at such entity using mar-
 16 ket data:

17 “(1) The Commission.

18 “(2) Each national securities association reg-
 19 istered pursuant to section 15A.

20 “(3) The operator of the consolidated audit
 21 trail created by a national market system plan ap-
 22 proved pursuant to section 242.613 of title 17, Code
 23 of Federal Regulations (or any successor regulation).

24 “(b) CONSOLIDATED AUDIT TRAIL PROHIBITED
 25 FROM ACCEPTING MARKET DATA UNTIL MECHANISMS

1 DEVELOPED.—The operator described in paragraph (3) of
 2 subsection (a) may not accept market data (or shall cease
 3 accepting market data) until the operator has developed
 4 the mechanisms required by such subsection. Any require-
 5 ment for a person to provide market data to the operator
 6 shall not apply during any time when the operator is pro-
 7 hibited by this subsection from accepting such data.

8 “(c) TREATMENT OF PREVIOUSLY DEVELOPED
 9 MECHANISMS.—The development of comprehensive inter-
 10 nal risk control mechanisms required by subsection (a)
 11 may occur, in whole or in part, before the date of the en-
 12 actment of this section, if such development and such
 13 mechanisms meet the requirements of such subsection (in-
 14 cluding consultation with the Chief Economist).”; and

15 (2) in section 3(a)—

16 (A) by redesignating the second paragraph
 17 (80) (relating to funding portals) as paragraph
 18 (81); and

19 (B) by adding at the end the following:

20 “(82) CHIEF ECONOMIST.—The term ‘Chief
 21 Economist’ means the Director of the Division of
 22 Economic and Risk Analysis, or an employee of the
 23 Commission with comparable authority, as deter-
 24 mined by the Commission.”.

1 **Subtitle P—Financial Stability**
2 **Oversight Council Improvement**
3 **Act**

4 **SEC. 922. SIFI DESIGNATION PROCESS.**

5 Section 113 of the Financial Stability Act of 2010
6 (12 U.S.C. 5323) is amended—

7 (1) in subsection (a)(2)—

8 (A) in subparagraph (J), by striking “and”
9 at the end;

10 (B) by redesignating subparagraph (K) as
11 subparagraph (L); and

12 (C) by inserting after subparagraph (J)
13 the following:

14 “(K) the appropriateness of the imposition
15 of prudential standards as opposed to other
16 forms of regulation to mitigate the identified
17 risks; and”;

18 (2) in subsection (b)(2)—

19 (A) in subparagraph (J), by striking “and”
20 at the end;

21 (B) by redesignating subparagraph (K) as
22 subparagraph (L);

23 (C) by inserting after subparagraph (J)
24 the following:

1 “(K) the appropriateness of the imposition
2 of prudential standards as opposed to other
3 forms of regulation to mitigate the identified
4 risks; and”; and

5 (3) by amending subsection (d) to read as fol-
6 lows:

7 “(d) REEVALUATION AND RESCISSION.—

8 “(1) ANNUAL REEVALUATION.—Not less fre-
9 quently than annually, the Council shall reevaluate
10 each determination made under subsections (a) and
11 (b) with respect to a nonbank financial company su-
12 pervised by the Board of Governors and shall—

13 “(A) provide written notice to the nonbank
14 financial company being reevaluated and afford
15 such company an opportunity to submit written
16 materials, within such time as the Council de-
17 termines to be appropriate (but which shall be
18 not less than 30 days after the date of receipt
19 by the company of such notice), to contest the
20 determination, including materials concerning
21 whether, in the company’s view, material finan-
22 cial distress at the company, or the nature,
23 scope, size, scale, concentration, interconnected-
24 ness, or mix of the activities of the company

1 could pose a threat to the financial stability of
2 the United States;

3 “(B) provide an opportunity for the
4 nonbank financial company to meet with the
5 Council to present the information described in
6 subparagraph (A); and

7 “(C) if the Council does not rescind the de-
8 termination, provide notice to the nonbank fi-
9 nancial company, its primary financial regu-
10 latory agency and the primary financial regu-
11 latory agency of any of the company’s signifi-
12 cant subsidiaries of the reasons for the Coun-
13 cil’s decision, which notice shall address with
14 specificity how the Council assessed the mate-
15 rial factors presented by the company under
16 subparagraphs (A) and (B).

17 “(2) PERIODIC REEVALUATION.—

18 “(A) REVIEW.—Every 5 years after the
19 date of a final determination with respect to a
20 nonbank financial company under subsection
21 (a) or (b), as applicable, the nonbank financial
22 company may submit a written request to the
23 Council for a reevaluation of such determina-
24 tion. Upon receipt of such a request, the Coun-
25 cil shall conduct a reevaluation of such deter-

1 mination and hold a vote on whether to rescind
2 such determination.

3 “(B) PROCEDURES.—Upon receipt of a
4 written request under paragraph (A), the Coun-
5 cil shall fix a time (not earlier than 30 days
6 after the date of receipt of the request) and
7 place at which such company may appear, per-
8 sonally or through counsel, to—

9 “(i) submit written materials (which
10 may include a plan to modify the com-
11 pany’s business, structure, or operations,
12 which shall specify the length of the imple-
13 mentation period); and

14 “(ii) provide oral testimony and oral
15 argument before the members of the Coun-
16 cil.

17 “(C) TREATMENT OF PLAN.—If the com-
18 pany submits a plan in accordance with sub-
19 paragraph (B)(i), the Council shall consider
20 whether the plan, if implemented, would cause
21 the company to no longer meet the standards
22 for a final determination under subsection (a)
23 or (b), as applicable. The Council shall provide
24 the nonbank financial company an opportunity

1 to revise the plan after consultation with the
2 Council.

3 “(D) EXPLANATION FOR CERTAIN COMPA-
4 NIES.—With respect to a reevaluation under
5 this paragraph where the determination being
6 reevaluated was made before the date of enact-
7 ment of this paragraph, the nonbank financial
8 company may require the Council, as part of
9 such reevaluation, to explain with specificity the
10 basis for such determination.

11 “(3) RESCISSION OF DETERMINATION.—

12 “(A) IN GENERAL.—If the Council, by a
13 vote of not fewer than $\frac{2}{3}$ of the voting members
14 then serving, including an affirmative vote by
15 the Chairperson, determines under this sub-
16 section that a nonbank financial company no
17 longer meets the standards for a final deter-
18 mination under subsection (a) or (b), as appli-
19 cable, the Council shall rescind such determina-
20 tion.

21 “(B) APPROVAL OF COMPANY PLAN.—Ap-
22 proval by the Council of a plan submitted or re-
23 vised in accordance with paragraph (2) shall re-
24 quire a vote of not fewer than $\frac{2}{3}$ of the voting
25 members then serving, including an affirmative

1 vote by the Chairperson. If such plan is ap-
2 proved by the Council, the company shall imple-
3 ment the plan during the period identified in
4 the plan, except that the Council, in its sole dis-
5 cretion and upon request from the company,
6 may grant one or more extensions of the imple-
7 mentation period. After the end of the imple-
8 mentation period, including any extensions
9 granted by the Council, the Council shall pro-
10 ceed to a vote as described under subparagraph
11 (A).”;

12 (4) by amending subsection (e) to read as fol-
13 lows:

14 “(e) REQUIREMENTS FOR PROPOSED DETERMINA-
15 TION, NOTICE AND OPPORTUNITY FOR HEARING, AND
16 FINAL DETERMINATION.—

17 “(1) NOTICE OF IDENTIFICATION FOR INITIAL
18 EVALUATION AND OPPORTUNITY FOR VOLUNTARY
19 SUBMISSION.—Upon identifying a nonbank financial
20 company for comprehensive analysis of the potential
21 for the nonbank company to pose a threat to the fi-
22 nancial stability of the United States, the Council
23 shall provide the nonbank financial company with—

24 “(A) written notice that explains with
25 specificity the basis for so identifying the com-

1 pany, a copy of which shall be provided to the
2 company’s primary financial regulatory agency;

3 “(B) an opportunity to submit written ma-
4 terials for consideration by the Council as part
5 of the Council’s initial evaluation of the risk
6 profile and characteristics of the company;

7 “(C) an opportunity to meet with the
8 Council to discuss the Council’s analysis; and

9 “(D) a list of the public sources of infor-
10 mation being considered by the Council as part
11 of such analysis.

12 “(2) REQUIREMENTS BEFORE MAKING A PRO-
13 POSED DETERMINATION.—Before making a pro-
14 posed determination with respect to a nonbank fi-
15 nancial company under paragraph (3), the Council
16 shall—

17 “(A) by a vote of not fewer than $\frac{2}{3}$ of the
18 voting members then serving, including an af-
19 firmative vote by the Chairperson, approve a
20 resolution that identifies with specificity any
21 risks to the financial stability of the United
22 States the Council has identified relating to the
23 nonbank financial company;

24 “(B) with respect to nonbank financial
25 company with a primary financial regulatory

1 agency, provide a copy of the resolution de-
2 scribed under subparagraph (A) to the primary
3 financial regulatory agency and provide such
4 agency with at least 180 days from the receipt
5 of the resolution to—

6 “(i) consider the risks identified in the
7 resolution; and

8 “(ii) provide a written response to the
9 Council that includes its assessment of the
10 risks identified and the degree to which
11 they are or could be addressed by existing
12 regulation and, as appropriate, issue pro-
13 posed regulations or undertake other regu-
14 latory action to mitigate the identified
15 risks;

16 “(C) provide the nonbank financial com-
17 pany with written notice that the Council—

18 “(i) is considering whether to make a
19 proposed determination with respect to the
20 nonbank financial company under sub-
21 section (a) or (b), as applicable, which no-
22 tice explains with specificity the basis for
23 the Council’s consideration, including any
24 aspects of the company’s operations or ac-

1 activities that are a primary focus for the
2 Council; or

3 “(ii) has determined not to subject the
4 company to further review, which action
5 shall not preclude the Council from issuing
6 a notice to the company under subpara-
7 graph (1)(A) at a future time; and

8 “(D) in the case of a notice to the nonbank
9 financial company under subparagraph (C)(i),
10 provide the company with—

11 “(i) an opportunity to meet with the
12 Council to discuss the Council’s analysis;

13 “(ii) an opportunity to submit written
14 materials, within such time as the Council
15 deems appropriate (but not less than 30
16 days after the date of receipt by the com-
17 pany of the notice described under clause
18 (i)), to the Council to inform the Council’s
19 consideration of the nonbank financial
20 company for a proposed determination, in-
21 cluding materials concerning the com-
22 pany’s views as to whether it satisfies the
23 standard for determination set forth in
24 subsection (a) or (b), as applicable;

1 “(iii) an explanation of how any re-
2 quest by the Council for information from
3 the nonbank financial company relates to
4 potential risks to the financial stability of
5 the United States and the Council’s anal-
6 ysis of the company;

7 “(iv) written notice when the Council
8 deems its evidentiary record regarding
9 such nonbank financial company to be
10 complete; and

11 “(v) an opportunity to meet with the
12 members of the Council.

13 “(3) PROPOSED DETERMINATION.—

14 “(A) VOTING.—The Council may, by a
15 vote of not fewer than $\frac{2}{3}$ of the voting members
16 then serving, including an affirmative vote by
17 the Chairperson, propose to make a determina-
18 tion in accordance with the provisions of sub-
19 section (a) or (b), as applicable, with respect to
20 a nonbank financial company.

21 “(B) DEADLINE FOR MAKING A PROPOSED
22 DETERMINATION.—With respect to a nonbank
23 financial company provided with a written no-
24 tice under paragraph (2)(C)(i), if the Council
25 does not provide the company with the written

1 notice of a proposed determination described
2 under paragraph (4) within the 180-day period
3 following the date on which the Council notifies
4 the company under paragraph (2)(C) that the
5 evidentiary record is complete, the Council may
6 not make such a proposed determination with
7 respect to such company unless the Council re-
8 peats the procedures described under paragraph
9 (2).

10 “(C) REVIEW OF ACTIONS OF PRIMARY FI-
11 NANCIAL REGULATORY AGENCY.—With respect
12 to a nonbank financial company with a primary
13 financial regulatory agency, the Council may
14 not vote under subparagraph (A) to make a
15 proposed determination unless—

16 “(i) the Council first determines that
17 any proposed regulations or other regu-
18 latory actions taken by the primary finan-
19 cial regulatory agency after receipt of the
20 resolution described under paragraph
21 (2)(A) are insufficient to mitigate the risks
22 identified in the resolution;

23 “(ii) the primary financial regulatory
24 agency has notified the Council that the
25 agency has no proposed regulations or

1 other regulatory actions to mitigate the
2 risks identified in the resolution; or

3 “(iii) the period allowed by the Coun-
4 cil under paragraph (2)(B) has elapsed
5 and the primary financial regulatory agen-
6 cy has taken no action in response to the
7 resolution.

8 “(4) NOTICE OF PROPOSED DETERMINATION.—

9 The Council shall—

10 “(A) provide to a nonbank financial com-
11 pany written notice of a proposed determination
12 of the Council, including an explanation of the
13 basis of the proposed determination of the
14 Council, that a nonbank financial company shall
15 be supervised by the Board of Governors and
16 shall be subject to prudential standards in ac-
17 cordance with this title, an explanation of the
18 specific risks to the financial stability of the
19 United States presented by the nonbank finan-
20 cial company, and a detailed explanation of why
21 existing regulations or other regulatory action
22 by the company’s primary financial regulatory
23 agency, if any, is insufficient to mitigate such
24 risk; and

1 “(B) provide the primary financial regu-
2 latory agency of the nonbank financial company
3 a copy of the nonpublic written explanation of
4 the Council’s proposed determination.

5 “(5) HEARING.—

6 “(A) IN GENERAL.—Not later than 30
7 days after the date of receipt of any notice of
8 a proposed determination under paragraph (4),
9 the nonbank financial company may request, in
10 writing, an opportunity for a written or oral
11 hearing before the Council to contest the pro-
12 posed determination, including the opportunity
13 to present a plan to modify the company’s busi-
14 ness, structure, or operations in order to miti-
15 gate the risks identified in the notice, and
16 which plan shall also include any steps the com-
17 pany expects to take during the implementation
18 period to mitigate such risks.

19 “(B) GRANT OF HEARING.—Upon receipt
20 of a timely request, the Council shall fix a time
21 (not earlier than 30 days after the date of re-
22 ceipt of the request) and place at which such
23 company may appear, personally or through
24 counsel, to—

1 “(i) submit written materials (which
2 may include a plan to modify the com-
3 pany’s business, structure, or operations);
4 or

5 “(ii) provide oral testimony and oral
6 argument to the members of the Council.

7 “(6) COUNCIL CONSIDERATION OF COMPANY
8 PLAN.—

9 “(A) IN GENERAL.—If a nonbank financial
10 company submits a plan in accordance with
11 paragraph (5), the Council shall, prior to mak-
12 ing a final determination—

13 “(i) consider whether the plan, if im-
14 plemented, would mitigate the risks identi-
15 fied in the notice under paragraph (4); and

16 “(ii) provide the nonbank financial
17 company an opportunity to revise the plan
18 after consultation with the Council.

19 “(B) VOTING.—Approval by the Council of
20 a plan submitted under paragraph (5) or re-
21 vised under subparagraph (A)(ii) shall require a
22 vote of not fewer than $\frac{2}{3}$ of the voting members
23 then serving, including an affirmative vote by
24 the Chairperson.

1 “(C) IMPLEMENTATION OF APPROVED
2 PLAN.—With respect to a nonbank financial
3 company’s plan approved by the Council under
4 subparagraph (B), the company shall have one
5 year to implement the plan, except that the
6 Council, in its sole discretion and upon request
7 from the nonbank financial company, may
8 grant one or more extensions of the implemen-
9 tation period.

10 “(D) OVERSIGHT OF IMPLEMENTATION.—

11 “(i) PERIODIC REPORTS.—The Coun-
12 cil, acting through the Office of Financial
13 Research, may require the submission of
14 periodic reports from a nonbank financial
15 company for the purpose of evaluating the
16 company’s progress in implementing a plan
17 approved by the Council under subpara-
18 graph (B).

19 “(ii) INSPECTIONS.—The Council may
20 direct the primary financial regulatory
21 agency of a nonbank financial company or
22 its subsidiaries (or, if none, the Board of
23 Governors) to inspect the company or its
24 subsidiaries for the purpose of evaluating
25 the implementation of the company’s plan.

1 “(E) AUTHORITY TO RESCIND AP-
2 PROVAL.—

3 “(i) IN GENERAL.—During the imple-
4 mentation period described under subpara-
5 graph (C), including any extensions grant-
6 ed by the Council, the Council shall retain
7 the authority to rescind its approval of the
8 plan if the Council finds, by a vote of not
9 fewer than $\frac{2}{3}$ of the voting members then
10 serving, including an affirmative vote by
11 the Chairperson, that the company’s imple-
12 mentation of the plan is no longer suffi-
13 cient to mitigate or prevent the risks iden-
14 tified in the resolution described under
15 paragraph (2)(A).

16 “(ii) FINAL DETERMINATION VOTE.—
17 The Council may proceed to a vote on final
18 determination under subsection (a) or (b),
19 as applicable, not earlier than 10 days
20 after providing the nonbank financial com-
21 pany with written notice that the Council
22 has rescinded the approval of the com-
23 pany’s plan pursuant to clause (i).

24 “(F) ACTIONS AFTER IMPLEMENTATION.—

1 “(i) EVALUATION OF IMPLEMENTA-
2 TION.—After the end of the implementa-
3 tion period described under subparagraph
4 (C), including any extensions granted by
5 the Council, the Council shall consider
6 whether the plan, as implemented by the
7 nonbank financial company, adequately
8 mitigates or prevents the risks identified in
9 the resolution described under paragraph
10 (2)(A).

11 “(ii) VOTING.—If, after performing
12 an evaluation under clause (i), not fewer
13 than $\frac{2}{3}$ of the voting members of the
14 Council then serving, including an affirma-
15 tive vote by the Chairperson, determine
16 that the plan, as implemented, adequately
17 mitigates or prevents the identified risks,
18 the Council shall not make a final deter-
19 mination under subsection (a) or (b), as
20 applicable, with respect to the nonbank fi-
21 nancial company and shall notify the com-
22 pany of the Council’s decision to take no
23 further action.

24 “(7) FINAL COUNCIL DECISIONS.—

1 “(A) IN GENERAL.—Not later than 90
2 days after the date of a hearing under para-
3 graph (5), the Council shall notify the nonbank
4 financial company of—

5 “(i) a final determination under sub-
6 section (a) or (b), as applicable;

7 “(ii) the Council’s approval of a plan
8 submitted by the nonbank financial com-
9 pany under paragraph (5) or revised under
10 paragraph (6); or

11 “(iii) the Council’s decision to take no
12 further action with respect to the nonbank
13 financial company.

14 “(B) EXPLANATORY STATEMENT.—A final
15 determination of the Council, under subsection
16 (a) or (b), shall contain a statement of the basis
17 for the decision of the Council, including the
18 reasons why the Council rejected any plan by
19 the nonbank financial company submitted under
20 paragraph (5) or revised under paragraph (6).

21 “(C) NOTICE TO PRIMARY FINANCIAL REG-
22 ULATORY AGENCY.—In the case of a final de-
23 termination under subsection (a) or (b), the
24 Council shall provide the primary financial reg-
25 ulatory agency of the nonbank financial com-

1 pany a copy of the nonpublic written expla-
2 nation of the Council’s final determination.”;

3 (5) in subsection (g), strike “before the Council
4 makes any final determination” and insert “from
5 the outset of the Council’s consideration of the com-
6 pany, including before the Council makes any pro-
7 posed or final determination”; and

8 (6) by adding at the end the following:

9 “(j) PUBLIC DISCLOSURE REQUIREMENT.—The
10 Council shall—

11 “(1) in each case where a nonbank financial
12 company has been notified that it is subject to the
13 Council’s review and the company has publicly dis-
14 closed such fact, confirm that the nonbank financial
15 company is subject to the Council’s review, in re-
16 sponse to a request from a third party;

17 “(2) upon making a final determination, pub-
18 licly provide a written explanation of the basis for its
19 decision with sufficient detail to provide the public
20 with an understanding of the specific bases of the
21 Council’s determination, including any assumptions
22 related thereof, subject to the requirements of sec-
23 tion 112(d)(5);

24 “(3) include, in the annual report required by
25 section 112, the number of nonbank financial com-

panies from the previous year subject to preliminary analysis, further review, and subject to a proposed or final determination; and

“(4) within 90 days after the enactment of this subsection, publish information regarding its methodology for calculating any quantitative thresholds or other metrics used to identify nonbank financial companies for analysis by the Council.

“(k) PERIODIC ASSESSMENT OF THE IMPACT OF DESIGNATIONS.—

“(1) ASSESSMENT.—Every five years after the date of enactment of this section, the Council shall—

“(A) conduct a study of the Council’s determinations that nonbank financial companies shall be supervised by the Board of Governors and shall be subject to prudential standards; and

“(B) comprehensively assess the impact of such determinations on the companies for which such determinations were made and the wider economy, including whether such determinations are having the intended result of improving the financial stability of the United States.

1 “(2) REPORT.—Not later than 90 days after
2 completing a study required under paragraph (1),
3 the Council shall issue a report to the Congress
4 that—

5 “(A) describes all findings and conclusions
6 made by the Council in carrying out such study;
7 and

8 “(B) identifies whether any of the Coun-
9 cil’s determinations should be rescinded or
10 whether related regulations or regulatory guid-
11 ance should be modified, streamlined, expanded,
12 or repealed.”.

13 **SEC. 923. RULE OF CONSTRUCTION.**

14 None of the amendments made by this subtitle may
15 be construed as limiting the Financial Stability Oversight
16 Council’s emergency powers under section 113(f) of the
17 Financial Stability Act of 2010 (12 U.S.C. 5323(f)).

18 **Subtitle Q—Expanding Access to**
19 **Capital for Rural Job Creators Act**

20 **SEC. 925. ACCESS TO CAPITAL FOR RURAL-AREA SMALL**
21 **BUSINESSES.**

22 Section 4(j) of the Securities Exchange Act of 1934
23 (15 U.S.C. 78d(j)) is amended—

1 (1) in paragraph(4)(C), by inserting “rural-area
2 small businesses,” after “women-owned small busi-
3 nesses,”; and

4 (2) in paragraph (6)(B)(iii), by inserting
5 “rural-area small businesses,” after “women-owned
6 small businesses,”.

7 **Subtitle R—Volcker Rule**
8 **Regulatory Harmonization Act**

9 **SEC. 926. RULEMAKING AUTHORITY UNDER THE VOLCKER**
10 **RULE.**

11 (a) IN GENERAL.—Paragraph (2) of section 13(b) of
12 the Bank Holding Company Act of 1956 (12 U.S.C.
13 1851(b)(2)) is amended to read as follows:

14 “(2) RULEMAKING.—

15 “(A) IN GENERAL.—The Board may, as
16 appropriate, consult with the Comptroller of the
17 Currency, the Federal Deposit Insurance Cor-
18 poration, the Securities and Exchange Commis-
19 sion, or the Commodity Futures Trading Com-
20 mission to adopt rules or guidance to carry out
21 this section, as provided in subparagraph (B).

22 “(B) RULEMAKING REQUIREMENTS.—In
23 adopting a rule or guidance under subpara-
24 graph (A), the Board—

1 “(i) shall consider the findings of the
2 report required in paragraph (1) and, as
3 appropriate, subsequent reports;

4 “(ii) shall assure, to the extent pos-
5 sible, that such rule or guidance provide
6 for consistent application and implementa-
7 tion of the applicable provisions of this sec-
8 tion to avoid providing advantages or im-
9 posing disadvantages to the companies af-
10 fected by this subsection and to protect the
11 safety and soundness of banking entities
12 and nonbank financial companies super-
13 vised by the Board; and

14 “(iii) shall include requirements to en-
15 sure compliance with this section, such as
16 requirements regarding internal controls
17 and recordkeeping.

18 “(C) AUTHORITY.—The Board shall have
19 sole authority to issue and amend rules under
20 this section after the date of the enactment of
21 this paragraph.

22 “(D) CONFORMING AUTHORITY.—

23 “(i) CONTINUITY OF REGULATIONS.—
24 Any rules or guidance issued under this
25 section prior to the date of enactment of

1 this paragraph shall continue in effect
2 until the Board issues a successor rule or
3 guidance, or amends such rule or guidance,
4 pursuant to subparagraph (C).

5 “(ii) APPLICABLE GUIDANCE.—In per-
6 forming examinations or other supervisory
7 duties, the appropriate Federal banking
8 agencies, the Securities and Exchange
9 Commission, and the Commodity Futures
10 Trading Commission, as appropriate, shall
11 update any applicable policies and proce-
12 dures to ensure that such policies and pro-
13 cedures are consistent (to the extent prac-
14 ticable) with any rules or guidance issued
15 pursuant to subparagraph (C).”.

16 (b) CONFORMING AMENDMENTS.—Section 13 of the
17 Bank Holding Company Act of 1956 (12 U.S.C. 1851)
18 is amended—

19 (1) by striking “the appropriate Federal bank-
20 ing agencies, the Securities and Exchange Commis-
21 sion, and the Commodity Futures Trading Commis-
22 sion,” each place it appears and inserting “the
23 Board”;

24 (2) by striking “appropriate Federal banking
25 agencies, the Securities and Exchange Commission,

1 and the Commodity Futures Trading Commission”
 2 each place it appears and inserting “Board”;

3 (3) in subsection (c)(5), by striking “Notwith-
 4 standing paragraph (2)” and all that follows
 5 through “provided in subsection (b)(2),” and insert-
 6 ing “The Board shall have the authority”; and

7 (4) in subsection (d)(1)—

8 (A) in subparagraph (F)(ii)—

9 (i) by striking “the appropriate Fed-
 10 eral banking agencies” and inserting “the
 11 Board”; and

12 (ii) by striking “have not jointly” and
 13 inserting “has not”; and

14 (B) in subparagraph (G)(viii), by striking
 15 “appropriate Federal banking agencies, the Se-
 16 curities and Exchange Commission, or the Com-
 17 modity Futures Trading Commission,” and in-
 18 serting “Board,”.

19 **SEC. 927. ENFORCEMENT; ANTI-EVASION.**

20 (a) IN GENERAL.—Subsection (e) of section 13 of the
 21 Bank Holding Company Act of 1956 (12 U.S.C. 1851(e))
 22 is amended to read as follows:

23 “(e) ENFORCEMENT; ANTI-EVASION.—

24 “(1) APPROPRIATE FEDERAL BANKING AGEN-
 25 CY.—Notwithstanding any other provision of law ex-

1 cept for any rules or guidance issued under sub-
2 section (b)(2), whenever the appropriate Federal
3 banking agency has reasonable cause to believe that
4 a banking entity or nonbank financial company su-
5 pervised by the Board has made an investment or
6 engaged in an activity in a manner that either vio-
7 lates the restrictions under this section, or that
8 functions as an evasion of the requirements of this
9 section (including through an abuse of any permitted
10 activity), such appropriate Federal banking agency
11 shall order, after due notice and opportunity for
12 hearing, the banking entity or nonbank financial
13 company supervised by the Board to terminate the
14 activity and, as relevant, dispose of the investment.

15 “(2) SECURITIES AND EXCHANGE COMMISSION
16 AND COMMODITY FUTURES TRADING COMMISSION.—

17 “(A) IN GENERAL.—Notwithstanding any
18 other provision of law except for any rules or
19 guidance issued under subsection (b)(2), when-
20 ever the Securities and Exchange Commission
21 or the Commodity Futures Trading Commis-
22 sion, as appropriate, has reasonable cause to
23 believe that a covered nonbank financial com-
24 pany for which the respective agency is the pri-
25 mary Federal regulator has made an investment

1 or engaged in an activity in a manner that ei-
2 ther violates the restrictions under this section,
3 or that functions as an evasion of the require-
4 ments of this section (including through an
5 abuse of any permitted activity), the Securities
6 and Exchange Commission or the Commodity
7 Futures Trading Commission, as appropriate,
8 shall order, after due notice and opportunity for
9 hearing, the covered nonbank financial company
10 to terminate the activity and, as relevant, dis-
11 pose of the investment.

12 “(B) COVERED NONBANK FINANCIAL COM-
13 PANY DEFINED.—In this paragraph, the term
14 ‘covered nonbank financial company’ means a
15 nonbank financial company (as defined in sec-
16 tion 102 of the Financial Stability Act of 2010)
17 supervised by the Securities and Exchange
18 Commission or the Commodity Futures Trading
19 Commission, as appropriate.”.

20 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion shall be construed to abrogate, reduce, or eliminate
22 the backup authority of the Federal Deposit Insurance
23 Corporation authority under the Dodd-Frank Wall Street
24 Reform and Consumer Protection Act (12 U.S.C. 5301
25 et seq.), the Federal Deposit Insurance Act (12 U.S.C.

1 1811), or Federal Deposit Insurance Corporation Im-
2 provement Act of 1991.

3 **SEC. 928. EXCLUSION OF COMMUNITY BANKS FROM**
4 **VOLCKER RULE.**

5 Section 13(h)(1) of the Bank Holding Company Act
6 of 1956 (12 U.S.C. 1851(h)(1)) is amended—

7 (1) in subparagraph (D), by redesignating
8 clauses (i) and (ii) as subclauses (I) and (II), respec-
9 tively, and adjusting the margins accordingly;

10 (2) by redesignating subparagraphs (A), (B),
11 (C), and (D) as clauses (i), (ii), (iii), and (iv), re-
12 spectively, and adjusting the margins accordingly;

13 (3) in the matter preceding clause (i), as so re-
14 designated, in the second sentence, by striking “in-
15 stitution that functions solely in a trust or fiduciary
16 capacity, if—” and inserting the following: “institu-
17 tion—

18 “(A) that functions solely in a trust or fi-
19 duciary capacity, if—”;

20 (4) in clause (iv)(II), as so redesignated, by
21 striking the period at the end and inserting “; or”;
22 and

23 (5) by adding at the end the following:

24 “(B) that does not have and is not con-
25 trolled by a company that has—

1 “(i) more than \$10,000,000,000 in
 2 total consolidated assets; and
 3 “(ii) total trading assets and trading
 4 liabilities, as reported on the most recent
 5 applicable regulatory filing filed by the in-
 6 stitution, that are more than 5 percent of
 7 total consolidated assets.”.

8 **Subtitle S—Financial Institution**
 9 **Living Will Improvement Act**

10 **SEC. 929. LIVING WILL REFORMS.**

11 (a) IN GENERAL.—Section 165(d) of the Dodd-
 12 Frank Wall Street Reform and Consumer Protection Act
 13 (12 U.S.C. 5365(d)) is amended—

14 (1) in paragraph (1), by striking “periodically”
 15 and inserting “every 2 years”; and

16 (2) in paragraph (3)—

17 (A) by striking “The Board” and inserting
 18 the following:

19 “(A) IN GENERAL.—The Board”;

20 (B) by striking “shall review” and insert-
 21 ing the following: “shall—

22 “(i) review”;

23 (C) by striking the period and inserting “;
 24 and”; and

25 (D) by adding at the end the following:

1 “(ii) not later than the end of the 6-
2 month period beginning on the date the
3 company submits the resolution plan, pro-
4 vide feedback to the company on such
5 plan.

6 “(B) DISCLOSURE OF ASSESSMENT
7 FRAMEWORK.—The Board of Governors and
8 the Corporation shall publicly disclose the as-
9 sessment framework that is used to review in-
10 formation under this paragraph.”.

11 (b) TREATMENT OF OTHER RESOLUTION PLAN RE-
12 QUIREMENTS.—

13 (1) IN GENERAL.—With respect to an appro-
14 priate Federal banking agency that requires a bank-
15 ing organization to submit to the agency a resolution
16 plan not described under section 165(d) of the
17 Dodd-Frank Wall Street Reform and Consumer Pro-
18 tection Act—

19 (A) the respective agency shall ensure that
20 the review of such resolution plan is consistent
21 with the requirements contained in the amend-
22 ments made by this subtitle;

23 (B) the agency may not require the sub-
24 mission of such a resolution plan more often
25 than every 2 years; and

1 (C) paragraphs (6) and (7) of such section
2 165(d) shall apply to such a resolution plan.

3 (2) DEFINITIONS.—For purposes of this sub-
4 section:

5 (A) APPROPRIATE FEDERAL BANKING
6 AGENCY.—The term “appropriate Federal
7 banking agency”—

8 (i) has the meaning given such term
9 under section 3 of the Federal Deposit In-
10 surance Act; and

11 (ii) means the National Credit Union
12 Administration, in the case of an insured
13 credit union.

14 (B) BANKING ORGANIZATION.—The term
15 “banking organization” means—

16 (i) an insured depository institution;

17 (ii) an insured credit union;

18 (iii) a depository institution holding
19 company;

20 (iv) a company that is treated as a
21 bank holding company for purposes of sec-
22 tion 8 of the International Banking Act;
23 and

24 (v) a U.S. intermediate holding com-
25 pany established by a foreign banking or-

1 ganization pursuant to section 252.153 of
2 title 12, Code of Federal Regulations.

3 (C) INSURED CREDIT UNION.—The term
4 “insured credit union” has the meaning given
5 that term under section 101 of the Federal
6 Credit Union Act.

7 (D) OTHER BANKING TERMS.—The terms
8 “depository institution holding company” and
9 “insured depository institution” have the mean-
10 ing given those terms, respectively, under sec-
11 tion 3 of the Federal Deposit Insurance Act.

12 (c) RULE OF CONSTRUCTION.—Nothing in this sub-
13 title, or any amendment made by this subtitle, shall be
14 construed as limiting the authority of an appropriate Fed-
15 eral banking agency (as defined under subsection (b)(2))
16 to obtain information from an institution in connection
17 with such agency’s authority to examine or require reports
18 from the institution.

1 **Subtitle T—Financial Institutions**
2 **Examination Fairness and Re-**
3 **form Act**

4 **SEC. 930. AMENDMENT TO DEFINITION OF FINANCIAL IN-**
5 **STITUTION.**

6 Section 1003(3) of the Federal Financial Institutions
7 Examination Council Act of 1978 (12 U.S.C. 3302(3)) is
8 amended to read as follows:

9 “(3) the term ‘financial institution’—

10 “(A) means a commercial bank, a savings
11 bank, a trust company, a savings association, a
12 building and loan association, a homestead as-
13 sociation, a cooperative bank, or a credit union;
14 and

15 “(B) for purposes of sections 1012, 1013,
16 and 1014, includes a nondepository covered per-
17 son subject to supervision by the Bureau of
18 Consumer Financial Protection under section
19 1024 of the Consumer Financial Protection Act
20 of 2010 (12 U.S.C. 5514).”.

21 **SEC. 931. TIMELINESS OF EXAMINATION REPORTS.**

22 The Federal Financial Institutions Examination
23 Council Act of 1978 (12 U.S.C. 3301 et seq.) is amended
24 by adding at the end the following:

1 **“SEC. 1012. TIMELINESS OF EXAMINATION REPORTS.**

2 “(a) IN GENERAL.—

3 “(1) FINAL EXAMINATION REPORT.—A Federal
4 financial institutions regulatory agency shall provide
5 a final examination report to a financial institution
6 not later than 60 days after the later of—

7 “(A) the exit interview for an examination
8 of the institution; or

9 “(B) the provision of additional informa-
10 tion by the institution relating to the examina-
11 tion.

12 “(2) EXIT INTERVIEW.—If a financial institu-
13 tion is not subject to a resident examiner program,
14 the exit interview shall occur not later than the end
15 of the 9-month period beginning on the commence-
16 ment of the examination, except that such period
17 may be extended by the Federal financial institu-
18 tions regulatory agency by providing written notice
19 to the institution and the Independent Examination
20 Review Director describing with particularity the
21 reasons that a longer period is needed to complete
22 the examination.

23 “(b) EXAMINATION MATERIALS.—Upon the request
24 of a financial institution, the Federal financial institutions
25 regulatory agency shall include with the final report an
26 appendix listing all examination or other factual informa-

1 tion relied upon by the agency in support of a material
2 supervisory determination.”.

3 **SEC. 932. INDEPENDENT EXAMINATION REVIEW DIRECTOR.**

4 The Federal Financial Institutions Examination
5 Council Act of 1978 (12 U.S.C. 3301 et seq.), as amended
6 by section 931, is further amended by adding at the end
7 the following:

8 **“SEC. 1013. OFFICE OF INDEPENDENT EXAMINATION RE-**
9 **VIEW.**

10 “(a) ESTABLISHMENT.—There is established in the
11 Council an Office of Independent Examination Review
12 (the ‘Office’).

13 “(b) HEAD OF OFFICE.—There is established the po-
14 sition of the Independent Examination Review Director
15 (the ‘Director’), as the head of the Office. The Director
16 shall be appointed by the Council and shall be independent
17 from any member agency of the Council.

18 “(c) TERM.—The Director shall serve for a term of
19 5 years, and may be appointed to serve a subsequent 5-
20 year term.

21 “(d) STAFFING.—The Director is authorized to hire
22 staff to support the activities of the Office.

23 “(e) DUTIES.—The Director shall—

24 “(1) receive and, at the Director’s discretion,
25 investigate complaints from financial institutions,

1 their representatives, or another entity acting on be-
2 half of such institutions, concerning examinations,
3 examination practices, or examination reports;

4 “(2) hold meetings, at least once every three
5 months and in locations designed to encourage par-
6 ticipation from all sections of the United States,
7 with financial institutions, their representatives, or
8 another entity acting on behalf of such institutions,
9 to discuss examination procedures, examination
10 practices, or examination policies;

11 “(3) in accordance with subsection (f), review
12 examination procedures of the Federal financial in-
13 stitutions regulatory agencies to ensure that the
14 written examination policies of those agencies are
15 being followed in practice and adhere to the stand-
16 ards for consistency established by the Council;

17 “(4) conduct a continuing and regular review of
18 examination quality assurance for all examination
19 types conducted by the Federal financial institutions
20 regulatory agencies;

21 “(5) adjudicate any supervisory appeal initiated
22 under section 1014; and

23 “(6) report annually to the Committee on Fi-
24 nancial Services of the House of Representatives, the
25 Committee on Banking, Housing, and Urban Affairs

1 of the Senate, and the Council, on the reviews car-
 2 ried out pursuant to paragraphs (3) and (4), includ-
 3 ing compliance with the requirements set forth in
 4 section 1012 regarding timeliness of examination re-
 5 ports, and the Council’s recommendations for im-
 6 provements in examination procedures, practices,
 7 and policies.

8 “(f) STANDARD FOR REVIEWING EXAMINATION PRO-
 9 CEDURES.—In conducting reviews pursuant to subsection
 10 (e)(4), the Director shall prioritize factors relating to the
 11 safety and soundness of the financial system of the United
 12 States.

13 “(g) REMOVAL.—If the Director is removed from of-
 14 fice, the Council shall communicate in writing the reasons
 15 for any such removal to the Committee on Financial Serv-
 16 ices of the House of Representatives and the Committee
 17 on Banking, Housing, and Urban Affairs of the Senate
 18 not later than 30 days before the removal.

19 “(h) CONFIDENTIALITY.—The Director shall keep
 20 confidential all meetings with, discussions with, and infor-
 21 mation provided by financial institutions.”.

22 **SEC. 933. RIGHT TO INDEPENDENT REVIEW OF MATERIAL**
 23 **SUPERVISORY DETERMINATIONS.**

24 The Federal Financial Institutions Examination
 25 Council Act of 1978 (12 U.S.C. 3301 et seq.), as amended

1 by section 932, is further amended by adding at the end
2 the following:

3 **“SEC. 1014. RIGHT TO INDEPENDENT REVIEW OF MATERIAL**
4 **SUPERVISORY DETERMINATIONS.**

5 “(a) IN GENERAL.—A financial institution shall have
6 the right to obtain an independent review of a material
7 supervisory determination contained in a final report of
8 examination.

9 “(b) NOTICE.—

10 “(1) TIMING.—A financial institution seeking
11 review of a material supervisory determination under
12 this section shall file a written notice with the Inde-
13 pendent Examination Review Director (the ‘Direc-
14 tor’) within 60 days after receiving the final report
15 of examination that is the subject of such review.

16 “(2) IDENTIFICATION OF DETERMINATION.—
17 The written notice shall identify the material super-
18 visory determination that is the subject of the inde-
19 pendent examination review, and a statement of the
20 reasons why the institution believes that the deter-
21 mination is incorrect or should otherwise be modi-
22 fied.

23 “(3) INFORMATION TO BE PROVIDED TO INSTI-
24 TUTION.—Any information relied upon by the agen-
25 cy in the final report that is not in the possession

1 of the financial institution may be requested by the
2 financial institution and shall be delivered promptly
3 by the agency to the financial institution.

4 “(c) RIGHT TO HEARING.—

5 “(1) IN GENERAL.—The Director shall deter-
6 mine the merits of the appeal on the record or, at
7 the financial institution’s election, shall refer the ap-
8 peal to an Administrative Law Judge to conduct a
9 confidential hearing pursuant to the procedures set
10 forth under sections 556 and 557 of title 5, United
11 States Code, which hearing shall take place not later
12 than 60 days after the petition for review was re-
13 ceived by the Director, and to issue a proposed deci-
14 sion to the Director based upon the record estab-
15 lished at such hearing.

16 “(2) STANDARD OF REVIEW.—In rendering a
17 determination or recommendation under this sub-
18 section, neither the Administrative Law Judge nor
19 the Director shall defer to the opinions of the exam-
20 iner or agency, but shall conduct a de novo review
21 to independently determine the appropriateness of
22 the agency’s decision based upon the relevant stat-
23 utes, regulations, and other appropriate guidance, as
24 well as evidence adduced at any hearing.

1 “(d) FINAL DECISION.—A decision by the Director
2 on an independent review under this section shall—

3 “(1) be made not later than 60 days after the
4 record has been closed; and

5 “(2) subject to subsection (e), be deemed a final
6 agency action and shall bind the agency whose su-
7 pervisory determination was the subject of the re-
8 view and the financial institution requesting the re-
9 view.

10 “(e) LIMITED REVIEW BY FFIEC.—

11 “(1) IN GENERAL.—If the agency whose super-
12 visory determination was the subject of the review
13 believes that the Director’s decision under subsection
14 (d) would pose an imminent threat to the safety and
15 soundness of the financial institution, such agency
16 may file a written notice seeking review of the Direc-
17 tor’s decision with the Council within 10 days of re-
18 ceiving the Director’s decision.

19 “(2) STANDARD OF REVIEW.—In making a de-
20 termination under this subsection, the Council shall
21 conduct a review to determine whether there is sub-
22 stantial evidence that the Director’s decision would
23 pose an imminent threat to the safety and soundness
24 of the financial institution.

1 “(3) FINAL DETERMINATION.—A determination
2 by the Council shall—

3 “(A) be made not later than 30 days after
4 the filing of the notice pursuant to paragraph
5 (1); and

6 “(B) be deemed a final agency action and
7 shall bind the agency whose supervisory deter-
8 mination was the subject of the review and the
9 financial institution requesting the review.

10 “(f) RIGHT TO JUDICIAL REVIEW.—A financial insti-
11 tution shall have the right to petition for review of final
12 agency action under this section by filing a Petition for
13 Review within 60 days of the Director’s decision or the
14 Council’s decision in the United States Court of Appeals
15 for the District of Columbia Circuit or the Circuit in which
16 the financial institution is located.

17 “(g) REPORT.—The Director shall report annually to
18 the Committee on Financial Services of the House of Rep-
19 resentatives and the Committee on Banking, Housing, and
20 Urban Affairs of the Senate on actions taken under this
21 section, including the types of issues that the Director has
22 reviewed and the results of those reviews. In no case shall
23 such a report contain information about individual finan-
24 cial institutions or any confidential or privileged informa-
25 tion shared by financial institutions.

1 “(h) RETALIATION PROHIBITED.—A Federal finan-
2 cial institutions regulatory agency may not—

3 “(1) retaliate against a financial institution, in-
4 cluding service providers, or any institution-affiliated
5 party (as defined under section 3 of the Federal De-
6 posit Insurance Act), for exercising appellate rights
7 under this section; or

8 “(2) delay or deny any agency action that
9 would benefit a financial institution or any institu-
10 tion-affiliated party on the basis that an appeal
11 under this section is pending under this section.

12 “(i) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion may be construed—

14 “(1) to affect the right of a Federal financial
15 institutions regulatory agency to take enforcement
16 or other supervisory actions related to a material su-
17 pervisory determination under review under this sec-
18 tion; or

19 “(2) to prohibit the review under this section of
20 a material supervisory determination with respect to
21 which there is an ongoing enforcement or other su-
22 pervisory action.”.

23 **SEC. 934. ADDITIONAL AMENDMENTS.**

24 (a) RIEGLE COMMUNITY DEVELOPMENT AND REGU-
25 LATORY IMPROVEMENT ACT OF 1994.—Section 309 of the

1 Riegle Community Development and Regulatory Improve-
2 ment Act of 1994 (12 U.S.C. 4806) is amended—

3 (1) in subsection (a), by inserting after “appro-
4 priate Federal banking agency” the following: “, the
5 Bureau of Consumer Financial Protection,”;

6 (2) in subsection (b)—

7 (A) in paragraph (2), by striking “the ap-
8 pellant from retaliation by agency examiners”
9 and inserting “the insured depository institu-
10 tion or insured credit union from retaliation by
11 the agencies referred to in subsection (a)”;

12 (B) by adding at the end the following
13 flush-left text:

14 “For purposes of this subsection and subsection (e), retal-
15 iation includes delaying consideration of, or withholding
16 approval of, any request, notice, or application that other-
17 wise would have been approved, but for the exercise of the
18 institution’s or credit union’s rights under this section.”;

19 (3) in subsection (e)(2)—

20 (A) in subparagraph (B), by striking
21 “and” at the end;

22 (B) in subparagraph (C), by striking the
23 period and inserting “; and”; and

24 (C) by adding at the end the following:

1 “(D) ensure that appropriate safeguards
2 exist for protecting the insured depository insti-
3 tution or insured credit union from retaliation
4 by any agency referred to in subsection (a) for
5 exercising its rights under this subsection.”;
6 and

7 (4) in subsection (f)(1)(A)—

8 (A) in clause (ii), by striking “and” at the
9 end;

10 (B) in clause (iii), by striking “and” at the
11 end; and

12 (C) by adding at the end the following:

13 “(iv) any issue specifically listed in an
14 exam report as a matter requiring atten-
15 tion by the institution’s management or
16 board of directors; and

17 “(v) any suspension or removal of an
18 institution’s status as eligible for expedited
19 processing of applications, requests, no-
20 tices, or filings on the grounds of a super-
21 visory or compliance concern, regardless of
22 whether that concern has been cited as a
23 basis for another material supervisory de-
24 termination or matter requiring attention
25 in an examination report, provided that the

1 conduct at issue did not involve violation of
2 any criminal law; and”.

3 (b) FEDERAL CREDIT UNION ACT.—Section 205(j)
4 of the Federal Credit Union Act (12 U.S.C. 1785(j)) is
5 amended by inserting “the Bureau of Consumer Financial
6 Protection,” before “the Administration” each place such
7 term appears.

8 (c) FEDERAL FINANCIAL INSTITUTIONS EXAMINA-
9 TION COUNCIL ACT OF 1978.—The Federal Financial In-
10 stitutions Examination Council Act of 1978 (12 U.S.C.
11 3301 et seq.) is amended—

12 (1) in section 1003, by amending paragraph (1)
13 to read as follows:

14 “(1) the term ‘Federal financial institutions
15 regulatory agencies’—

16 “(A) means the Office of the Comptroller
17 of the Currency, the Board of Governors of the
18 Federal Reserve System, the Federal Deposit
19 Insurance Corporation, and the National Credit
20 Union Administration; and

21 “(B) for purposes of sections 1012, 1013,
22 and 1014, includes the Bureau of Consumer Fi-
23 nancial Protection;”; and

24 (2) in section 1005, by striking “One-fifth” and
25 inserting “One-fourth”.

1 **Subtitle U—TRID Improvement Act**

2 **SEC. 936. AMENDMENTS TO MORTGAGE DISCLOSURE RE-**
3 **QUIREMENTS.**

4 Section 4(a) of the Real Estate Settlement Proce-
5 dures Act of 1974 (12 U.S.C. 2603(a)) is amended—

6 (1) by striking “itemize all charges” and insert-
7 ing “itemize all actual charges”;

8 (2) by striking “and all charges imposed upon
9 the seller in connection with the settlement and” and
10 inserting “and the seller in connection with the set-
11 tlement. Such forms”; and

12 (3) by inserting after “or both.” the following
13 new sentence: “Charges for any title insurance pre-
14 mium disclosed on such forms shall be equal to the
15 amount charged for each individual title insurance
16 policy, subject to any discounts as required by State
17 regulation or the title company rate filings.”.

18 **Subtitle V—Common Sense Credit**
19 **Union Capital Relief Act**

20 **SEC. 938. DELAY IN EFFECTIVE DATE.**

21 Notwithstanding any effective date set forth in the
22 rule issued by the National Credit Union Administration
23 titled “Risk-Based Capital” (published at 80 Fed. Reg.
24 66626 (October 29, 2015)), such final rule shall take ef-
25 fect on January 1, 2021.

1 **Subtitle W—Bureau of Consumer**
2 **Financial Protection—Inspector**
3 **General Reform Act**

4 **SEC. 939. APPOINTMENT OF INSPECTOR GENERAL.**

5 The Inspector General Act of 1978 (5 U.S.C. App.)
6 is amended—

7 (1) in section 8G—

8 (A) in subsection (a)(2), by striking “and
9 the Bureau of Consumer Financial Protection”;

10 (B) in subsection (c), by striking “For
11 purposes of implementing this section” and all
12 that follows through the end of the subsection;
13 and

14 (C) in subsection (g)(3), by striking “and
15 the Bureau of Consumer Financial Protection”;
16 and

17 (2) in section 12—

18 (A) in paragraph (1), by inserting “the Di-
19 rector of the Bureau of Consumer Financial
20 Protection;” after “the President of the Export-
21 Import Bank;”; and

22 (B) in paragraph (2), by inserting “the
23 Bureau of Consumer Financial Protection,”
24 after “the Export-Import Bank,”.

1 **SEC. 940. REQUIREMENTS FOR THE INSPECTOR GENERAL**
2 **FOR THE BUREAU OF CONSUMER FINANCIAL**
3 **PROTECTION.**

4 (a) ESTABLISHMENT.—Section 1011 of the Dodd-
5 Frank Wall Street Reform and Consumer Protection Act
6 (12 U.S.C. 5491) is amended—

7 (1) in subsection (b)—

8 (A) in the subsection heading, by striking
9 “AND DEPUTY DIRECTOR” and inserting “,
10 DEPUTY DIRECTOR, AND INSPECTOR GEN-
11 ERAL”; and

12 (B) by inserting after paragraph (5) the
13 following:

14 “(6) INSPECTOR GENERAL.—There is estab-
15 lished the position of the Inspector General.”; and

16 (2) in subsection (d), by striking “or Deputy
17 Director” each place it appears and inserting “,
18 Deputy Director, or Inspector General”.

19 (b) HEARINGS.—Section 1016 of such Act is amend-
20 ed by inserting after subsection (c) the following:

21 “(d) ADDITIONAL REQUIREMENT FOR INSPECTOR
22 GENERAL.—On a separate occasion from that described
23 in subsection (a), the Inspector General of the Bureau
24 shall appear, upon invitation, before the Committee on
25 Banking, Housing, and Urban Affairs of the Senate and
26 the Committee on Financial Services of the House of Rep-

1 representatives at hearings no less frequently than twice an-
 2 nually, at a date determined by the chairman of the re-
 3 spective committee, regarding the reports required under
 4 subsection (b) and the reports required under section 5
 5 of the Inspector General Act of 1978 (5 U.S.C. App.).”.

6 (c) FUNDING FOR OFFICE OF INSPECTOR GEN-
 7 ERAL.—Section 1017(a)(2) of such Act is amended—

8 (1) by redesignating subparagraph (C) as sub-
 9 paragraph (D); and

10 (2) by inserting after subparagraph (B) the fol-
 11 lowing:

12 “(C) FUNDING FOR OFFICE OF INSPECTOR
 13 GENERAL.—Each fiscal year, the Bureau shall
 14 dedicate 2 percent of the funds transferred pur-
 15 suant to paragraph (1) to the Office of the In-
 16 spector General.”.

17 (d) PARTICIPATION IN THE COUNCIL OF INSPECTORS
 18 GENERAL ON FINANCIAL OVERSIGHT.—Section
 19 989E(a)(1) of such Act is amended by adding at the end
 20 the following:

21 “(J) The Bureau of Consumer Financial
 22 Protection.”.

23 **SEC. 941. EFFECTIVE DATE.**

24 The amendments made by this subtitle shall take ef-
 25 fect 60 days after the date of the enactment of this Act.

1 **SEC. 942. TRANSITION PERIOD.**

2 The Inspector General of the Board of Governors of
3 the Federal Reserve System and the Bureau of Consumer
4 Financial Protection shall serve in that position until the
5 confirmation of an Inspector General for the Bureau of
6 Consumer Financial Protection. At that time, the Inspec-
7 tor General of the Board of Governors of the Federal Re-
8 serve System and the Bureau of Consumer Financial Pro-
9 tection shall become the Inspector General of the Board
10 of Governors of the Federal Reserve System.

11 **Subtitle X—BCFP on**
12 **Appropriations**

13 **SEC. 943. BUREAU APPROPRIATIONS.**

14 (a) FISCAL YEAR 2019.—The Director of the Bureau
15 of Consumer Financial Protection may not request, under
16 section 1017 of the Consumer Financial Protection Act
17 of 2010, during fiscal year 2019 an amount that would
18 result in the total amount requested by the Director dur-
19 ing that fiscal year to exceed \$485,000,000.

20 (b) FISCAL YEAR 2020 AND THEREAFTER.—Effec-
21 tive as of the first day of fiscal year 2020, section 1017
22 of the Consumer Financial Protection Act of 2010 (12
23 U.S.C. 5497) is amended—

24 (1) in subsection (a)—

1 (A) by amending the heading of such sub-
2 section to read as follows: “BUDGET, FINAN-
3 CIAL MANAGEMENT, AND AUDIT.—”;

4 (B) by striking paragraphs (1), (2), and
5 (3);

6 (C) by redesignating paragraphs (4) and
7 (5) as paragraphs (1) and (2), respectively; and

8 (D) by striking subparagraphs (E) and (F)
9 of paragraph (1), as so redesignated;
10 (2) by striking subsections (b) and (c);

11 (3) by redesignating subsections (d) and (e) as
12 subsections (b) and (c), respectively; and

13 (4) in subsection (c), as so redesignated—

14 (A) by striking paragraphs (1), (2), and
15 (3) and inserting the following:

16 “(1) AUTHORIZATION OF APPROPRIATION.—
17 There authorized to be appropriated for fiscal year
18 2020 to the Bureau from the combined earnings of
19 the Federal Reserve System \$485,000,000.”; and

20 (B) by redesignating paragraph (4) as
21 paragraph (2).

1 **Subtitle Y—Stress Test Relief for**
2 **Nonbanks**

3 **SEC. 944. STRESS TEST RELIEF FOR NONBANKS.**

4 Section 165(i)(2) of the Dodd-Frank Wall Street Re-
5 form and Consumer Protection Act (12 U.S.C. 5365(i)(2))
6 is amended—

7 (1) in subparagraph (A), by striking “are regu-
8 lated by a primary Federal financial regulatory
9 agency” and inserting: “whose primary financial reg-
10 ulatory agency is a Federal banking agency or the
11 Federal Housing Finance Agency”;

12 (2) in subparagraph (C), by striking “Each
13 Federal primary financial regulatory agency” and
14 inserting “Each Federal banking agency and the
15 Federal housing finance agency”; and

16 (3) by adding at the end the following:

17 “(D) SEC AND CFTC.—The Securities and
18 Exchange Commission and the Commodity Fu-
19 tures Trading Commission may each issue regu-
20 lations requiring financial companies with re-
21 spect to which they are the primary financial
22 regulatory agency to conduct periodic analyses
23 of the financial condition, including available li-
24 quidity, of such companies under adverse eco-
25 nomic conditions.”.

1 **Subtitle Z—Interaffiliate Language**

2 **SEC. 945. INTERAFFILIATE TREATMENT WITH RESPECT TO**
3 **INITIAL MARGIN REQUIREMENTS.**

4 Section 15F(e)(4) of the Securities Exchange Act of
5 1934 (15 U.S.C. 78o–10(e)(4)) is amended—

6 (1) by striking “The requirements” and insert-
7 ing the following:

8 “(A) IN GENERAL.—The requirements”;
9 and

10 (2) by adding at the end the following:

11 “(B) INITIAL MARGIN REQUIREMENT.—
12 The initial margin requirements imposed by
13 rules adopted pursuant to paragraphs (2)(A)(ii)
14 and (2)(B)(ii) shall not apply to any security-
15 based swap in which—

16 “(i) one counterparty is a person in
17 which the other counterparty, directly or
18 indirectly, holds a majority ownership in-
19 terest; or

20 “(ii) a third party, directly or indi-
21 rectly, holds a majority ownership interest
22 in both counterparties.”.

1 **Subtitle AA—Tailored Application**
 2 **of Prudential Standards**

3 **SEC. 946. TAILORED APPLICATION OF PRUDENTIAL STAND-**
 4 **ARDS.**

5 Section 165(a)(2)(A) of the Financial Stability Act
 6 of 2010 (12 U.S.C. 5365(a)(2)(A)) is amended by insert-
 7 ing before the period the following: “to ensure that compa-
 8 nies with comparable risk profiles and business models are
 9 operating under a similar set of requirements”.

10 **Subtitle BB—Authority to Remove**
 11 **Bureau Director**

12 **SEC. 947. AUTHORITY TO REMOVE BUREAU DIRECTOR.**

13 Section 1011(c) of the Consumer Financial Protec-
 14 tion Act of 2010 (12 U.S.C. 5491(c)) is amended by strik-
 15 ing paragraph (3).

16 **Subtitle CC—Congressional Review**
 17 **of Bureau Rulemaking**

18 **SEC. 948. CONGRESSIONAL REVIEW OF BUREAU RULE-**
 19 **MAKING.**

20 Chapter 8 of title 5, United States Code, is amended
 21 to read as follows:

22 **“CHAPTER 8—CONGRESSIONAL REVIEW**
 23 **OF BUREAU RULEMAKING**

“Sec.

“801. Congressional review.

“802. Congressional approval procedure for major rules.

“803. Congressional disapproval procedure for nonmajor rules.

“804. Definitions.

“805. Judicial review.

“806. Exemption for monetary policy.

“807. Effective date of certain rules.

“808. Regulatory cut-go requirement.

“809. Review of rules currently in effect.

1 § 801. Congressional review

2 “(a)(1)(A) Before a rule may take effect, the Bureau
3 shall satisfy the requirements of section 808 and shall
4 publish in the Federal Register a list of information on
5 which the rule is based, including data, scientific and eco-
6 nomic studies, and cost-benefit analyses, and identify how
7 the public can access such information online, and shall
8 submit to each House of the Congress and to the Comp-
9 troller General a report containing—

10 “(i) a copy of the rule;

11 “(ii) a concise general statement relating to the
12 rule;

13 “(iii) a classification of the rule as a major or
14 nonmajor rule, including an explanation of the clas-
15 sification specifically addressing each criteria for a
16 major rule contained within sections 804(2)(A),
17 804(2)(B), and 804(2)(C);

18 “(iv) a list of any other related regulatory ac-
19 tions intended to implement the same statutory pro-
20 vision or regulatory objective as well as the indi-
21 vidual and aggregate economic effects of those ac-
22 tions; and

1 “(v) the proposed effective date of the rule.

2 “(B) On the date of the submission of the report
3 under subparagraph (A), the Bureau shall submit to the
4 Comptroller General and make available to each House of
5 Congress—

6 “(i) a complete copy of the cost-benefit analysis
7 of the rule, if any, including an analysis of any jobs
8 added or lost, differentiating between public and pri-
9 vate sector jobs;

10 “(ii) the Bureau’s actions pursuant to sections
11 603, 604, 605, 607, and 609 of this title;

12 “(iii) the Bureau’s actions pursuant to sections
13 202, 203, 204, and 205 of the Unfunded Mandates
14 Reform Act of 1995; and

15 “(iv) any other relevant information or require-
16 ments under any other Act and any relevant Execu-
17 tive orders.

18 “(C) Upon receipt of a report submitted under sub-
19 paragraph (A), each House shall provide copies of the re-
20 port to the chairman and ranking member of each stand-
21 ing committee with jurisdiction under the rules of the
22 House of Representatives or the Senate to report a bill
23 to amend the provision of law under which the rule is
24 issued.

1 “(2)(A) The Comptroller General shall provide a re-
2 port on each major rule to the committees of jurisdiction
3 by the end of 15 calendar days after the submission or
4 publication date. The report of the Comptroller General
5 shall include an assessment of the Bureau’s compliance
6 with procedural steps required by paragraph (1)(B) and
7 an assessment of whether the major rule imposes any new
8 limits or mandates on private-sector activity.

9 “(B) Federal agencies shall cooperate with the Comp-
10 troller General by providing information relevant to the
11 Comptroller General’s report under subparagraph (A).

12 “(3) A major rule relating to a report submitted
13 under paragraph (1) shall take effect upon enactment of
14 a joint resolution of approval described in section 802 or
15 as provided for in the rule following enactment of a joint
16 resolution of approval described in section 802, whichever
17 is later.

18 “(4) A nonmajor rule shall take effect as provided
19 by section 803 after submission to Congress under para-
20 graph (1).

21 “(5) If a joint resolution of approval relating to a
22 major rule is not enacted within the period provided in
23 subsection (b)(2), then a joint resolution of approval relat-
24 ing to the same rule may not be considered under this

1 chapter in the same Congress by either the House of Rep-
2 resentatives or the Senate.

3 “(b)(1) A major rule shall not take effect unless the
4 Congress enacts a joint resolution of approval described
5 under section 802.

6 “(2) If a joint resolution described in subsection (a)
7 is not enacted into law by the end of 70 session days or
8 legislative days, as applicable, beginning on the date on
9 which the report referred to in section 801(a)(1)(A) is re-
10 ceived by Congress (excluding days either House of Con-
11 gress is adjourned for more than 3 days during a session
12 of Congress), then the rule described in that resolution
13 shall be deemed not to be approved and such rule shall
14 not take effect.

15 “(c)(1) Notwithstanding any other provision of this
16 section (except subject to paragraph (3)), a major rule
17 may take effect for one 90-calendar-day period if the
18 President makes a determination under paragraph (2) and
19 submits written notice of such determination to the Con-
20 gress.

21 “(2) Paragraph (1) applies to a determination made
22 by the President by Executive order that the major rule
23 should take effect because such rule is—

24 “(A) necessary because of an imminent threat
25 to health or safety or other emergency;

1 “(B) necessary for the enforcement of criminal
2 laws;

3 “(C) necessary for national security; or

4 “(D) issued pursuant to any statute imple-
5 menting an international trade agreement.

6 “(3) An exercise by the President of the authority
7 under this subsection shall have no effect on the proce-
8 dures under section 802.

9 “(d)(1) In addition to the opportunity for review oth-
10 erwise provided under this chapter, in the case of any rule
11 for which a report was submitted in accordance with sub-
12 section (a)(1)(A) during the period beginning on the date
13 occurring—

14 “(A) in the case of the Senate, 60 session days;
15 or

16 “(B) in the case of the House of Representa-
17 tives, 60 legislative days,

18 before the date the Congress is scheduled to adjourn a
19 session of Congress through the date on which the same
20 or succeeding Congress first convenes its next session, sec-
21 tions 802 and 803 shall apply to such rule in the suc-
22 ceeding session of Congress.

23 “(2)(A) In applying sections 802 and 803 for pur-
24 poses of such additional review, a rule described under
25 paragraph (1) shall be treated as though—

1 “(i) such rule were published in the Federal
2 Register on—

3 “(I) in the case of the Senate, the 15th
4 session day; or

5 “(II) in the case of the House of Rep-
6 resentatives, the 15th legislative day,
7 after the succeeding session of Congress first con-
8 venes; and

9 “(ii) a report on such rule were submitted to
10 Congress under subsection (a)(1) on such date.

11 “(B) Nothing in this paragraph shall be construed
12 to affect the requirement under subsection (a)(1) that a
13 report shall be submitted to Congress before a rule can
14 take effect.

15 “(3) A rule described under paragraph (1) shall take
16 effect as otherwise provided by law (including other sub-
17 sections of this section).

18 **“§ 802. Congressional approval procedure for major**
19 **rules**

20 “(a)(1) For purposes of this section, the term ‘joint
21 resolution’ means only a joint resolution addressing a re-
22 port classifying a rule as major pursuant to section
23 801(a)(1)(A)(iii) that—

24 “(A) bears no preamble;

1 “(B) bears the following title (with blanks filled
2 as appropriate): ‘Approving the rule submitted by
3 _____ relating to _____.’;

4 “(C) includes after its resolving clause only the
5 following (with blanks filled as appropriate): ‘That
6 Congress approves the rule submitted by _____ re-
7 lating to _____.’; and

8 “(D) is introduced pursuant to paragraph (2).

9 “(2) After a House of Congress receives a report
10 classifying a rule as major pursuant to section
11 801(a)(1)(A)(iii), the majority leader of that House (or
12 his or her respective designee) shall introduce (by request,
13 if appropriate) a joint resolution described in paragraph
14 (1)—

15 “(A) in the case of the House of Representa-
16 tives, within 3 legislative days; and

17 “(B) in the case of the Senate, within 3 session
18 days.

19 “(3) A joint resolution described in paragraph (1)
20 shall not be subject to amendment at any stage of pro-
21 ceeding.

22 “(b) A joint resolution described in subsection (a)
23 shall be referred in each House of Congress to the commit-
24 tees having jurisdiction over the provision of law under
25 which the rule is issued.

1 “(c) In the Senate, if the committee or committees
2 to which a joint resolution described in subsection (a) has
3 been referred have not reported it at the end of 15 session
4 days after its introduction, such committee or committees
5 shall be automatically discharged from further consider-
6 ation of the resolution and it shall be placed on the cal-
7 endar. A vote on final passage of the resolution shall be
8 taken on or before the close of the 15th session day after
9 the resolution is reported by the committee or committees
10 to which it was referred, or after such committee or com-
11 mittees have been discharged from further consideration
12 of the resolution.

13 “(d)(1) In the Senate, when the committee or com-
14 mittees to which a joint resolution is referred have re-
15 ported, or when a committee or committees are discharged
16 (under subsection (c)) from further consideration of a
17 joint resolution described in subsection (a), it is at any
18 time thereafter in order (even though a previous motion
19 to the same effect has been disagreed to) for a motion
20 to proceed to the consideration of the joint resolution, and
21 all points of order against the joint resolution (and against
22 consideration of the joint resolution) are waived. The mo-
23 tion is not subject to amendment, or to a motion to post-
24 pone, or to a motion to proceed to the consideration of
25 other business. A motion to reconsider the vote by which

1 the motion is agreed to or disagreed to shall not be in
2 order. If a motion to proceed to the consideration of the
3 joint resolution is agreed to, the joint resolution shall re-
4 main the unfinished business of the Senate until disposed
5 of.

6 “(2) In the Senate, debate on the joint resolution,
7 and on all debatable motions and appeals in connection
8 therewith, shall be limited to not more than 2 hours, which
9 shall be divided equally between those favoring and those
10 opposing the joint resolution. A motion to further limit
11 debate is in order and not debatable. An amendment to,
12 or a motion to postpone, or a motion to proceed to the
13 consideration of other business, or a motion to recommit
14 the joint resolution is not in order.

15 “(3) In the Senate, immediately following the conclu-
16 sion of the debate on a joint resolution described in sub-
17 section (a), and a single quorum call at the conclusion of
18 the debate if requested in accordance with the rules of the
19 Senate, the vote on final passage of the joint resolution
20 shall occur.

21 “(4) Appeals from the decisions of the Chair relating
22 to the application of the rules of the Senate to the proce-
23 dure relating to a joint resolution described in subsection
24 (a) shall be decided without debate.

1 “(e) In the House of Representatives, if any com-
2 mittee to which a joint resolution described in subsection
3 (a) has been referred has not reported it to the House
4 at the end of 15 legislative days after its introduction,
5 such committee shall be discharged from further consider-
6 ation of the joint resolution, and it shall be placed on the
7 appropriate calendar. On the second and fourth Thursdays
8 of each month it shall be in order at any time for the
9 Speaker to recognize a Member who favors passage of a
10 joint resolution that has appeared on the calendar for at
11 least 5 legislative days to call up that joint resolution for
12 immediate consideration in the House without intervention
13 of any point of order. When so called up a joint resolution
14 shall be considered as read and shall be debatable for 1
15 hour equally divided and controlled by the proponent and
16 an opponent, and the previous question shall be considered
17 as ordered to its passage without intervening motion. It
18 shall not be in order to reconsider the vote on passage.
19 If a vote on final passage of the joint resolution has not
20 been taken by the third Thursday on which the Speaker
21 may recognize a Member under this subsection, such vote
22 shall be taken on that day.

23 “(f)(1) If, before passing a joint resolution described
24 in subsection (a), one House receives from the other a
25 joint resolution having the same text, then—

1 “(A) the joint resolution of the other House
2 shall not be referred to a committee; and

3 “(B) the procedure in the receiving House shall
4 be the same as if no joint resolution had been re-
5 ceived from the other House until the vote on pas-
6 sage, when the joint resolution received from the
7 other House shall supplant the joint resolution of
8 the receiving House.

9 “(2) This subsection shall not apply to the House of
10 Representatives if the joint resolution received from the
11 Senate is a revenue measure.

12 “(g) If either House has not taken a vote on final
13 passage of the joint resolution by the last day of the period
14 described in section 801(b)(2), then such vote shall be
15 taken on that day.

16 “(h) This section and section 803 are enacted by
17 Congress—

18 “(1) as an exercise of the rulemaking power of
19 the Senate and House of Representatives, respec-
20 tively, and as such is deemed to be part of the rules
21 of each House, respectively, but applicable only with
22 respect to the procedure to be followed in that
23 House in the case of a joint resolution described in
24 subsection (a) and superseding other rules only
25 where explicitly so; and

1 “(2) with full recognition of the Constitutional
2 right of either House to change the rules (so far as
3 they relate to the procedure of that House) at any
4 time, in the same manner and to the same extent as
5 in the case of any other rule of that House.

6 **“§ 803. Congressional disapproval procedure for**
7 **nonmajor rules**

8 “(a) For purposes of this section, the term ‘joint res-
9 olution’ means only a joint resolution introduced in the
10 period beginning on the date on which the report referred
11 to in section 801(a)(1)(A) is received by Congress and
12 ending 60 days thereafter (excluding days either House
13 of Congress is adjourned for more than 3 days during a
14 session of Congress), the matter after the resolving clause
15 of which is as follows: ‘That Congress disapproves the
16 nonmajor rule submitted by the _____ relating to
17 _____, and such rule shall have no force or effect.’ (The
18 blank spaces being appropriately filled in).

19 “(b) A joint resolution described in subsection (a)
20 shall be referred to the committees in each House of Con-
21 gress with jurisdiction.

22 “(c) In the Senate, if the committee to which is re-
23 ferred a joint resolution described in subsection (a) has
24 not reported such joint resolution (or an identical joint
25 resolution) at the end of 15 session days after the date

1 of introduction of the joint resolution, such committee may
2 be discharged from further consideration of such joint res-
3 olution upon a petition supported in writing by 30 Mem-
4 bers of the Senate, and such joint resolution shall be
5 placed on the calendar.

6 “(d)(1) In the Senate, when the committee to which
7 a joint resolution is referred has reported, or when a com-
8 mittee is discharged (under subsection (c)) from further
9 consideration of a joint resolution described in subsection
10 (a), it is at any time thereafter in order (even though a
11 previous motion to the same effect has been disagreed to)
12 for a motion to proceed to the consideration of the joint
13 resolution, and all points of order against the joint resolu-
14 tion (and against consideration of the joint resolution) are
15 waived. The motion is not subject to amendment, or to
16 a motion to postpone, or to a motion to proceed to the
17 consideration of other business. A motion to reconsider the
18 vote by which the motion is agreed to or disagreed to shall
19 not be in order. If a motion to proceed to the consideration
20 of the joint resolution is agreed to, the joint resolution
21 shall remain the unfinished business of the Senate until
22 disposed of.

23 “(2) In the Senate, debate on the joint resolution,
24 and on all debatable motions and appeals in connection
25 therewith, shall be limited to not more than 10 hours,

1 which shall be divided equally between those favoring and
2 those opposing the joint resolution. A motion to further
3 limit debate is in order and not debatable. An amendment
4 to, or a motion to postpone, or a motion to proceed to
5 the consideration of other business, or a motion to recom-
6 mit the joint resolution is not in order.

7 “(3) In the Senate, immediately following the conclu-
8 sion of the debate on a joint resolution described in sub-
9 section (a), and a single quorum call at the conclusion of
10 the debate if requested in accordance with the rules of the
11 Senate, the vote on final passage of the joint resolution
12 shall occur.

13 “(4) Appeals from the decisions of the Chair relating
14 to the application of the rules of the Senate to the proce-
15 dure relating to a joint resolution described in subsection
16 (a) shall be decided without debate.

17 “(e) In the Senate, the procedure specified in sub-
18 section (c) or (d) shall not apply to the consideration of
19 a joint resolution respecting a nonmajor rule—

20 “(1) after the expiration of the 60 session days
21 beginning with the applicable submission or publica-
22 tion date; or

23 “(2) if the report under section 801(a)(1)(A)
24 was submitted during the period referred to in sec-
25 tion 801(d)(1), after the expiration of the 60 session

1 days beginning on the 15th session day after the
2 succeeding session of Congress first convenes.

3 “(f) If, before the passage by one House of a joint
4 resolution of that House described in subsection (a), that
5 House receives from the other House a joint resolution
6 described in subsection (a), then the following procedures
7 shall apply:

8 “(1) The joint resolution of the other House
9 shall not be referred to a committee.

10 “(2) With respect to a joint resolution described
11 in subsection (a) of the House receiving the joint
12 resolution—

13 “(A) the procedure in that House shall be
14 the same as if no joint resolution had been re-
15 ceived from the other House; but

16 “(B) the vote on final passage shall be on
17 the joint resolution of the other House.

18 **“§ 804. Definitions**

19 “For purposes of this chapter:

20 “(1) The term ‘Bureau’ means the Bureau of
21 Consumer Financial Protection.

22 “(2) The term ‘major rule’ means any rule, in-
23 cluding an interim final rule, that the Administrator
24 of the Office of Information and Regulatory Affairs

1 of the Office of Management and Budget finds has
2 resulted in or is likely to result in—

3 “(A) an annual cost on the economy of
4 \$100,000,000 or more, adjusted annually for
5 inflation;

6 “(B) a major increase in costs or prices for
7 consumers, individual industries, Federal,
8 State, or local government agencies, or geo-
9 graphic regions; or

10 “(C) significant adverse effects on competi-
11 tion, employment, investment, productivity, in-
12 novation, or on the ability of United States-
13 based enterprises to compete with foreign-based
14 enterprises in domestic and export markets.

15 “(3) The term ‘nonmajor rule’ means any rule
16 that is not a major rule.

17 “(4) The term ‘rule’ has the meaning given
18 such term in section 551, except that such term does
19 not include—

20 “(A) any rule of particular applicability,
21 including a rule that approves or prescribes for
22 the future rates, wages, prices, services, or al-
23 lowances therefore, corporate or financial struc-
24 tures, reorganizations, mergers, or acquisitions

1 thereof, or accounting practices or disclosures
2 bearing on any of the foregoing;

3 “(B) any rule relating to Bureau manage-
4 ment or personnel; or

5 “(C) any rule of Bureau organization, pro-
6 cedure, or practice that does not substantially
7 affect the rights or obligations of non-Bureau
8 parties.

9 “(5) The term ‘submission date or publication
10 date’, except as otherwise provided in this chapter,
11 means—

12 “(A) in the case of a major rule, the date
13 on which the Congress receives the report sub-
14 mitted under section 801(a)(1); and

15 “(B) in the case of a nonmajor rule, the
16 later of—

17 “(i) the date on which the Congress
18 receives the report submitted under section
19 801(a)(1); and

20 “(ii) the date on which the nonmajor
21 rule is published in the Federal Register, if
22 so published.

23 **“§ 805. Judicial review**

24 “(a) No determination, finding, action, or omission
25 under this chapter shall be subject to judicial review.

1 “(b) Notwithstanding subsection (a), a court may de-
2 termine whether the Bureau has completed the necessary
3 requirements under this chapter for a rule to take effect.

4 “(c) The enactment of a joint resolution of approval
5 under section 802 shall not be interpreted to serve as a
6 grant or modification of statutory authority by Congress
7 for the promulgation of a rule, shall not extinguish or af-
8 fect any claim, whether substantive or procedural, against
9 any alleged defect in a rule, and shall not form part of
10 the record before the court in any judicial proceeding con-
11 cerning a rule except for purposes of determining whether
12 or not the rule is in effect.

13 **“§ 806. Exemption for monetary policy**

14 “Nothing in this chapter shall apply to rules that con-
15 cern monetary policy proposed or implemented by the
16 Board of Governors of the Federal Reserve System or the
17 Federal Open Market Committee.

18 **“§ 807. Effective date of certain rules**

19 “Notwithstanding section 801—

20 “(1) any rule that establishes, modifies, opens,
21 closes, or conducts a regulatory program for a com-
22 mercial, recreational, or subsistence activity related
23 to hunting, fishing, or camping; or

24 “(2) any rule other than a major rule which the
25 Bureau for good cause finds (and incorporates the

1 finding and a brief statement of reasons therefore in
2 the rule issued) that notice and public procedure
3 thereon are impracticable, unnecessary, or contrary
4 to the public interest,
5 shall take effect at such time as the Bureau determines.

6 **“§ 808. Regulatory cut-go requirement**

7 “In making any new rule, the Bureau shall identify
8 a rule or rules that may be amended or repealed to com-
9 pletely offset any annual costs of the new rule to the
10 United States economy. Before the new rule may take ef-
11 fect, the Bureau shall make each such repeal or amend-
12 ment. In making such an amendment or repeal, the Bu-
13 reau shall comply with the requirements of subchapter II
14 of chapter 5, but the Bureau may consolidate proceedings
15 under subchapter with proceedings on the new rule.

16 **“§ 809. Review of rules currently in effect**

17 “(a) ANNUAL REVIEW.—Beginning on the date that
18 is 6 months after the date of enactment of this section
19 and annually thereafter for the 9 years following, the Bu-
20 reau shall designate not less than 10 percent of eligible
21 rules made by the Bureau for review, and shall submit
22 a report including each such eligible rule in the same man-
23 ner as a report under section 801(a)(1). Section 801, sec-
24 tion 802, and section 803 shall apply to each such rule,

1 subject to subsection (c) of this section. No eligible rule
2 previously designated may be designated again.

3 “(b) SUNSET FOR ELIGIBLE RULES NOT EX-
4 TENDED.—Beginning after the date that is 10 years after
5 the date of enactment of this section, if Congress has not
6 enacted a joint resolution of approval for that eligible rule,
7 that eligible rule shall not continue in effect.

8 “(c) CONSOLIDATION; SEVERABILITY.—In applying
9 sections 801, 802, and 803 to eligible rules under this sec-
10 tion, the following shall apply:

11 “(1) The words ‘take effect’ shall be read as
12 ‘continue in effect’.

13 “(2) Except as provided in paragraph (3), a
14 single joint resolution of approval shall apply to all
15 eligible rules in a report designated for a year, and
16 the matter after the resolving clause of that joint
17 resolution is as follows: ‘That Congress approves the
18 rules submitted by the ____ for the year ____.’ (The
19 blank spaces being appropriately filled in).

20 “(3) It shall be in order to consider any amend-
21 ment that provides for specific conditions on which
22 the approval of a particular eligible rule included in
23 the joint resolution is contingent.

1 “(4) A member of either House may move that
2 a separate joint resolution be required for a specified
3 rule.

4 “(d) DEFINITION.—In this section, the term ‘eligible
5 rule’ means a rule that is in effect as of the date of enact-
6 ment of this section.”.

7 **SEC. 949. BUDGETARY EFFECTS OF RULES SUBJECT TO**
8 **SECTION 802 OF TITLE 5, UNITED STATES**
9 **CODE.**

10 Section 257(b)(2) of the Balanced Budget and Emer-
11 gency Deficit Control Act of 1985 is amended by adding
12 at the end the following new subparagraph:

13 “(E) BUDGETARY EFFECTS OF RULES
14 SUBJECT TO SECTION 802 OF TITLE 5, UNITED
15 STATES CODE.—Any rules subject to the con-
16 gressional approval procedure set forth in sec-
17 tion 802 of chapter 8 of title 5, United States
18 Code, affecting budget authority, outlays, or re-
19 ceipts shall be assumed to be effective unless it
20 is not approved in accordance with such sec-
21 tion.”.

1 **SEC. 950. GOVERNMENT ACCOUNTABILITY OFFICE STUDY**
2 **OF RULES.**

3 (a) IN GENERAL.—The Comptroller General of the
4 United States shall conduct a study to determine, as of
5 the date of the enactment of this Act—

6 (1) how many rules (as such term is defined in
7 section 804 of title 5, United States Code) of the
8 Bureau were in effect;

9 (2) how many major rules (as such term is de-
10 fined in section 804 of title 5, United States Code)
11 of the Bureau were in effect; and

12 (3) the total estimated economic cost imposed
13 by all such rules.

14 (b) REPORT.—Not later than 1 year after the date
15 of the enactment of this Act, the Comptroller General of
16 the United States shall submit a report to Congress that
17 contains the findings of the study conducted under sub-
18 section (a).

19 **SEC. 951. EFFECTIVE DATE.**

20 Sections 948 and 949, and the amendments made by
21 such sections, shall take effect beginning on the date that
22 is 1 year after the date of enactment of this Act.

23 **TITLE X—EMAIL PRIVACY ACT**

24 **SEC. 1001. VOLUNTARY DISCLOSURE CORRECTIONS.**

25 (a) IN GENERAL.—Section 2702 of title 18, United
26 States Code, is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1)—

3 (i) by striking “divulge” and inserting
4 “disclose”; and

5 (ii) by striking “while in electronic
6 storage by that service” and inserting
7 “that is in electronic storage with or other-
8 wise stored, held, or maintained by that
9 service”;

10 (B) in paragraph (2)—

11 (i) by striking “to the public”;

12 (ii) by striking “divulge” and insert-
13 ing “disclose”; and

14 (iii) by striking “which is carried or
15 maintained on that service” and inserting
16 “that is stored, held, or maintained by that
17 service”; and

18 (C) in paragraph (3)—

19 (i) by striking “divulge” and inserting
20 “disclose”; and

21 (ii) by striking “a provider of” and in-
22 serting “a person or entity providing”;

23 (2) in subsection (b)—

1 (A) in the matter preceding paragraph (1),
2 by inserting “wire or electronic” before “com-
3 munication”;

4 (B) by amending paragraph (1) to read as
5 follows:

6 “(1) to an originator, addressee, or intended re-
7 cipient of such communication, to the subscriber or
8 customer on whose behalf the provider stores, holds,
9 or maintains such communication, or to an agent of
10 such addressee, intended recipient, subscriber, or
11 customer;”; and

12 (C) by amending paragraph (3) to read as
13 follows:

14 “(3) with the lawful consent of the originator,
15 addressee, or intended recipient of such communica-
16 tion, or of the subscriber or customer on whose be-
17 half the provider stores, holds, or maintains such
18 communication;”;

19 (3) in subsection (c) by inserting “wire or elec-
20 tronic” before “communications”;

21 (4) in each of subsections (b) and (c), by strik-
22 ing “divulge” and inserting “disclose”; and

23 (5) in subsection (c), by amending paragraph
24 (2) to read as follows:

1 “(2) with the lawful consent of the subscriber
2 or customer;”.

3 **SEC. 1002. AMENDMENTS TO REQUIRED DISCLOSURE SEC-**
4 **TION.**

5 Section 2703 of title 18, United States Code, is
6 amended—

7 (1) by striking subsections (a) through (c) and
8 inserting the following:

9 “(a) CONTENTS OF WIRE OR ELECTRONIC COMMU-
10 NICATIONS IN ELECTRONIC STORAGE.—Except as pro-
11 vided in subsections (i) and (j), a governmental entity may
12 require the disclosure by a provider of electronic commu-
13 nication service of the contents of a wire or electronic com-
14 munication that is in electronic storage with or otherwise
15 stored, held, or maintained by that service only if the gov-
16 ernmental entity obtains a warrant issued using the proce-
17 dures described in the Federal Rules of Criminal Proce-
18 dure (or, in the case of a State court, issued using State
19 warrant procedures) that—

20 “(1) is issued by a court of competent jurisdic-
21 tion; and

22 “(2) may indicate the date by which the pro-
23 vider must make the disclosure to the governmental
24 entity.

1 In the absence of a date on the warrant indicating the
2 date by which the provider must make disclosure to the
3 governmental entity, the provider shall promptly respond
4 to the warrant.

5 “(b) CONTENTS OF WIRE OR ELECTRONIC COMMU-
6 NICATIONS IN A REMOTE COMPUTING SERVICE.—

7 “(1) IN GENERAL.—Except as provided in sub-
8 sections (i) and (j), a governmental entity may re-
9 quire the disclosure by a provider of remote com-
10 puting service of the contents of a wire or electronic
11 communication that is stored, held, or maintained by
12 that service only if the governmental entity obtains
13 a warrant issued using the procedures described in
14 the Federal Rules of Criminal Procedure (or, in the
15 case of a State court, issued using State warrant
16 procedures) that—

17 “(A) is issued by a court of competent ju-
18 risdiction; and

19 “(B) may indicate the date by which the
20 provider must make the disclosure to the gov-
21 ernmental entity.

22 In the absence of a date on the warrant indicating
23 the date by which the provider must make disclosure
24 to the governmental entity, the provider shall
25 promptly respond to the warrant.

1 “(2) APPLICABILITY.—Paragraph (1) is appli-
2 cable with respect to any wire or electronic commu-
3 nication that is stored, held, or maintained by the
4 provider—

5 “(A) on behalf of, and received by means
6 of electronic transmission from (or created by
7 means of computer processing of communica-
8 tion received by means of electronic trans-
9 mission from), a subscriber or customer of such
10 remote computing service; and

11 “(B) solely for the purpose of providing
12 storage or computer processing services to such
13 subscriber or customer, if the provider is not
14 authorized to access the contents of any such
15 communications for purposes of providing any
16 services other than storage or computer proc-
17 essing.

18 “(c) RECORDS CONCERNING ELECTRONIC COMMU-
19 NICATION SERVICE OR REMOTE COMPUTING SERVICE.—

20 “(1) IN GENERAL.—Except as provided in sub-
21 sections (i) and (j), a governmental entity may re-
22 quire the disclosure by a provider of electronic com-
23 munication service or remote computing service of a
24 record or other information pertaining to a sub-
25 scriber to or customer of such service (not including

1 the contents of wire or electronic communications),
2 only—

3 “(A) if a governmental entity obtains a
4 warrant issued using the procedures described
5 in the Federal Rules of Criminal Procedure (or,
6 in the case of a State court, issued using State
7 warrant procedures) that—

8 “(i) is issued by a court of competent
9 jurisdiction directing the disclosure; and

10 “(ii) may indicate the date by which
11 the provider must make the disclosure to
12 the governmental entity;

13 “(B) if a governmental entity obtains a
14 court order directing the disclosure under sub-
15 section (d);

16 “(C) with the lawful consent of the sub-
17 scriber or customer; or

18 “(D) as otherwise authorized in paragraph
19 (2).

20 “(2) SUBSCRIBER OR CUSTOMER INFORMA-
21 TION.—A provider of electronic communication serv-
22 ice or remote computing service shall, in response to
23 an administrative subpoena authorized by Federal or
24 State statute, a grand jury, trial, or civil discovery

1 subpoena, or any means available under paragraph
2 (1), disclose to a governmental entity the—

3 “(A) name;

4 “(B) address;

5 “(C) local and long distance telephone con-
6 nection records, or records of session times and
7 durations;

8 “(D) length of service (including start
9 date) and types of service used;

10 “(E) telephone or instrument number or
11 other subscriber or customer number or iden-
12 tity, including any temporarily assigned net-
13 work address; and

14 “(F) means and source of payment for
15 such service (including any credit card or bank
16 account number),

17 of a subscriber or customer of such service.

18 “(3) NOTICE NOT REQUIRED.—A governmental
19 entity that receives records or information under
20 this subsection is not required to provide notice to
21 a subscriber or customer.”;

22 (2) in subsection (d)—

23 (A) by striking “(b) or”;

24 (B) by striking “the contents of a wire or
25 electronic communication, or”;

1 (C) by striking “sought,” and inserting
2 “sought”; and

3 (D) by striking “section” and inserting
4 “subsection”; and

5 (3) by adding at the end the following:

6 “(h) NOTICE.—Except as provided in section 2705,
7 a provider of electronic communication service or remote
8 computing service may notify a subscriber or customer of
9 a receipt of a warrant, court order, subpoena, or request
10 under subsection (a), (b), (c), or (d) of this section.

11 “(i) RULE OF CONSTRUCTION RELATED TO LEGAL
12 PROCESS.—Nothing in this section or in section 2702
13 shall limit the authority of a governmental entity to use
14 an administrative subpoena authorized by Federal or
15 State statute, a grand jury, trial, or civil discovery sub-
16 poena, or a warrant issued using the procedures described
17 in the Federal Rules of Criminal Procedure (or, in the
18 case of a State court, issued using State warrant proce-
19 dures) by a court of competent jurisdiction to—

20 “(1) require an originator, addressee, or in-
21 tended recipient of a wire or electronic communica-
22 tion to disclose a wire or electronic communication
23 (including the contents of that communication) to
24 the governmental entity;

1 “(2) require a person or entity that provides an
2 electronic communication service to the officers, di-
3 rectors, employees, or agents of the person or entity
4 (for the purpose of carrying out their duties) to dis-
5 close a wire or electronic communication (including
6 the contents of that communication) to or from the
7 person or entity itself or to or from an officer, direc-
8 tor, employee, or agent of the entity to a govern-
9 mental entity, if the wire or electronic communica-
10 tion is stored, held, or maintained on an electronic
11 communications system owned, operated, or con-
12 trolled by the person or entity; or

13 “(3) require a person or entity that provides a
14 remote computing service or electronic communica-
15 tion service to disclose a wire or electronic commu-
16 nication (including the contents of that communica-
17 tion) that advertises or promotes a product or serv-
18 ice and that has been made readily accessible to the
19 general public.

20 “(j) RULE OF CONSTRUCTION RELATED TO CON-
21 GRESSIONAL SUBPOENAS.—Nothing in this section or in
22 section 2702 shall limit the power of inquiry vested in the
23 Congress by article I of the Constitution of the United
24 States, including the authority to compel the production
25 of a wire or electronic communication (including the con-

1 tents of a wire or electronic communication) that is stored,
2 held, or maintained by a person or entity that provides
3 remote computing service or electronic communication
4 service.”.

5 **SEC. 1003. DELAYED NOTICE.**

6 Section 2705 of title 18, United States Code, is
7 amended to read as follows:

8 **“§ 2705. Delayed notice**

9 “(a) IN GENERAL.—A governmental entity acting
10 under section 2703 may apply to a court for an order di-
11 recting a provider of electronic communication service or
12 remote computing service to which a warrant, order, sub-
13 poena, or other directive under section 2703 is directed
14 not to notify any other person of the existence of the war-
15 rant, order, subpoena, or other directive.

16 “(b) DETERMINATION.—A court shall grant a re-
17 quest for an order made under subsection (a) for delayed
18 notification of up to 180 days if the court determines that
19 there is reason to believe that notification of the existence
20 of the warrant, order, subpoena, or other directive will
21 likely result in—

22 “(1) endangering the life or physical safety of
23 an individual;

24 “(2) flight from prosecution;

25 “(3) destruction of or tampering with evidence;

1 “(4) intimidation of potential witnesses; or

2 “(5) otherwise seriously jeopardizing an inves-
3 tigation or unduly delaying a trial.

4 “(c) EXTENSION.—Upon request by a governmental
5 entity, a court may grant one or more extensions, for peri-
6 ods of up to 180 days each, of an order granted in accord-
7 ance with subsection (b).”.

8 **SEC. 1004. RULE OF CONSTRUCTION.**

9 Nothing in this Act or an amendment made by this
10 Act shall be construed to preclude the acquisition by the
11 United States Government of—

12 (1) the contents of a wire or electronic commu-
13 nication pursuant to other lawful authorities, includ-
14 ing the authorities under chapter 119 of title 18
15 (commonly known as the “Wiretap Act”), the For-
16 eign Intelligence Surveillance Act of 1978 (50
17 U.S.C. 1801 et seq.), or any other provision of Fed-
18 eral law not specifically amended by this Act; or

19 (2) records or other information relating to a
20 subscriber or customer of any electronic communica-
21 tion service or remote computing service (not includ-
22 ing the content of such communications) pursuant to
23 the Foreign Intelligence Surveillance Act of 1978
24 (50 U.S.C. 1801 et seq.), chapter 119 of title 18
25 (commonly known as the “Wiretap Act”), or any

1 other provision of Federal law not specifically
2 amended by this Act.

3 **TITLE XI—AMATEUR RADIO**
4 **PARITY ACT**

5 **SEC. 1101. SHORT TITLE.**

6 This title may be cited as the “Amateur Radio Parity
7 Act of 2018”.

8 **SEC. 1102. FINDINGS.**

9 Congress finds the following:

10 (1) More than 730,000 radio amateurs in the
11 United States are licensed by the Federal Commu-
12 nications Commission in the amateur radio services.

13 (2) Amateur radio, at no cost to taxpayers, pro-
14 vides a fertile ground for technical self-training in
15 modern telecommunications, electronics technology,
16 and emergency communications techniques and pro-
17 tocols.

18 (3) There is a strong Federal interest in the ef-
19 fective performance of amateur stations established
20 at the residences of licensees. Such stations have
21 been shown to be frequently and increasingly pre-
22 cluded by unreasonable private land use restrictions,
23 including restrictive covenants.

24 (4) Federal Communications Commission regu-
25 lations have for three decades prohibited the applica-

1 tion to stations in the amateur service of State and
2 local regulations that preclude or fail to reasonably
3 accommodate amateur service communications, or
4 that do not constitute the minimum practicable reg-
5 ulation to accomplish a legitimate State or local pur-
6 pose. Commission policy has been and is to require
7 States and localities to permit erection of a station
8 antenna structure at heights and dimensions suffi-
9 cient to accommodate amateur service communica-
10 tions.

11 (5) The Commission has sought guidance and
12 direction from Congress with respect to the applica-
13 tion of the Commission's limited preemption policy
14 regarding amateur service communications to private
15 land use restrictions, including restrictive covenants.

16 (6) There are aesthetic and common property
17 considerations that are uniquely applicable to private
18 land use regulations and the community associations
19 obligated to enforce covenants, conditions, and re-
20 strictions in deed-restricted communities. These con-
21 siderations are dissimilar to those applicable to State
22 law and local ordinances regulating the same resi-
23 dential amateur radio facilities.

24 (7) In recognition of these considerations, a
25 separate Federal policy than exists at section

1 97.15(b) of title 47, Code of Federal Regulations, is
2 warranted concerning amateur service communica-
3 tions in deed-restricted communities.

4 (8) Community associations should fairly ad-
5 minister private land use regulations in the interest
6 of their communities, while nevertheless permitting
7 the installation and maintenance of effective outdoor
8 amateur radio antennas. There exist antenna de-
9 signs and installations that can be consistent with
10 the aesthetics and physical characteristics of land
11 and structures in community associations while ac-
12 commodating communications in the amateur radio
13 services.

14 **SEC. 1103. APPLICATION OF PRIVATE LAND USE RESTRIC-**
15 **TIONS TO AMATEUR STATIONS.**

16 (a) AMENDMENT OF FCC RULES.—Not later than
17 120 days after the date of the enactment of this Act, the
18 Federal Communications Commission shall amend section
19 97.15 of title 47, Code of Federal Regulations, by adding
20 a new paragraph that prohibits the application to amateur
21 stations of any private land use restriction, including a
22 restrictive covenant, that—

23 (1) on its face or as applied, precludes commu-
24 nications in an amateur radio service;

1 (2) fails to permit a licensee in an amateur
2 radio service to install and maintain an effective out-
3 door antenna on property under the exclusive use or
4 control of the licensee; or

5 (3) does not constitute the minimum practicable
6 restriction on such communications to accomplish
7 the lawful purposes of a community association seek-
8 ing to enforce such restriction.

9 (b) ADDITIONAL REQUIREMENTS.—In amending its
10 rules as required by subsection (a), the Commission
11 shall—

12 (1) require any licensee in an amateur radio
13 service to notify and obtain prior approval from a
14 community association concerning installation of an
15 outdoor antenna;

16 (2) permit a community association to prohibit
17 installation of any antenna or antenna support
18 structure by a licensee in an amateur radio service
19 on common property not under the exclusive use or
20 control of the licensee; and

21 (3) subject to the standards specified in para-
22 graphs (1) and (2) of subsection (a), permit a com-
23 munity association to establish reasonable written
24 rules concerning height, location, size, and aesthetic
25 impact of, and installation requirements for, outdoor

1 antennas and support structures for the purpose of
2 conducting communications in the amateur radio
3 services.

4 **SEC. 1104. AFFIRMATION OF LIMITED PREEMPTION OF**
5 **STATE AND LOCAL LAND USE REGULATION.**

6 The Federal Communications Commission may not
7 change section 97.15(b) of title 47, Code of Federal Regu-
8 lations, which shall remain applicable to State and local
9 land use regulation of amateur service communications.

10 **SEC. 1105. DEFINITIONS.**

11 In this title:

12 (1) **COMMUNITY ASSOCIATION.**—The term
13 “community association” means any non-profit man-
14 datory membership organization composed of owners
15 of real estate described in a declaration of covenants
16 or created pursuant to a covenant or other applica-
17 ble law with respect to which a person, by virtue of
18 the person’s ownership of or interest in a unit or
19 parcel, is obligated to pay for a share of real estate
20 taxes, insurance premiums, maintenance, improve-
21 ment, services, or other expenses related to common
22 elements, other units, or any other real estate other
23 than the unit or parcel described in the declaration.

24 (2) **TERMS DEFINED IN REGULATIONS.**—The
25 terms “amateur radio services”, “amateur service”,

1 and “amateur station” have the meanings given
2 such terms in section 97.3 of title 47, Code of Fed-
3 eral Regulations.

4 TITLE XII

5 ADDITIONAL GENERAL PROVISIONS

6 REFERENCES TO ACT

7 SEC. 1201. Except as expressly provided otherwise,
8 any reference to “this Act” contained in this division shall
9 be treated as referring only to the provisions of this divi-
10 sion.

11 REFERENCES TO REPORT

12 SEC. 1202. Any reference to a “report accompanying
13 this Act” contained in this division shall be treated as a
14 reference to House Report 115–792. The effect of such
15 Report shall be limited to this division and shall apply for
16 purposes of determining the allocation of funds provided
17 by, and the implementation of, this division.

18 SPENDING REDUCTION ACCOUNT

19 SEC. 1203. The amount by which the applicable allo-
20 cation of new budget authority made by the Committee
21 on Appropriations of the House of Representatives under
22 section 302(b) of the Congressional Budget Act of 1974
23 exceeds the amount of proposed new budget authority is
24 \$0.

1 SEC. 1204. None of the funds appropriated by this
2 Act may be used to enforce section 540 of Public Law
3 110–329 (122 Stat. 3688) or section 538 of Public Law
4 112–74 (125 Stat. 976; 6 U.S.C. 190 note).

5 SEC. 1205. None of the funds made available under
6 title IV or title VIII of this Act may be used by the Dis-
7 trict of Columbia government to carry out the Health In-
8 surance Requirement Amendment Act of 2018 (subtitle A
9 of title V of the Fiscal Year 2019 Budget Support Act
10 of 2018; D.C. Bill 22–753).

11 SEC. 1206. None of the funds made available by this
12 Act may be used to carry out section 1334 of the Patient
13 Protection and Affordable Care Act.

14 SEC. 1207. None of the funds made available under
15 title IV or title VIII of this Act may be used by the Dis-
16 trict of Columbia government to carry out section 47–
17 4471, D.C. Official Code, with respect to the liability of
18 a taxpayer under section 47–5108, D.C. Official Code (as
19 added by subtitle A of title V of the Fiscal Year 2019
20 Budget Support Act of 2018; D.C. Bill 22–753).

- 1 This division may be cited as the “Financial Services
- 2 and General Government Appropriations Act, 2019”.

Passed the House of Representatives July 19, 2018.

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

H. R. 6147

AN ACT

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.