

JUNE 3, 2019

RULES COMMITTEE PRINT 116-17

**TEXT OF H.R. 2740, LABOR, HEALTH AND HUMAN
SERVICES, EDUCATION, LEGISLATIVE
BRANCH, DEFENSE, STATE, FOREIGN OPER-
ATIONS, AND ENERGY AND WATER DEVELOP-
MENT APPROPRIATIONS ACT, 2020**

[Showing the text of H.R. 2740, H.R. 2779, H.R. 2968, H.R.
2839, and H.R. 2960, as reported by the Committee on Ap-
propriations.]

1 **SEC. 1. SHORT TITLE.**

2 This Act may be cited as the “Labor, Health and
3 Human Services, Education, Legislative Branch, Defense,
4 State, Foreign Operations, and Energy and Water Devel-
5 opment Appropriations Act, 2020”.

6 **DIVISION A—DEPARTMENTS OF LABOR,
7 HEALTH AND HUMAN SERVICES, AND
8 EDUCATION, AND RELATED AGENCIES
9 APPROPRIATIONS ACT, 2020**

10 The following sums are appropriated, out of any
11 money in the Treasury not otherwise appropriated, for the
12 Departments of Labor, Health and Human Services, and
13 Education, and related agencies for the fiscal year ending
14 September 30, 2020, and for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF LABOR
3 EMPLOYMENT AND TRAINING ADMINISTRATION
4 TRAINING AND EMPLOYMENT SERVICES

5 For necessary expenses of the Workforce Innovation
6 and Opportunity Act (referred to in this Act as “WIOA”)
7 and the National Apprenticeship Act, \$3,977,615,000,
8 plus reimbursements, shall be available. Of the amounts
9 provided:

10 (1) for grants to States for adult employment
11 and training activities, youth activities, and dis-
12 located worker employment and training activities,
13 \$2,967,360,000 as follows:

14 (A) \$900,000,000 for adult employment
15 and training activities, of which \$188,000,000
16 shall be available for the period July 1, 2020
17 through June 30, 2021, and of which
18 \$712,000,000 shall be available for the period
19 October 1, 2020 through June 30, 2021;

20 (B) \$964,000,000 for youth activities,
21 which shall be available for the period April 1,
22 2020 through June 30, 2021; and

23 (C) \$1,103,360,000 for dislocated worker
24 employment and training activities, of which
25 \$243,360,000 shall be available for the period

1 July 1, 2020 through June 30, 2021, and of
2 which \$860,000,000 shall be available for the
3 period October 1, 2020 through June 30, 2021:

4 *Provided*, That the funds available for allotment to
5 outlying areas to carry out subtitle B of title I of the
6 WIOA shall not be subject to the requirements of
7 section 127(b)(1)(B)(ii) of such Act; and

8 (2) for national programs, \$1,010,255,000 as
9 follows:

10 (A) \$370,859,000 for the dislocated work-
11 ers assistance national reserve, of which
12 \$170,859,000 shall be available for the period
13 July 1, 2020 through September 30, 2021, and
14 of which \$200,000,000 shall be available for the
15 period October 1, 2020 through September 30,
16 2021: *Provided*, That funds provided to carry
17 out section 132(a)(2)(A) of the WIOA may be
18 used to provide assistance to a State for state-
19 wide or local use in order to address cases
20 where there have been worker dislocations
21 across multiple sectors or across multiple local
22 areas and such workers remain dislocated; co-
23 ordinate the State workforce development plan
24 with emerging economic development needs; and
25 train such eligible dislocated workers: *Provided*

1 *further*, That funds provided to carry out sec-
2 tions 168(b) and 169(c) of the WIOA may be
3 used for technical assistance and demonstration
4 projects, respectively, that provide assistance to
5 new entrants in the workforce and incumbent
6 workers: *Provided further*, That notwithstanding
7 section 168(b) of the WIOA, of the funds pro-
8 vided under this subparagraph, the Secretary of
9 Labor (referred to in this title as “Secretary”)
10 may reserve not more than 7 percent of such
11 funds to provide technical assistance and carry
12 out additional activities related to the transition
13 to the WIOA: *Provided further*, That of the
14 funds provided under this subparagraph,
15 \$150,000,000 shall be for training and employ-
16 ment assistance under sections 168(b), 169(c)
17 (notwithstanding the 10 percent limitation in
18 such section) and 170 of the WIOA for the pur-
19 pose of developing, offering, or improving edu-
20 cational or career training programs at commu-
21 nity colleges, defined as public institutions of
22 higher education, as described in section 101(a)
23 of the Higher Education Act and at which the
24 associate’s degree is primarily the highest de-
25 gree awarded, with other eligible institutions of

1 higher education, as defined in section 101(a)
2 of the Higher Education Act, eligible to partici-
3 pate through consortia, with community colleges
4 as the lead grantee: *Provided further*, That the
5 Secretary shall follow the requirements for the
6 program in the committee report accompanying
7 this Act: *Provided further*, That any grant
8 funds used for apprenticeships shall be used to
9 support only apprenticeship programs reg-
10 istered under the National Apprenticeship Act
11 and as referred to in Section 3(7)(B) of the
12 Workforce Innovation and Opportunity Act;

13 (B) \$55,000,000 for Native American pro-
14 grams under section 166 of the WIOA, which
15 shall be available for the period July 1, 2020
16 through June 30, 2021;

17 (C) \$98,896,000 for migrant and seasonal
18 farmworker programs under section 167 of the
19 WIOA, including \$91,722,000 for formula
20 grants (of which not less than 70 percent shall
21 be for employment and training services),
22 \$6,588,000 for migrant and seasonal housing
23 (of which not less than 70 percent shall be for
24 permanent housing), and \$586,000 for other
25 discretionary purposes, which shall be available

1 for the period April 1, 2020 through June 30,
2 2021: *Provided*, That notwithstanding any
3 other provision of law or related regulation, the
4 Department of Labor shall take no action lim-
5 iting the number or proportion of eligible par-
6 ticipants receiving related assistance services or
7 discouraging grantees from providing such serv-
8 ices;

9 (D) \$127,500,000 for YouthBuild activi-
10 ties as described in section 171 of the WIOA,
11 which shall be available for the period April 1,
12 2020 through June 30, 2021;

13 (E) \$100,000,000 for ex-offender activi-
14 ties, under the authority of section 169 of the
15 WIOA, which shall be available for the period
16 April 1, 2020 through June 30, 2021: *Provided*,
17 That of this amount, \$25,000,000 shall be for
18 competitive grants to national and regional
19 intermediaries for activities that prepare young,
20 formerly incarcerated individuals, including
21 those who have dropped out of school or other
22 educational programs, with a priority for
23 projects serving high-crime, high-poverty areas;

24 (F) \$8,000,000 for the Workforce Data
25 Quality Initiative, under the authority of section

1 169 of the WIOA, which shall be available for
2 the period July 1, 2020 through June 30,
3 2021; and

4 (G) \$250,000,000, to expand opportunities
5 through apprenticeships only registered under
6 the National Apprenticeship Act and as referred
7 to in section 3(7)(B) of the WIOA, to be avail-
8 able to the Secretary to carry out activities
9 through grants, cooperative agreements, con-
10 tracts and other arrangements, with States and
11 other appropriate entities, which shall be avail-
12 able for the period July 1, 2020 through June
13 30, 2021: *Provided further*, That of the funds
14 provided to carry out this subparagraph, not
15 less than 20 percent shall be for making com-
16 petitive contracts, grants, and cooperative
17 agreements to national apprenticeship inter-
18 mediaries, not less than 20 percent shall be for
19 competitive contracts, grants, and cooperative
20 agreements to local apprenticeship inter-
21 mediaries, and not less than 50 percent shall be
22 used to fund grants to States.

1 the Senate are notified at least 15 days in advance
2 of any transfer; and

3 (3) \$32,330,000 for necessary expenses of Job
4 Corps, which shall be available for obligation for the
5 period October 1, 2019 through September 30,
6 2020:

7 *Provided*, That no funds from any other appropriation
8 shall be used to provide meal services at or for Job Corps
9 centers.

10 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

11 AMERICANS

12 To carry out title V of the Older Americans Act of
13 1965 (referred to in this Act as “OAA”), \$463,800,000,
14 which shall be available for the period April 1, 2020
15 through June 30, 2021, and may be recaptured and reobli-
16 gated in accordance with section 517(c) of the OAA.

17 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

18 For payments during fiscal year 2020 of trade ad-
19 justment benefit payments and allowances under part I
20 of subchapter B of chapter 2 of title II of the Trade Act
21 of 1974, and section 246 of that Act; and for training,
22 employment and case management services, allowances for
23 job search and relocation, and related State administrative
24 expenses under part II of subchapter B of chapter 2 of
25 title II of the Trade Act of 1974, and including benefit

1 payments, allowances, training, employment and case
2 management services, and related State administration
3 provided pursuant to section 231(a) of the Trade Adjust-
4 ment Assistance Extension Act of 2011 and section 405(a)
5 of the Trade Preferences Extension Act of 2015,
6 \$680,000,000 together with such amounts as may be nec-
7 essary to be charged to the subsequent appropriation for
8 payments for any period subsequent to September 15,
9 2020: *Provided*, That notwithstanding section 502 of this
10 Act, any part of the appropriation provided under this
11 heading may remain available for obligation beyond the
12 current fiscal year pursuant to the authorities of section
13 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

14 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
15 SERVICE OPERATIONS

16 For authorized administrative expenses,
17 \$84,066,000, together with not to exceed \$3,381,695,000
18 which may be expended from the Employment Security
19 Administration Account in the Unemployment Trust Fund
20 (“the Trust Fund”), of which:

21 (1) \$2,618,230,000 from the Trust Fund is for
22 grants to States for the administration of State un-
23 employment insurance laws as authorized under title
24 III of the Social Security Act (including not less
25 than \$175,000,000 to carry out reemployment serv-

1 ices and eligibility assessments under section 306 of
2 such Act, any claimants of regular compensation, as
3 defined in such section, including those who are
4 profiled as most likely to exhaust their benefits, may
5 be eligible for such services and assessments: *Pro-*
6 *vided*, That of such amount, \$117,000,000 is speci-
7 fied for grants under section 306 of the Social Secu-
8 rity Act and is provided to meet the terms of section
9 251(b)(2)(E)(ii) of the Balanced Budget and Emer-
10 gency Deficit Control Act of 1985, as amended, and
11 \$58,000,000 is additional new budget authority
12 specified for purposes of section 251(b)(2)(E)(i)(II)
13 of such Act; and \$9,000,000 for continued support
14 of the Unemployment Insurance Integrity Center of
15 Excellence), the administration of unemployment in-
16 surance for Federal employees and for ex-service
17 members as authorized under 5 U.S.C. 8501–8523,
18 and the administration of trade readjustment allow-
19 ances, reemployment trade adjustment assistance,
20 and alternative trade adjustment assistance under
21 the Trade Act of 1974 and under section 231(a) of
22 the Trade Adjustment Assistance Extension Act of
23 2011 and section 405(a) of the Trade Preferences
24 Extension Act of 2015, and shall be available for ob-
25 ligation by the States through December 31, 2020,

1 except that funds used for automation shall be avail-
2 able for Federal obligation through December 31,
3 2020, and for State obligation through September
4 30, 2022, or, if the automation is being carried out
5 through consortia of States, for State obligation
6 through September 30, 2026, and for expenditure
7 through September 30, 2027, and funds for competi-
8 tive grants awarded to States for improved oper-
9 ations and to conduct in-person reemployment and
10 eligibility assessments and unemployment insurance
11 improper payment reviews and provide reemploy-
12 ment services and referrals to training, as appro-
13 priate, shall be available for Federal obligation
14 through December 31, 2020, and for obligation by
15 the States through September 30, 2022, and funds
16 for the Unemployment Insurance Integrity Center of
17 Excellence shall be available for obligation by the
18 State through September 30, 2021, and funds used
19 for unemployment insurance workloads experienced
20 through September 30, 2020 shall be available for
21 Federal obligation through December 31, 2020: *Pro-*
22 *vided further,* That of the funds available under this
23 paragraph for grants to States for administering
24 claims under State unemployment compensation
25 laws that remain unallocated at the end of the fiscal

1 year as a result of state workloads in administering
2 such claims not supporting the allocation, the Sec-
3 retary shall use such funds (other than funds speci-
4 fied for other activities in this paragraph) for sup-
5 plemental grant funding opportunities to States in
6 order to improve operations and modernize State
7 Unemployment Insurance systems and such funds
8 shall remain available for Federal obligation through
9 December 31, 2020;

10 (2) \$12,000,000 from the Trust Fund is for na-
11 tional activities necessary to support the administra-
12 tion of the Federal-State unemployment insurance
13 system;

14 (3) \$658,587,000 from the Trust Fund, to-
15 gether with \$21,413,000 from the General Fund of
16 the Treasury, is for grants to States in accordance
17 with section 6 of the Wagner-Peyser Act, and shall
18 be available for Federal obligation for the period
19 July 1, 2020 through June 30, 2021;

20 (4) \$22,318,000 from the Trust Fund is for na-
21 tional activities of the Employment Service, includ-
22 ing administration of the work opportunity tax cred-
23 it under section 51 of the Internal Revenue Code of
24 1986, and the provision of technical assistance and
25 staff training under the Wagner-Peyser Act;

1 (5) \$70,560,000 from the Trust Fund is for the
2 administration of foreign labor certifications and re-
3 lated activities under the Immigration and Nation-
4 ality Act and related laws, of which \$56,278,000
5 shall be available for the Federal administration of
6 such activities, and \$14,282,000 shall be available
7 for grants to States for the administration of such
8 activities; and

9 (6) \$62,653,000 from the General Fund is to
10 provide workforce information, national electronic
11 tools, and one-stop system building under the Wag-
12 ner-Peyser Act and shall be available for Federal ob-
13 ligation for the period July 1, 2020 through June
14 30, 2021:

15 *Provided*, That to the extent that the Average Weekly In-
16 sured Unemployment (“AWIU”) for fiscal year 2020 is
17 projected by the Department of Labor to exceed
18 1,758,000, an additional \$28,600,000 from the Trust
19 Fund shall be available for obligation for every 100,000
20 increase in the AWIU level (including a pro rata amount
21 for any increment less than 100,000) to carry out title
22 III of the Social Security Act: *Provided further*, That
23 funds appropriated in this Act that are allotted to a State
24 to carry out activities under title III of the Social Security
25 Act may be used by such State to assist other States in

1 carrying out activities under such title III if the other
2 States include areas that have suffered a major disaster
3 declared by the President under the Robert T. Stafford
4 Disaster Relief and Emergency Assistance Act: *Provided*
5 *further*, That the Secretary may use funds appropriated
6 for grants to States under title III of the Social Security
7 Act to make payments on behalf of States for the use of
8 the National Directory of New Hires under section
9 453(j)(8) of such Act: *Provided further*, That the Sec-
10 retary may use funds appropriated for grants to States
11 under title III of the Social Security Act to make pay-
12 ments on behalf of States to the entity operating the State
13 Information Data Exchange System: *Provided further*,
14 That funds appropriated in this Act which are used to es-
15 tablish a national one-stop career center system, or which
16 are used to support the national activities of the Federal-
17 State unemployment insurance, employment service, or
18 immigration programs, may be obligated in contracts,
19 grants, or agreements with States and non-State entities:
20 *Provided further*, That States awarded competitive grants
21 for improved operations under title III of the Social Secu-
22 rity Act, or awarded grants to support the national activi-
23 ties of the Federal-State unemployment insurance system,
24 may award subgrants to other States and non-State enti-
25 ties under such grants, subject to the conditions applicable

1 to the grants: *Provided further*, That funds appropriated
2 under this Act for activities authorized under title III of
3 the Social Security Act and the Wagner-Peyser Act may
4 be used by States to fund integrated Unemployment In-
5 surance and Employment Service automation efforts, not-
6 withstanding cost allocation principles prescribed under
7 the final rule entitled “Uniform Administrative Require-
8 ments, Cost Principles, and Audit Requirements for Fed-
9 eral Awards” at part 200 of title 2, Code of Federal Regu-
10 lations: *Provided further*, That the Secretary, at the re-
11 quest of a State participating in a consortium with other
12 States, may reallocate funds allotted to such State under title
13 III of the Social Security Act to other States participating
14 in the consortium or to the entity operating the Unemploy-
15 ment Insurance Information Technology Support Center
16 in order to carry out activities that benefit the administra-
17 tion of the unemployment compensation law of the State
18 making the request: *Provided further*, That the Secretary
19 may collect fees for the costs associated with additional
20 data collection, analyses, and reporting services relating
21 to the National Agricultural Workers Survey requested by
22 State and local governments, public and private institu-
23 tions of higher education, and nonprofit organizations and
24 may utilize such sums, in accordance with the provisions
25 of 29 U.S.C. 9a, for the National Agricultural Workers

1 Survey infrastructure, methodology, and data to meet the
2 information collection and reporting needs of such entities,
3 which shall be credited to this appropriation and shall re-
4 main available until September 30, 2021, for such pur-
5 poses.

6 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
7 OTHER FUNDS

8 For repayable advances to the Unemployment Trust
9 Fund as authorized by sections 905(d) and 1203 of the
10 Social Security Act, and to the Black Lung Disability
11 Trust Fund as authorized by section 9501(e)(1) of the In-
12 ternal Revenue Code of 1986; and for nonrepayable ad-
13 vances to the revolving fund established by section 901(e)
14 of the Social Security Act, to the Unemployment Trust
15 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
16 Unemployment Benefits and Allowances” account, such
17 sums as may be necessary, which shall be available for
18 obligation through September 30, 2021.

19 PROGRAM ADMINISTRATION

20 For expenses of administering employment and train-
21 ing programs, \$108,674,000, together with not to exceed
22 \$49,982,000 which may be expended from the Employ-
23 ment Security Administration Account in the Unemploy-
24 ment Trust Fund.

1 100,000 in fiscal year 2020, an amount not to exceed an
2 additional \$9,200,000 shall remain available until ex-
3 pended for obligations for administrative expenses for
4 every 20,000 additional terminated participants: *Provided*
5 *further*, That obligations in excess of the amounts provided
6 for administrative expenses in this paragraph may be in-
7 curred and shall remain available until expended for obli-
8 gation for unforeseen and extraordinary pre-termination
9 or termination expenses or extraordinary multiemployer
10 program related expenses after approval by the Office of
11 Management and Budget and notification of the Commit-
12 tees on Appropriations of the House of Representatives
13 and the Senate: *Provided further*, That to the extent the
14 Corporation's expenses exceed \$250,000 for the provision
15 of credit or identity monitoring to affected individuals
16 upon suffering a security incident or privacy breach, an
17 additional amount shall remain available until expended
18 for obligations for such expenses, not to exceed an addi-
19 tional \$100 per affected individual.

20 WAGE AND HOUR DIVISION

21 SALARIES AND EXPENSES

22 For necessary expenses for the Wage and Hour Divi-
23 sion, including reimbursement to State, Federal, and local
24 agencies and their employees for inspection services ren-
25 dered, \$298,131,000.

1 OFFICE OF LABOR-MANAGEMENT STANDARDS

2 SALARIES AND EXPENSES

3 For necessary expenses for the Office of Labor-Man-
4 agement Standards, \$40,187,000.

5 OFFICE OF FEDERAL CONTRACT COMPLIANCE

6 PROGRAMS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Office of Federal Con-
9 tract Compliance Programs, \$120,000,000.

10 OFFICE OF WORKERS' COMPENSATION PROGRAMS

11 SALARIES AND EXPENSES

12 For necessary expenses for the Office of Workers'
13 Compensation Programs, \$118,609,000, together with
14 \$2,173,000 which may be expended from the Special Fund
15 in accordance with sections 39(c), 44(d), and 44(j) of the
16 Longshore and Harbor Workers' Compensation Act.

17 SPECIAL BENEFITS

18 (INCLUDING TRANSFER OF FUNDS)

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

1 5(f) of the War Claims Act (50 U.S.C. App. 2012); obliga-
2 tions incurred under the War Hazards Compensation Act
3 (42 U.S.C. 1701 et seq.); and 50 percent of the additional
4 compensation and benefits required by section 10(h) of the
5 Longshore and Harbor Workers' Compensation Act,
6 \$234,600,000, together with such amounts as may be nec-
7 essary to be charged to the subsequent year appropriation
8 for the payment of compensation and other benefits for
9 any period subsequent to August 15 of the current year,
10 for deposit into and to assume the attributes of the Em-
11 ployees' Compensation Fund established under 5 U.S.C.
12 8147(a): *Provided*, That amounts appropriated may be
13 used under 5 U.S.C. 8104 by the Secretary to reimburse
14 an employer, who is not the employer at the time of injury,
15 for portions of the salary of a re-employed, disabled bene-
16 ficiary: *Provided further*, That balances of reimbursements
17 unobligated on September 30, 2019, shall remain available
18 until expended for the payment of compensation, benefits,
19 and expenses: *Provided further*, That in addition there
20 shall be transferred to this appropriation from the Postal
21 Service and from any other corporation or instrumentality
22 required under 5 U.S.C. 8147(c) to pay an amount for
23 its fair share of the cost of administration, such sums as
24 the Secretary determines to be the cost of administration
25 for employees of such fair share entities through Sep-

1 tember 30, 2020: *Provided further*, That of those funds
2 transferred to this account from the fair share entities to
3 pay the cost of administration of the Federal Employees'
4 Compensation Act, \$74,777,000 shall be made available
5 to the Secretary as follows:

6 (1) For enhancement and maintenance of auto-
7 mated data processing systems operations and tele-
8 communications systems, \$24,540,000;

9 (2) For automated workload processing oper-
10 ations, including document imaging, centralized mail
11 intake, and medical bill processing, \$22,968,000;

12 (3) For periodic roll disability management and
13 medical review, \$25,535,000;

14 (4) For program integrity, \$1,734,000; and

15 (5) The remaining funds shall be paid into the
16 Treasury as miscellaneous receipts:

17 *Provided further*, That the Secretary may require that any
18 person filing a notice of injury or a claim for benefits
19 under 5 U.S.C. 81, or the Longshore and Harbor Work-
20 ers' Compensation Act, provide as part of such notice and
21 claim, such identifying information (including Social Secu-
22 rity account number) as such regulations may prescribe.

1 SPECIAL BENEFITS FOR DISABLED COAL MINERS

2 For carrying out title IV of the Federal Mine Safety
3 and Health Act of 1977, as amended by Public Law 107–
4 275, \$20,970,000, to remain available until expended.

5 For making after July 31 of the current fiscal year,
6 benefit payments to individuals under title IV of such Act,
7 for costs incurred in the current fiscal year, such amounts
8 as may be necessary.

9 For making benefit payments under title IV for the
10 first quarter of fiscal year 2021, \$14,000,000, to remain
11 available until expended.

12 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

13 OCCUPATIONAL ILLNESS COMPENSATION FUND

14 For necessary expenses to administer the Energy
15 Employees Occupational Illness Compensation Program
16 Act, \$59,846,000, to remain available until expended: *Pro-*
17 *vided*, That the Secretary may require that any person fil-
18 ing a claim for benefits under the Act provide as part of
19 such claim such identifying information (including Social
20 Security account number) as may be prescribed.

21 BLACK LUNG DISABILITY TRUST FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 Such sums as may be necessary from the Black Lung
24 Disability Trust Fund (the “Fund”), to remain available
25 until expended, for payment of all benefits authorized by

1 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
2 enue Code of 1986; and repayment of, and payment of
3 interest on advances, as authorized by section 9501(d)(4)
4 of that Act. In addition, the following amounts may be
5 expended from the Fund for fiscal year 2020 for expenses
6 of operation and administration of the Black Lung Bene-
7 fits program, as authorized by section 9501(d)(5): not to
8 exceed \$38,246,000 for transfer to the Office of Workers'
9 Compensation Programs, "Salaries and Expenses"; not to
10 exceed \$32,844,000 for transfer to Departmental Manage-
11 ment, "Salaries and Expenses"; not to exceed \$330,000
12 for transfer to Departmental Management, "Office of In-
13 spector General"; and not to exceed \$356,000 for pay-
14 ments into miscellaneous receipts for the expenses of the
15 Department of the Treasury.

16 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
17 SALARIES AND EXPENSES

18 For necessary expenses for the Occupational Safety
19 and Health Administration, \$660,908,000, including not
20 to exceed \$123,233,000 which shall be the maximum
21 amount available for grants to States under section 23(g)
22 of the Occupational Safety and Health Act (the "Act"),
23 which grants shall be no less than 50 percent of the costs
24 of State occupational safety and health programs required
25 to be incurred under plans approved by the Secretary

1 under section 18 of the Act; and, in addition, notwith-
2 standing 31 U.S.C. 3302, the Occupational Safety and
3 Health Administration may retain up to \$499,000 per fis-
4 cal year of training institute course tuition and fees, other-
5 wise authorized by law to be collected, and may utilize
6 such sums for occupational safety and health training and
7 education: *Provided*, That notwithstanding 31 U.S.C.
8 3302, the Secretary is authorized, during the fiscal year
9 ending September 30, 2020, to collect and retain fees for
10 services provided to Nationally Recognized Testing Lab-
11 oratories, and may utilize such sums, in accordance with
12 the provisions of 29 U.S.C. 9a, to administer national and
13 international laboratory recognition programs that ensure
14 the safety of equipment and products used by workers in
15 the workplace: *Provided further*, That \$12,690,000 shall
16 be available for Susan Harwood training grants, of which
17 not less than \$4,500,000 is for Susan Harwood Training
18 Capacity Building Developmental grants, as described in
19 Funding Opportunity Number SHTG–FY–16–02 (ref-
20 erenced in the notice of availability of funds published in
21 the Federal Register on May 3, 2016 (81 Fed. Reg.
22 30568)) for program activities starting not later than Sep-
23 tember 30, 2020 and lasting for a period of 12 months:
24 *Provided further*, That not more than \$3,500,000 shall be
25 for Voluntary Protection Programs.

1 MINE SAFETY AND HEALTH ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Mine Safety and
4 Health Administration, \$417,290,000, including purchase
5 and bestowal of certificates and trophies in connection
6 with mine rescue and first-aid work, and the hire of pas-
7 senger motor vehicles, including up to \$2,000,000 for
8 mine rescue and recovery activities and not less than
9 \$10,537,000 for State assistance grants: *Provided*, That
10 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
11 may be collected by the National Mine Health and Safety
12 Academy for room, board, tuition, and the sale of training
13 materials, otherwise authorized by law to be collected, to
14 be available for mine safety and health education and
15 training activities: *Provided further*, That notwithstanding
16 31 U.S.C. 3302, the Mine Safety and Health Administra-
17 tion is authorized to collect and retain up to \$2,499,000
18 from fees collected for the approval and certification of
19 equipment, materials, and explosives for use in mines, and
20 may utilize such sums for such activities: *Provided further*,
21 That the Secretary is authorized to accept lands, build-
22 ings, equipment, and other contributions from public and
23 private sources and to prosecute projects in cooperation
24 with other agencies, Federal, State, or private: *Provided*
25 *further*, That the Mine Safety and Health Administration

1 is authorized to promote health and safety education and
2 training in the mining community through cooperative
3 programs with States, industry, and safety associations:
4 *Provided further*, That the Secretary is authorized to rec-
5 ognize the Joseph A. Holmes Safety Association as a prin-
6 cipal safety association and, notwithstanding any other
7 provision of law, may provide funds and, with or without
8 reimbursement, personnel, including service of Mine Safe-
9 ty and Health Administration officials as officers in local
10 chapters or in the national organization: *Provided further*,
11 That any funds available to the Department of Labor may
12 be used, with the approval of the Secretary, to provide
13 for the costs of mine rescue and survival operations in the
14 event of a major disaster.

15 BUREAU OF LABOR STATISTICS

16 SALARIES AND EXPENSES

17 For necessary expenses for the Bureau of Labor Sta-
18 tistics, including advances or reimbursements to State,
19 Federal, and local agencies and their employees for serv-
20 ices rendered, \$600,800,000, together with not to exceed
21 \$65,000,000 which may be expended from the Employ-
22 ment Security Administration account in the Unemploy-
23 ment Trust Fund.

24 In addition, \$10,000,000 to remain available until
25 September 30, 2024, for costs associated with the physical

1 move of the Bureau of Labor Statistics' headquarters, in-
2 cluding replication of space, furniture, fixtures, equip-
3 ment, and related costs, as well as relocation of the data
4 center to a shared facility.

5 OFFICE OF DISABILITY EMPLOYMENT POLICY

6 SALARIES AND EXPENSES

7 For necessary expenses for the Office of Disability
8 Employment Policy to provide leadership, develop policy
9 and initiatives, and award grants furthering the objective
10 of eliminating barriers to the training and employment of
11 people with disabilities, \$38,500,000.

12 DEPARTMENTAL MANAGEMENT

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for Departmental Manage-
16 ment, including the hire of three passenger motor vehicles,
17 \$382,631,000, together with not to exceed \$308,000,
18 which may be expended from the Employment Security
19 Administration account in the Unemployment Trust
20 Fund: *Provided*, That \$89,825,000 for the Bureau of
21 International Labor Affairs shall be available for obliga-
22 tion through December 31, 2020: *Provided further*, That
23 funds available to the Bureau of International Labor Af-
24 fairs may be used to administer or operate international
25 labor activities, bilateral and multilateral technical assist-

1 ance, and microfinance programs, by or through contracts,
2 grants, subgrants and other arrangements: *Provided fur-*
3 *ther*, That not more than \$53,825,000 shall be for pro-
4 grams to combat exploitative child labor internationally
5 and not less than \$36,000,000 shall be used to implement
6 model programs that address worker rights issues through
7 technical assistance in countries with which the United
8 States has free trade agreements or trade preference pro-
9 grams: *Provided further*, That \$8,040,000 shall be used
10 for program evaluation and shall be available for obliga-
11 tion through September 30, 2021: *Provided further*, That
12 funds available for program evaluation may be used to ad-
13 minister grants for the purpose of evaluation: *Provided*
14 *further*, That grants made for the purpose of evaluation
15 shall be awarded through fair and open competition: *Pro-*
16 *vided further*, That funds available for program evaluation
17 may be transferred to any other appropriate account in
18 the Department for such purpose: *Provided further*, That
19 the Committees on Appropriations of the House of Rep-
20 resentatives and the Senate are notified at least 15 days
21 in advance of any transfer: *Provided further*, That the
22 funds available to the Women's Bureau may be used for
23 grants to serve and promote the interests of women in the
24 workforce: *Provided further*, That of the amounts made
25 available to the Women's Bureau, not less than

1 \$4,994,000 shall be used for grants authorized by the
2 Women in Apprenticeship and Nontraditional Occupations
3 Act.

4 VETERANS EMPLOYMENT AND TRAINING

5 Not to exceed \$256,341,000 may be derived from the
6 Employment Security Administration account in the Un-
7 employment Trust Fund to carry out the provisions of
8 chapters 41, 42, and 43 of title 38, United States Code,
9 of which:

10 (1) \$180,000,000 is for Jobs for Veterans State
11 grants under 38 U.S.C. 4102A(b)(5) to support dis-
12 abled veterans' outreach program specialists under
13 section 4103A of such title and local veterans' em-
14 ployment representatives under section 4104(b) of
15 such title, and for the expenses described in section
16 4102A(b)(5)(C), which shall be available for obliga-
17 tion by the States through December 31, 2020, and
18 not to exceed 3 percent for the necessary Federal ex-
19 penditures for data systems and contract support to
20 allow for the tracking of participant and perform-
21 ance information: *Provided*, That, in addition, such
22 funds may be used to support such specialists and
23 representatives in the provision of services to
24 transitioning members of the Armed Forces who
25 have participated in the Transition Assistance Pro-

1 gram and have been identified as in need of inten-
2 sive services, to members of the Armed Forces who
3 are wounded, ill, or injured and receiving treatment
4 in military treatment facilities or warrior transition
5 units, and to the spouses or other family caregivers
6 of such wounded, ill, or injured members;

7 (2) \$29,379,000 is for carrying out the Transi-
8 tion Assistance Program under 38 U.S.C. 4113 and
9 10 U.S.C. 1144;

10 (3) \$43,548,000 is for Federal administration
11 of chapters 41, 42, and 43 of title 38, and sections
12 2021, 2021A and 2023 of title 38, United States
13 Code: *Provided*, That, up to \$500,000 may be used
14 to carry out the Hire VETS Act (division O of Pub-
15 lic Law 115–31); and

16 (4) \$3,414,000 is for the National Veterans’
17 Employment and Training Services Institute under
18 38 U.S.C. 4109:

19 *Provided*, That the Secretary may reallocate among the
20 appropriations provided under paragraphs (1) through (4)
21 above an amount not to exceed 3 percent of the appropria-
22 tion from which such reallocation is made.

23 In addition, from the General Fund of the Treasury,
24 \$60,000,000 is for carrying out programs to assist home-
25 less veterans and veterans at risk of homelessness who are

1 transitioning from certain institutions under sections
2 2021, 2021A, and 2023 of title 38, United States Code:
3 *Provided*, That notwithstanding subsections (c)(3) and (d)
4 of section 2023, the Secretary may award grants through
5 September 30, 2020, to provide services under such sec-
6 tion: *Provided further*, That services provided under sec-
7 tions 2021 or under 2021A may include, in addition to
8 services to homeless veterans described in section
9 2002(a)(1), services to veterans who were homeless at
10 some point within the 60 days prior to program entry or
11 veterans who are at risk of homelessness within the next
12 60 days, and that services provided under section 2023
13 may include, in addition to services to the individuals de-
14 scribed in subsection (e) of such section, services to vet-
15 erans recently released from incarceration who are at risk
16 of homelessness: *Provided further*, That notwithstanding
17 paragraph (3) under this heading, funds appropriated in
18 this paragraph may be used for data systems and contract
19 support to allow for the tracking of participant and per-
20 formance information: *Provided further*, That notwith-
21 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,
22 United States Code, such funds shall be available for ex-
23 penditure pursuant to 31 U.S.C. 1553.

24 In addition, fees may be assessed and deposited in
25 the HIRE Vets Medallion Award Fund pursuant to sec-

1 tion 5(b) of the HIRE Vets Act, and such amounts shall
2 be available to the Secretary to carry out the HIRE Vets
3 Medallion Award Program, as authorized by such Act, and
4 shall remain available until expended: *Provided*, That such
5 sums shall be in addition to any other funds available for
6 such purposes, including funds available under paragraph
7 (3) of this heading: *Provided further*, That section 2(d)
8 of division O of the Consolidated Appropriations Act, 2017
9 (Public Law 115–31; 38 U.S.C. 4100 note) shall not
10 apply.

11 INFORMATION TECHNOLOGY MODERNIZATION

12 For necessary expenses for Department of Labor cen-
13 tralized infrastructure technology investment activities re-
14 lated to support systems and modernization, \$37,000,000,
15 which shall be available through September 30, 2021.

16 OFFICE OF INSPECTOR GENERAL

17 For salaries and expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, \$90,461,000, together with not to
20 exceed \$5,660,000 which may be expended from the Em-
21 ployment Security Administration account in the Unem-
22 ployment Trust Fund.

23 GENERAL PROVISIONS

24 SEC. 101. None of the funds appropriated by this Act
25 for the Job Corps shall be used to pay the salary and bo-

1 nuses of an individual, either as direct costs or any prora-
2 tion as an indirect cost, at a rate in excess of Executive
3 Level II.

4 (TRANSFER OF FUNDS)

5 SEC. 102. Not to exceed 1 percent of any discre-
6 tionary funds (pursuant to the Balanced Budget and
7 Emergency Deficit Control Act of 1985) which are appro-
8 priated for the current fiscal year for the Department of
9 Labor in this Act may be transferred between a program,
10 project, or activity, but no such program, project, or activ-
11 ity shall be increased by more than 3 percent by any such
12 transfer: *Provided*, That the transfer authority granted by
13 this section shall be available only to meet emergency
14 needs and shall not be used to create any new program
15 or to fund any project or activity for which no funds are
16 provided in this Act: *Provided further*, That the Commit-
17 tees on Appropriations of the House of Representatives
18 and the Senate are notified at least 15 days in advance
19 of any transfer.

20 SEC. 103. In accordance with Executive Order
21 13126, none of the funds appropriated or otherwise made
22 available pursuant to this Act shall be obligated or ex-
23 pended for the procurement of goods mined, produced,
24 manufactured, or harvested or services rendered, in whole
25 or in part, by forced or indentured child labor in industries

1 and host countries already identified by the United States
2 Department of Labor prior to enactment of this Act.

3 SEC. 104. Except as otherwise provided in this sec-
4 tion, none of the funds made available to the Department
5 of Labor for grants under section 414(c) of the American
6 Competitiveness and Workforce Improvement Act of 1998
7 (29 U.S.C. 2916a) may be used for any purpose other
8 than competitive grants for training individuals who are
9 older than 16 years of age and are not currently enrolled
10 in school within a local educational agency in the occupa-
11 tions and industries for which employers are using H-1B
12 visas to hire foreign workers, and the related activities
13 necessary to support such training.

14 SEC. 105. None of the funds made available by this
15 Act under the heading “Employment and Training Ad-
16 ministration” shall be used by a recipient or subrecipient
17 of such funds to pay the salary and bonuses of an indi-
18 vidual, either as direct costs or indirect costs, at a rate
19 in excess of Executive Level II. This limitation shall not
20 apply to vendors providing goods and services as defined
21 in Office of Management and Budget Circular A-133.
22 Where States are recipients of such funds, States may es-
23 tablish a lower limit for salaries and bonuses of those re-
24 ceiving salaries and bonuses from subrecipients of such
25 funds, taking into account factors including the relative

1 cost-of-living in the State, the compensation levels for
2 comparable State or local government employees, and the
3 size of the organizations that administer Federal pro-
4 grams involved including Employment and Training Ad-
5 ministration programs.

6 (TRANSFER OF FUNDS)

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

15 (b) Notwithstanding section 102, the Secretary may
16 transfer not more than 0.5 percent of each discretionary
17 appropriation made available to the Employment and
18 Training Administration by this Act to “Program Admin-
19 istration” in order to carry out program integrity activities
20 relating to any of the programs or activities that are fund-
21 ed under any such discretionary appropriations: *Provided*,
22 That notwithstanding section 102 and the preceding pro-
23 viso, the Secretary may transfer not more than 0.5 percent
24 of funds made available in paragraphs (1) and (2) of the
25 “Office of Job Corps” account to paragraph (3) of such

1 account to carry out program integrity activities related
2 to the Job Corps program: *Provided further*, That funds
3 transferred under the authority provided by this sub-
4 section shall be available for obligation through September
5 30, 2021.

6 (TRANSFER OF FUNDS)

7 SEC. 107. (a) The Secretary may reserve not more
8 than 0.75 percent from each appropriation made available
9 in this Act identified in subsection (b) in order to carry
10 out evaluations of any of the programs or activities that
11 are funded under such accounts. Any funds reserved under
12 this section shall be transferred to “Departmental Man-
13 agement” for use by the Office of the Chief Evaluation
14 Officer within the Department of Labor, and shall be
15 available for obligation through September 30, 2021: *Pro-*
16 *vided*, That such funds shall only be available if the Chief
17 Evaluation Officer of the Department of Labor submits
18 a plan to the Committees on Appropriations of the House
19 of Representatives and the Senate describing the evalua-
20 tions to be carried out 15 days in advance of any transfer.

21 (b) The accounts referred to in subsection (a) are:
22 “Training and Employment Services”, “Job Corps”,
23 “Community Service Employment for Older Americans”,
24 “State Unemployment Insurance and Employment Service
25 Operations”, “Employee Benefits Security Administra-

1 tion”, “Office of Workers’ Compensation Programs”,
2 “Wage and Hour Division”, “Office of Federal Contract
3 Compliance Programs”, “Office of Labor Management
4 Standards”, “Occupational Safety and Health Adminis-
5 tration”, “Mine Safety and Health Administration”, “Of-
6 fice of Disability Employment Policy”, funding made
7 available to the “Bureau of International Labor Affairs”
8 and “Women’s Bureau” within the “Departmental Man-
9 agement, Salaries and Expenses” account, and “Veterans
10 Employment and Training”.

11 SEC. 108. Notwithstanding any other provision of
12 law, the Secretary may furnish through grants, coopera-
13 tive agreements, contracts, and other arrangements, up to
14 \$2,000,000 of excess personal property, at a value deter-
15 mined by the Secretary, to apprenticeship programs for
16 the purpose of training apprentices in those programs.

17 SEC. 109. Funds made available in prior Acts under
18 the heading “Department of Labor—Employment and
19 Training Administration—State Unemployment Insur-
20 ance and Employment Service Operations” for fiscal years
21 2015 through 2019 for automation acquisitions that are
22 being carried out through consortia of States shall be
23 available for expenditure for six fiscal years after the final
24 fiscal year that such funds are available to incur new obli-
25 gations.

1 SEC. 110. (a) The Act entitled “An Act to create a
2 Department of Labor”, approved March 4, 1913 (37 Stat.
3 736, chapter 141) shall be applied as if the following text
4 is part of such Act: “

5 “(a) IN GENERAL.—The Secretary of Labor is au-
6 thorized to employ law enforcement officers or special
7 agents to—

8 “(1) provide protection for the Secretary of
9 Labor during the workday of the Secretary and dur-
10 ing any activity that is preliminary or postliminary
11 to the performance of official duties by the Sec-
12 retary;

13 “(2) provide protection, incidental to the protec-
14 tion provided to the Secretary, to a member of the
15 immediate family of the Secretary who is partici-
16 pating in an activity or event relating to the official
17 duties of the Secretary;

18 “(3) provide continuous protection to the Sec-
19 retary (including during periods not described in
20 paragraph (1)) and to the members of the imme-
21 diate family of the Secretary if there is a unique and
22 articulable threat of physical harm, in accordance
23 with guidelines established by the Secretary; and

24 “(4) provide protection to the Deputy Secretary
25 of Labor or another senior officer representing the

1 Secretary of Labor at a public event if there is a
2 unique and articulable threat of physical harm, in
3 accordance with guidelines established by the Sec-
4 retary.

5 “(b) AUTHORITIES.—The Secretary of Labor may
6 authorize a law enforcement officer or special agent em-
7 ployed under subsection (a), for the purpose of performing
8 the duties authorized under subsection (a), to—

9 “(1) carry firearms;

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

13 “(3) perform protective intelligence work, in-
14 cluding identifying and mitigating potential threats
15 and conducting advance work to review security mat-
16 ters relating to sites and events;

17 “(4) coordinate with local law enforcement
18 agencies; and

19 “(5) initiate criminal and other investigations
20 into potential threats to the security of the Sec-
21 retary, in coordination with the Inspector General of
22 the Department of Labor.

23 “(c) COMPLIANCE WITH GUIDELINES.—A law en-
24 forcement officer or special agent employed under sub-

1 section (a) shall exercise any authority provided under this
2 section in accordance with any—

3 “(1) guidelines issued by the Attorney General;

4 and

5 “(2) guidelines prescribed by the Secretary of
6 Labor.”.

7 (b) This section shall be effective on the date of en-
8 actment of this Act.

9 SEC. 111. The Secretary is authorized to dispose of
10 or divest, by any means the Secretary determines appro-
11 priate, including an agreement or partnership to construct
12 a new Job Corps center, all or a portion of the real prop-
13 erty on which the Treasure Island Job Corps Center is
14 situated. Any sale or other disposition will not be subject
15 to any requirement of any Federal law or regulation relat-
16 ing to the disposition of Federal real property, including
17 but not limited to subchapter III of chapter 5 of title 40
18 of the United States Code and subchapter V of chapter
19 119 of title 42 of the United States Code. The net pro-
20 ceeds of such a sale shall be transferred to the Secretary,
21 which shall be available until expended to carry out the
22 Job Corps Program on Treasure Island.

23 SEC. 112. Notwithstanding the Federal Assets Sale
24 and Transfer Act of 2016 (Public Law 114–287), the pro-
25 ceeds from the sale of any Job Corps facility under such

1 Act shall be transferred to the Secretary pursuant to sec-
2 tion 158(g) of the WIOA.

3 This title may be cited as the “Department of Labor
4 Appropriations Act, 2020”.

5 TITLE II
6 DEPARTMENT OF HEALTH AND HUMAN
7 SERVICES

8 HEALTH RESOURCES AND SERVICES ADMINISTRATION

9 PRIMARY HEALTH CARE

10 For carrying out titles II and III of the Public Health
11 Service Act (referred to in this Act as the “PHS Act”)
12 with respect to primary health care and the Native Hawai-
13 ian Health Care Act of 1988, \$1,676,522,000: *Provided*,
14 That no more than \$1,000,000 shall be available until ex-
15 pended for carrying out the provisions of section 224(o)
16 of the PHS Act: *Provided further*, That no more than
17 \$120,000,000 shall be available until expended for car-
18 rying out subsections (g) through (n) and (q) of section
19 224 of the PHS Act, and for expenses incurred by the
20 Department of Health and Human Services (referred to
21 in this Act as “HHS”) pertaining to administrative claims
22 made under such law.

23 HEALTH WORKFORCE

24 For carrying out titles III, VII, and VIII of the PHS
25 Act with respect to the health workforce, sections 1128E

1 and 1921 of the Social Security Act, and the Health Care
2 Quality Improvement Act of 1986, \$1,244,942,000: *Pro-*
3 *vided*, That sections 751(j)(2) and 762(k) of the PHS Act
4 and the proportional funding amounts in paragraphs (1)
5 through (4) of section 756(f) of the PHS Act shall not
6 apply to funds made available under this heading: *Pro-*
7 *vided further*, That for any program operating under sec-
8 tion 751 of the PHS Act on or before January 1, 2009,
9 the Secretary of Health and Human Services (referred to
10 in this title as the “Secretary”) may hereafter waive any
11 of the requirements contained in sections 751(d)(2)(A)
12 and 751(d)(2)(B) of such Act for the full project period
13 of a grant under such section: *Provided further*, That no
14 funds shall be available for section 340G-1 of the PHS
15 Act: *Provided further*, That fees collected for the disclosure
16 of information under section 427(b) of the Health Care
17 Quality Improvement Act of 1986 and sections
18 1128E(d)(2) and 1921 of the Social Security Act shall be
19 sufficient to recover the full costs of operating the pro-
20 grams authorized by such sections and shall remain avail-
21 able until expended for the National Practitioner Data
22 Bank: *Provided further*, That funds transferred to this ac-
23 count to carry out section 846 and subpart 3 of part D
24 of title III of the PHS Act may be used to make prior
25 year adjustments to awards made under such section and

1 subpart: *Provided further*, That \$120,000,000 shall re-
2 main available until expended for the purposes of pro-
3 viding primary health services, assigning National Health
4 Service Corps (“NHSC”) members to expand the delivery
5 of substance use disorder treatment services, notwith-
6 standing the assignment priorities and limitations under
7 sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of
8 the PHS Act, and making payments under the NHSC
9 Loan Repayment Program under section 338B of such
10 Act: *Provided further*, That, within the amount made
11 available in the previous proviso, \$15,000,000 shall re-
12 main available until expended for the purposes of making
13 payments under the NHSC Loan Repayment Program
14 under section 338B of the PHS Act to individuals partici-
15 pating in such program who provide primary health serv-
16 ices in Indian Health Service facilities, Tribally-Operated
17 638 Health Programs, and Urban Indian Health Pro-
18 grams (as those terms are defined by the Secretary), not-
19 withstanding the assignment priorities and limitations
20 under section 333(b) of such Act: *Provided further*, That
21 for purposes of the previous two provisos, section
22 331(a)(3)(D) of the PHS Act shall be applied as if the
23 term “primary health services” includes clinical substance
24 use disorder treatment services, including those provided
25 by masters level, licensed substance use disorder treat-

1 ment counselors: *Provided further*, That of the funds made
2 available under this heading, \$20,000,000 shall be avail-
3 able to make grants to establish or expand optional com-
4 munity-based nurse practitioner fellowship programs that
5 are accredited or in the accreditation process, with a pref-
6 erence for those in Federally Qualified Health Centers, for
7 practicing postgraduate nurse practitioners in primary
8 care or behavioral health.

9 Of the funds made available under this heading,
10 \$40,000,000 shall remain available until expended for
11 grants to public institutions of higher education to expand
12 or support graduate education for physicians provided by
13 such institutions: *Provided*, That, in awarding such
14 grants, the Secretary shall give priority to public institu-
15 tions of higher education located in States with a projected
16 primary care provider shortage in 2025, as determined by
17 the Secretary: *Provided further*, That grants so awarded
18 are limited to such public institutions of higher education
19 in States in the top quintile of States with a projected
20 primary care provider shortage in 2025, as determined by
21 the Secretary: *Provided further*, That the minimum
22 amount of a grant so awarded to such an institution shall
23 be not less than \$1,000,000 per year: *Provided further*,
24 That such a grant may be awarded for a period not to
25 exceed 5 years: *Provided further*, That such a grant award-

1 ed with respect to a year to such an institution shall be
2 subject to a matching requirement of non-Federal funds
3 in an amount that is not less than 10 percent of the total
4 amount of Federal funds provided in the grant to such
5 institution with respect to such year.

6 MATERNAL AND CHILD HEALTH

7 For carrying out titles III, XI, XII, and XIX of the
8 PHS Act with respect to maternal and child health, title
9 V of the Social Security Act, \$972,751,000: *Provided*,
10 That notwithstanding sections 502(a)(1) and 502(b)(1) of
11 the Social Security Act, not more than \$119,593,000 shall
12 be available for carrying out special projects of regional
13 and national significance pursuant to section 501(a)(2) of
14 such Act and \$10,276,000 shall be available for projects
15 described in subparagraphs (A) through (F) of section
16 501(a)(3) of such Act.

17 RYAN WHITE HIV/AIDS PROGRAM

18 For carrying out title XXVI of the PHS Act with
19 respect to the Ryan White HIV/AIDS program,
20 \$2,435,157,000, of which \$2,009,200,000 shall remain
21 available to the Secretary through September 30, 2022,
22 for parts A and B of title XXVI of the PHS Act, and
23 of which not less than \$912,017,000 shall be for State
24 AIDS Drug Assistance Programs under the authority of
25 section 2616 or 311(c) of such Act: *Provided*, That of the

1 funds made available under this heading, \$175,000,000
2 shall be for the Minority AIDS Initiative under section
3 2693 of such Act, of which \$56,664,000 shall be allocated
4 under subsection (b)(2)(A) of such section and
5 \$74,376,000 shall be allocated under subsection (b)(2)(C)
6 of such section: *Provided further*, That of the funds made
7 available under this heading, \$70,000,000, to remain
8 available until expended, shall be available to the Secretary
9 for carrying out a program of grants and contracts under
10 title XXVI or section 311(c) of such Act focused on ending
11 the nationwide HIV/AIDS epidemic, with any grants
12 issued under such section 311(c) administered in conjunc-
13 tion with title XXVI of the PHS Act, including the limita-
14 tion on administrative expenses.

15 **HEALTH CARE SYSTEMS**

16 For carrying out titles III and XII of the PHS Act
17 with respect to health care systems, and the Stem Cell
18 Therapeutic and Research Act of 2005, \$123,693,000, of
19 which \$122,000 shall be available until expended for facili-
20 ties renovations at the Gillis W. Long Hansen's Disease
21 Center.

22 **RURAL HEALTH**

23 For carrying out titles III and IV of the PHS Act
24 with respect to rural health, section 427(a) of the Federal
25 Coal Mine Health and Safety Act of 1969, and sections

1 711 and 1820 of the Social Security Act, \$317,794,000,
2 of which \$59,000,000 from general revenues, notwith-
3 standing section 1820(j) of the Social Security Act, shall
4 be available for carrying out the Medicare rural hospital
5 flexibility grants program: *Provided*, That of the funds
6 made available under this heading for Medicare rural hos-
7 pital flexibility grants, \$19,942,000 shall be available for
8 the Small Rural Hospital Improvement Grant Program
9 for quality improvement and adoption of health informa-
10 tion technology and up to \$1,000,000 shall be to carry
11 out section 1820(g)(6) of the Social Security Act, with
12 funds provided for grants under section 1820(g)(6) avail-
13 able for the purchase and implementation of telehealth
14 services, including pilots and demonstrations on the use
15 of electronic health records to coordinate rural veterans
16 care between rural providers and the Department of Vet-
17 erans Affairs electronic health record system: *Provided*
18 *further*, That notwithstanding section 338J(k) of the PHS
19 Act, \$12,500,000 shall be available for State Offices of
20 Rural Health: *Provided further*, That \$10,000,000 shall
21 remain available through September 30, 2022, to support
22 the Rural Residency Development Program.

23

FAMILY PLANNING

24 For carrying out the program under title X of the
25 PHS Act to provide for voluntary family planning

1 projects, \$400,000,000: *Provided*, That the Secretary shall
2 carry out section 1001 of the PHS Act solely in accord-
3 ance with any regulations or other conditions or instruc-
4 tions established by the Secretary pursuant to the author-
5 ity under section 1006 of the PHS Act that applied as
6 of January 18, 2017, to grants and contracts awarded
7 under section 1001 of the PHS Act: *Provided further*,
8 That amounts provided to said projects under such title
9 shall not be expended for abortions, that all pregnancy
10 counseling shall be nondirective, and that such amounts
11 shall not be expended for any activity (including the publi-
12 cation or distribution of literature) that in any way tends
13 to promote public support or opposition to any legislative
14 proposal or candidate for public office.

15 PROGRAM MANAGEMENT

16 For program support in the Health Resources and
17 Services Administration, \$155,250,000: *Provided*, That
18 funds made available under this heading may be used to
19 supplement program support funding provided under the
20 headings “Primary Health Care”, “Health Workforce”,
21 “Maternal and Child Health”, “Ryan White HIV/AIDS
22 Program”, “Health Care Systems”, and “Rural Health”.

23 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

24 For payments from the Vaccine Injury Compensation
25 Program Trust Fund (the “Trust Fund”), such sums as

1 may be necessary for claims associated with vaccine-re-
2 lated injury or death with respect to vaccines administered
3 after September 30, 1988, pursuant to subtitle 2 of title
4 XXI of the PHS Act, to remain available until expended:
5 *Provided*, That for necessary administrative expenses, not
6 to exceed \$11,200,000 shall be available from the Trust
7 Fund to the Secretary.

8 CENTERS FOR DISEASE CONTROL AND PREVENTION

9 IMMUNIZATION AND RESPIRATORY DISEASES

10 For carrying out titles II, III, XVII, and XXI, and
11 section 2821 of the PHS Act, titles II and IV of the Immi-
12 gration and Nationality Act, and section 501 of the Ref-
13 ugee Education Assistance Act, with respect to immuniza-
14 tion and respiratory diseases, \$499,758,000.

15 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

16 DISEASES, AND TUBERCULOSIS PREVENTION

17 For carrying out titles II, III, XVII, and XXIII of
18 the PHS Act with respect to HIV/AIDS, viral hepatitis,
19 sexually transmitted diseases, and tuberculosis prevention,
20 \$1,335,197,000.

21 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

22 For carrying out titles II, III, and XVII, and section
23 2821 of the PHS Act, titles II and IV of the Immigration
24 and Nationality Act, and section 501 of the Refugee Edu-
25 cation Assistance Act, with respect to emerging and

1 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,
2 DISABILITIES AND HEALTH

3 For carrying out titles II, III, XI, and XVII of the
4 PHS Act with respect to birth defects, developmental dis-
5 abilities, disabilities and health, \$161,560,000.

6 PUBLIC HEALTH SCIENTIFIC SERVICES

7 For carrying out titles II, III, and XVII of the PHS
8 Act with respect to health statistics, surveillance, health
9 informatics, and workforce development, \$603,897,000.

10 ENVIRONMENTAL HEALTH

11 For carrying out titles II, III, and XVII of the PHS
12 Act with respect to environmental health, \$226,350,000.

13 INJURY PREVENTION AND CONTROL

14 For carrying out titles II, III, and XVII of the PHS
15 Act with respect to injury prevention and control,
16 \$697,559,000, of which \$25,000,000 is provided for fire-
17 arm injury and mortality prevention research.

18 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND

19 HEALTH

20 For carrying out titles II, III, and XVII of the PHS
21 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
22 of the Federal Mine Safety and Health Act, section 13
23 of the Mine Improvement and New Emergency Response
24 Act, and sections 20, 21, and 22 of the Occupational Safe-

1 ty and Health Act, with respect to occupational safety and
2 health, \$346,300,000.

3 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

4 COMPENSATION PROGRAM

5 For necessary expenses to administer the Energy
6 Employees Occupational Illness Compensation Program
7 Act, \$55,358,000, to remain available until expended: *Pro-*
8 *vided*, That this amount shall be available consistent with
9 the provision regarding administrative expenses in section
10 151(b) of division B, title I of Public Law 106–554.

11 GLOBAL HEALTH

12 For carrying out titles II, III, and XVII of the PHS
13 Act with respect to global health, \$523,621,000, of which:
14 (1) \$128,421,000 shall remain available through Sep-
15 tember 30, 2021, for international HIV/AIDS; and (2)
16 \$99,762,000 shall be available for global public health pro-
17 tection: *Provided*, That funds may be used for purchase
18 and insurance of official motor vehicles in foreign coun-
19 tries.

20 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

21 For carrying out titles II, III, and XVII of the PHS
22 Act with respect to public health preparedness and re-
23 sponse, and for expenses necessary to support activities
24 related to countering potential biological, nuclear, radio-
25 logical, and chemical threats to civilian populations,

1 \$880,200,000: *Provided*, That the Director of the Centers
2 for Disease Control and Prevention (referred to in this
3 title as “CDC”) or the Administrator of the Agency for
4 Toxic Substances and Disease Registry may detail staff
5 without reimbursement for up to 180 days to support an
6 activation of the CDC Emergency Operations Center, so
7 long as the Director or Administrator, as applicable, pro-
8 vides a notice to the Committees on Appropriations of the
9 House of Representatives and the Senate within 15 days
10 of the use of this authority and a full report within 30
11 days after use of this authority which includes the number
12 of staff and funding level broken down by the originating
13 center and number of days detailed.

14 BUILDINGS AND FACILITIES

15 (INCLUDING TRANSFER OF FUNDS)

16 For acquisition of real property, equipment, construc-
17 tion, installation, demolition, and renovation of facilities,
18 \$30,000,000, which shall remain available until September
19 30, 2024: *Provided*, That in addition to the amount pro-
20 vided, for a new CDC research support building and all
21 related material handling, utility, transportation, and per-
22 sonnel support infrastructure at the Chamblee campus, in-
23 cluding necessary acquisition of real property, equipment,
24 construction, demolition, installation, activation, renova-
25 tion, and improvements, \$225,000,000, which shall be de-

1 rived by transfer from the Fund established by Public Law
2 110–161, division G, title II, section 223 and shall remain
3 available until September 30, 2024: *Provided further*, That
4 funds previously set aside by CDC for repair and upgrade
5 of the Lake Lynn Experimental Mine and Laboratory
6 shall be used to acquire a replacement mine safety re-
7 search facility: *Provided further*, That in addition, the
8 prior year unobligated balance of any amounts assigned
9 to former employees in accounts of CDC made available
10 for Individual Learning Accounts shall be credited to and
11 merged with the amounts made available under this head-
12 ing to support the replacement of the mine safety research
13 facility.

14 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

15 (INCLUDING TRANSFER OF FUNDS)

16 For carrying out titles II, III, XVII and XIX, and
17 section 2821 of the PHS Act and for cross-cutting activi-
18 ties and program support for activities funded in other
19 appropriations included in this Act for the Centers for
20 Disease Control and Prevention, \$163,570,000, of which
21 up to \$10,000,000 may be transferred to the reserve of
22 the Working Capital Fund authorized under this heading
23 in division F of Public Law 112–74: *Provided*, That para-
24 graphs (1) through (3) of subsection (b) of section 2821
25 of the PHS Act shall not apply to funds appropriated

1 under this heading and in all other accounts of the CDC:
2 *Provided further*, That of the amounts made available
3 under this heading, \$50,000,000 shall be transferred to
4 and merged with the Infectious Diseases Rapid Response
5 Reserve Fund established by section 231 of division B of
6 Public Law 115–245: *Provided further*, That any funds
7 made available by this Act to the Centers for Disease Con-
8 trol and Prevention may be used to support the purchase,
9 hire, maintenance, and operation of an aircraft for use and
10 support of the activities of CDC: *Provided further*, That
11 employees of CDC or the Public Health Service, both civil-
12 ian and commissioned officers, detailed to States, munici-
13 palities, or other organizations under authority of section
14 214 of the PHS Act, or in overseas assignments, shall be
15 treated as non-Federal employees for reporting purposes
16 only and shall not be included within any personnel ceiling
17 applicable to the Agency, Service, or HHS during the pe-
18 riod of detail or assignment: *Provided further*, That CDC
19 may use up to \$10,000 from amounts appropriated to
20 CDC in this Act for official reception and representation
21 expenses when specifically approved by the Director of
22 CDC: *Provided further*, That in addition, such sums as
23 may be derived from authorized user fees, which shall be
24 credited to the appropriation charged with the cost there-
25 of: *Provided further*, That with respect to the previous pro-

1 viso, authorized user fees from the Vessel Sanitation Pro-
2 gram and the Respirator Certification Program shall be
3 available through September 30, 2021.

4 NATIONAL INSTITUTES OF HEALTH

5 NATIONAL CANCER INSTITUTE

6 For carrying out section 301 and title IV of the PHS
7 Act with respect to cancer, \$6,249,165,000, of which up
8 to \$30,000,000 may be used for facilities repairs and im-
9 provements at the National Cancer Institute—Frederick
10 Federally Funded Research and Development Center in
11 Frederick, Maryland.

12 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to cardiovascular, lung, and blood dis-
15 eases, and blood and blood products, \$3,658,822,000.

16 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
17 RESEARCH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to dental and craniofacial diseases,
20 \$484,350,000.

21 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
22 KIDNEY DISEASES

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to diabetes and digestive and kidney dis-
25 ease, \$2,129,027,000.

1 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
2 AND STROKE

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to neurological disorders and stroke,
5 \$2,315,571,000.

6 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
7 DISEASES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to allergy and infectious diseases,
10 \$5,808,268,000.

11 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to general medical sciences,
14 \$3,033,183,000, of which \$1,146,821,000 shall be from
15 funds available under section 241 of the PHS Act: *Pro-*
16 *vided*, That not less than \$381,573,000 is provided for
17 the Institutional Development Awards program.

18 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
19 CHILD HEALTH AND HUMAN DEVELOPMENT

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to child health and human development,
22 \$1,580,084,000.

1 NATIONAL EYE INSTITUTE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to eye diseases and visual disorders,
4 \$835,465,000.

5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
6 SCIENCES

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to environmental health sciences,
9 \$812,570,000.

10 NATIONAL INSTITUTE ON AGING

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to aging, \$3,286,107,000.

13 NATIONAL INSTITUTE OF ARTHRITIS AND
14 MUSCULOSKELETAL AND SKIN DISEASES

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to arthritis and musculoskeletal and skin
17 diseases, \$634,637,000.

18 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
19 COMMUNICATION DISORDERS

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to deafness and other communication dis-
22 orders, \$497,590,000.

23 NATIONAL INSTITUTE OF NURSING RESEARCH

24 For carrying out section 301 and title IV of the PHS
25 Act with respect to nursing research, \$170,958,000.

1 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
2 ALCOHOLISM

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to alcohol abuse and alcoholism,
5 \$551,278,000.

6 NATIONAL INSTITUTE ON DRUG ABUSE

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to drug abuse, \$1,489,237,000.

9 NATIONAL INSTITUTE OF MENTAL HEALTH

10 For carrying out section 301 and title IV of the PHS
11 Act with respect to mental health, \$1,891,704,000.

12 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to human genome research,
15 \$603,710,000.

16 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
17 BIOENGINEERING

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to biomedical imaging and bioengineering
20 research, \$408,498,000.

21 NATIONAL CENTER FOR COMPLEMENTARY AND
22 INTEGRATIVE HEALTH

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to complementary and integrative health,
25 \$153,632,000.

1 NATIONAL INSTITUTE ON MINORITY HEALTH AND
2 HEALTH DISPARITIES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to minority health and health disparities
5 research, \$341,244,000.

6 JOHN E. FOGARTY INTERNATIONAL CENTER

7 For carrying out the activities of the John E. Fogarty
8 International Center (described in subpart 2 of part E of
9 title IV of the PHS Act), \$84,926,000.

10 NATIONAL LIBRARY OF MEDICINE

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to health information communications,
13 \$463,599,000: *Provided*, That of the amounts available for
14 improvement of information systems, \$4,000,000 shall be
15 available until September 30, 2021: *Provided further*, That
16 in fiscal year 2020, the National Library of Medicine may
17 enter into personal services contracts for the provision of
18 services in facilities owned, operated, or constructed under
19 the jurisdiction of the National Institutes of Health (re-
20 ferred to in this title as “NIH”).

21 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
22 SCIENCES

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to translational sciences, \$845,783,000:
25 *Provided*, That up to \$80,000,000 shall be available to im-

1 plement section 480 of the PHS Act, relating to the Cures
2 Acceleration Network.

3 OFFICE OF THE DIRECTOR

4 For carrying out the responsibilities of the Office of
5 the Director, NIH, \$2,049,992,000: *Provided*, That fund-
6 ing shall be available for the purchase of not to exceed
7 29 passenger motor vehicles for replacement only: *Pro-*
8 *vided further*, That all funds credited to the NIH Manage-
9 ment Fund shall remain available for one fiscal year after
10 the fiscal year in which they are deposited: *Provided fur-*
11 *ther*, That \$165,000,000 shall be for the Environmental
12 Influences on Child Health Outcomes study: *Provided fur-*
13 *ther*, That \$617,761,000 shall be available for the Com-
14 mon Fund established under section 402A(c)(1) of the
15 PHS Act: *Provided further*, That of the funds provided,
16 \$10,000 shall be for official reception and representation
17 expenses when specifically approved by the Director of the
18 NIH: *Provided further*, That the Office of AIDS Research
19 within the Office of the Director of the NIH may spend
20 up to \$8,000,000 to make grants for construction or ren-
21 ovation of facilities as provided for in section
22 2354(a)(5)(B) of the PHS Act: *Provided further*, That
23 \$25,000,000 shall be used to carry out section 404I of
24 the PHS Act (42 U.S.C. 283K), relating to biomedical and
25 behavioral research facilities.

1 In addition to other funds appropriated for the Com-
2 mon Fund established under section 402A(c) of the PHS
3 Act, \$12,600,000 is appropriated to the Common Fund
4 from the 10-year Pediatric Research Initiative Fund de-
5 scribed in section 9008 of title 26, United States Code,
6 for the purpose of carrying out section 402(b)(7)(B)(ii)
7 of the PHS Act (relating to pediatric research), as author-
8 ized in the Gabriella Miller Kids First Research Act.

9 BUILDINGS AND FACILITIES

10 For the study of, construction of, demolition of, ren-
11 novation of, and acquisition of equipment for, facilities of
12 or used by NIH, including the acquisition of real property,
13 \$200,000,000, to remain available through September 30,
14 2024.

15 NIH INNOVATION ACCOUNT, CURES ACT

16 (including transfer of funds)

17 For necessary expenses to carry out the purposes de-
18 scribed in section 1001(b)(4) of the 21st Century Cures
19 Act, in addition to amounts available for such purposes
20 in the appropriations provided to the NIH in this Act,
21 \$492,000,000, to remain available until expended: *Pro-*
22 *vided*, That such amounts are appropriated pursuant to
23 section 1001(b)(3) of such Act, are to be derived from
24 amounts transferred under section 1001(b)(2)(A) of such

1 Act, and may be transferred by the Director of the Na-
2 tional Institutes of Health to other accounts of the Na-
3 tional Institutes of Health solely for the purposes provided
4 in such Act: *Provided further*, That upon a determination
5 by the Director that funds transferred pursuant to the
6 previous proviso are not necessary for the purposes pro-
7 vided, such amounts may be transferred back to the Ac-
8 count: *Provided further*, That the transfer authority pro-
9 vided under this heading is in addition to any other trans-
10 fer authority provided by law.

11 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

12 ADMINISTRATION

13 MENTAL HEALTH

14 For carrying out titles III, V, and XIX of the PHS
15 Act with respect to mental health, the Protection and Ad-
16 vocacy for Individuals with Mental Illness Act, and section
17 224 of the Protecting Access to Medicare Act of 2014,
18 \$1,622,974,000: *Provided*, That of the funds made avail-
19 able under this heading, \$70,887,000 shall be for the Na-
20 tional Child Traumatic Stress Initiative: *Provided further*,
21 That notwithstanding section 520A(f)(2) of the PHS Act,
22 no funds appropriated for carrying out section 520A shall
23 be available for carrying out section 1971 of the PHS Act:
24 *Provided further*, That in addition to amounts provided
25 herein, \$21,039,000 shall be available under section 241

1 of the PHS Act to supplement funds otherwise available
2 for mental health activities and to carry out subpart I of
3 part B of title XIX of the PHS Act to fund section
4 1920(b) technical assistance, national data, data collection
5 and evaluation activities, and further that the total avail-
6 able under this Act for section 1920(b) activities shall not
7 exceed 5 percent of the amounts appropriated for subpart
8 I of part B of title XIX: *Provided further*, That up to 10
9 percent of the amounts made available to carry out the
10 Children's Mental Health Services program may be used
11 to carry out demonstration grants or contracts for early
12 interventions with persons not more than 25 years of age
13 at clinical high risk of developing a first episode of psy-
14 chosis: *Provided further*, That section 520E(b)(2) of the
15 PHS Act shall not apply to funds appropriated in this Act
16 for fiscal year 2020: *Provided further*, That of the total
17 amount each State receives for carrying out section 1911
18 of the PHS Act, the State shall expend at least 10 percent
19 of such total amount to support evidence-based programs
20 that address the needs of individuals with early serious
21 mental illness, including psychotic disorders, regardless of
22 the age at onset, and shall expend at least five percent
23 of such total amount for evidence-based crisis care pro-
24 grams addressing the needs of individuals with serious
25 mental illnesses and children with serious mental and emo-

1 tional disturbances: *Provided further*, That \$150,000,000
2 shall be available until September 30, 2022, for grants to
3 communities and community organizations who meet cri-
4 teria for Certified Community Behavioral Health Clinics
5 pursuant to section 223(a) of Public Law 113–93: *Pro-*
6 *vided further*, That none of the funds provided for section
7 1911 of the PHS Act shall be subject to section 241 of
8 such Act.

9 SUBSTANCE ABUSE TREATMENT

10 For carrying out titles III and V of the PHS Act
11 with respect to substance abuse treatment, title XIX of
12 such Act with respect to substance abuse treatment and
13 prevention, and section 3203 of the Support for Patients
14 and Communities Act, \$3,761,056,000: *Provided*, That
15 \$1,500,000,000 shall be for State Opioid Response Grants
16 for carrying out activities pertaining to opioids undertaken
17 by the State agency responsible for administering the sub-
18 stance abuse prevention and treatment block grant under
19 subpart II of part B of title XIX of the PHS Act (42
20 U.S.C. 300x–21 et seq.): *Provided further*, That of such
21 amount \$50,000,000 shall be made available to Indian
22 Tribes or tribal organizations: *Provided further*, That 15
23 percent of the remaining amount shall be for the States
24 with the highest mortality rate related to opioid use dis-
25 orders: *Provided further*, That of the amounts provided for

1 State Opioid Response Grants not more than 2 percent
2 shall be available for Federal administrative expenses,
3 training, technical assistance, and evaluation: *Provided*
4 *further*, That of the amount not reserved by the previous
5 three provisos, the Secretary shall make allocations to
6 States, territories, and the District of Columbia according
7 to a formula using national survey results that the Sec-
8 retary determines are the most objective and reliable
9 measure of drug use and drug-related deaths: *Provided*
10 *further*, That the Secretary shall submit the formula meth-
11 odology to the Committees on Appropriations of the House
12 of Representatives and the Senate not less than 15 days
13 prior to publishing a Funding Opportunity Announce-
14 ment: *Provided further*, That prevention and treatment ac-
15 tivities funded through such grants may include education,
16 treatment (including the provision of medication), behav-
17 ioral health services for individuals in treatment programs,
18 referral to treatment services, recovery support, and med-
19 ical screening associated with such treatment: *Provided*
20 *further*, That each State, as well as the District of Colum-
21 bia, shall receive not less than \$4,000,000: *Provided fur-*
22 *ther*, That in addition to amounts provided herein, the fol-
23 lowing amounts shall be available under section 241 of the
24 PHS Act: (1) \$79,200,000 to carry out subpart II of part
25 B of title XIX of the PHS Act to fund section 1935(b)

1 technical assistance, national data, data collection and
2 evaluation activities, and further that the total available
3 under this Act for section 1935(b) activities shall not ex-
4 ceed 5 percent of the amounts appropriated for subpart
5 II of part B of title XIX; and (2) \$2,000,000 to evaluate
6 substance abuse treatment programs: *Provided further*,
7 That none of the funds provided for section 1921 of the
8 PHS Act or State Opioid Response Grants shall be subject
9 to section 241 of such Act.

10 SUBSTANCE ABUSE PREVENTION

11 For carrying out titles III and V of the PHS Act
12 with respect to substance abuse prevention, \$212,469,000.

13 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

14 For program support and cross-cutting activities that
15 supplement activities funded under the headings “Mental
16 Health”, “Substance Abuse Treatment”, and “Substance
17 Abuse Prevention” in carrying out titles III, V, and XIX
18 of the PHS Act and the Protection and Advocacy for Indi-
19 viduals with Mental Illness Act in the Substance Abuse
20 and Mental Health Services Administration,
21 \$128,830,000: *Provided*, That in addition to amounts pro-
22 vided herein, \$31,428,000 shall be available under section
23 241 of the PHS Act to supplement funds available to
24 carry out national surveys on drug abuse and mental
25 health, to collect and analyze program data, and to con-

1 duct public awareness and technical assistance activities:
2 *Provided further*, That, in addition, fees may be collected
3 for the costs of publications, data, data tabulations, and
4 data analysis completed under title V of the PHS Act and
5 provided to a public or private entity upon request, which
6 shall be credited to this appropriation and shall remain
7 available until expended for such purposes: *Provided fur-*
8 *ther*, That amounts made available in this Act for carrying
9 out section 501(o) of the PHS Act shall remain available
10 through September 30, 2021: *Provided further*, That
11 funds made available under this heading may be used to
12 supplement program support funding provided under the
13 headings “Mental Health”, “Substance Abuse Treat-
14 ment”, and “Substance Abuse Prevention”.

15 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

16 HEALTHCARE RESEARCH AND QUALITY

17 For carrying out titles III and IX of the PHS Act,
18 part A of title XI of the Social Security Act, and section
19 1013 of the Medicare Prescription Drug, Improvement,
20 and Modernization Act of 2003, \$339,809,000: *Provided*,
21 That in addition to amounts provided herein, \$18,408,000
22 shall be available from amounts available under section
23 241 of the PHS Act: *Provided further*, That section 947(c)
24 of the PHS Act shall not apply in fiscal year 2020: *Pro-*
25 *vided further*, That in addition, amounts received from

1 Freedom of Information Act fees, reimbursable and inter-
2 agency agreements, and the sale of data shall be credited
3 to this appropriation and shall remain available until Sep-
4 tember 30, 2021.

5 CENTERS FOR MEDICARE AND MEDICAID SERVICES
6 GRANTS TO STATES FOR MEDICAID

7 For carrying out, except as otherwise provided, titles
8 XI and XIX of the Social Security Act, \$273,188,478,000,
9 to remain available until expended.

10 In addition, for carrying out such titles after May 31,
11 2020, for the last quarter of fiscal year 2020 for unantici-
12 pated costs incurred for the current fiscal year, such sums
13 as may be necessary, to remain available until expended.

14 In addition, for carrying out such titles for the first
15 quarter of fiscal year 2021, \$139,903,075,000, to remain
16 available until expended.

17 Payment under such title XIX may be made for any
18 quarter with respect to a State plan or plan amendment
19 in effect during such quarter, if submitted in or prior to
20 such quarter and approved in that or any subsequent
21 quarter.

22 PAYMENTS TO THE HEALTH CARE TRUST FUNDS

23 For payment to the Federal Hospital Insurance
24 Trust Fund and the Federal Supplementary Medical In-
25 surance Trust Fund, as provided under sections 217(g),

1 1844, and 1860D–16 of the Social Security Act, sections
2 103(c) and 111(d) of the Social Security Amendments of
3 1965, section 278(d)(3) of Public Law 97–248, and for
4 administrative expenses incurred pursuant to section
5 201(g) of the Social Security Act, \$410,796,100,000.

6 In addition, for making matching payments under
7 section 1844 and benefit payments under section 1860D–
8 16 of the Social Security Act that were not anticipated
9 in budget estimates, such sums as may be necessary.

10 PROGRAM MANAGEMENT

11 For carrying out, except as otherwise provided, titles
12 XI, XVIII, XIX, and XXI of the Social Security Act, titles
13 XIII and XXVII of the PHS Act, the Clinical Laboratory
14 Improvement Amendments of 1988, and other responsibil-
15 ities of the Centers for Medicare & Medicaid Services, not
16 to exceed \$3,984,744,000, to be transferred from the Fed-
17 eral Hospital Insurance Trust Fund and the Federal Sup-
18 plementary Medical Insurance Trust Fund, as authorized
19 by section 201(g) of the Social Security Act; together with
20 all funds collected in accordance with section 353 of the
21 PHS Act and section 1857(e)(2) of the Social Security
22 Act, funds retained by the Secretary pursuant to section
23 1893(h) of the Social Security Act, and such sums as may
24 be collected from authorized user fees and the sale of data,
25 which shall be credited to this account and remain avail-

1 able until expended: *Provided*, That all funds derived in
2 accordance with 31 U.S.C. 9701 from organizations estab-
3 lished under title XIII of the PHS Act shall be credited
4 to and available for carrying out the purposes of this ap-
5 propriation: *Provided further*, That the Secretary is di-
6 rected to collect fees in fiscal year 2020 from Medicare
7 Advantage organizations pursuant to section 1857(e)(2)
8 of the Social Security Act and from eligible organizations
9 with risk-sharing contracts under section 1876 of that Act
10 pursuant to section 1876(k)(4)(D) of that Act: *Provided*
11 *further*, That amounts available under this heading for
12 quality improvement organizations (as defined in section
13 1152 of the Social Security Act) may not exceed the
14 amount provided under this heading in division H of the
15 Consolidated Appropriations Act, 2018 (Public Law 115–
16 141) for such organizations.

17 In addition, the Secretary shall obligate not less than
18 \$100,000,000 in fiscal year 2020 out of amounts collected
19 through the user fees on participating health insurance
20 issuers pursuant to section 156.50 of title 45, Code of
21 Federal Regulations (or any successor regulations) to
22 carry out the navigator program (as described in section
23 1311(i) of the Patient Protection and Affordable Care Act
24 (42 U.S.C. 18031(i)), and to carry out outreach and edu-
25 cational activities, for purposes of informing potential en-

1 rollees in qualified health plans (as defined in section
2 1301(a) of such Act (42 U.S.C. 18021(a)) offered through
3 an Exchange established or operated by the Secretary
4 within a State, of the availability of coverage under such
5 plans and financial assistance for coverage under such
6 plans: *Provided*, That awards under such program shall
7 be based solely on an entity's demonstrated capacity to
8 carry out each of the duties specified in section 1311(i)(3)
9 of such Act: *Provided further*, That not less than
10 \$15,000,000 shall be obligated for national television and
11 not less than \$15,000,000 shall be obligated for internet
12 search advertising for purposes of carrying out such out-
13 reach and educational activities: *Provider further*, That not
14 less than \$30,000,000 of the funds made available in this
15 paragraph shall be obligated for advertising during the
16 final two weeks of the open enrollment period specified by
17 the Secretary pursuant to section 1311(c)(6)(B) of such
18 Act occurring during 2019: *Provided further*, That no
19 amounts collected through such user fees shall be available
20 for expenditures for promoting health insurance coverage
21 or a group health plan (as such terms are defined in sec-
22 tion 2791 of the PHS Act (42 U.S.C. 300gg-91)) that
23 is not a qualified health plan.

1 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

2 In addition to amounts otherwise available for pro-
3 gram integrity and program management, \$786,000,000,
4 to remain available through September 30, 2021, to be
5 transferred from the Federal Hospital Insurance Trust
6 Fund and the Federal Supplementary Medical Insurance
7 Trust Fund, as authorized by section 201(g) of the Social
8 Security Act, of which \$610,000,000 shall be for the Cen-
9 ters for Medicare & Medicaid Services program integrity
10 activities, of which \$93,000,000 shall be for the Depart-
11 ment of Health and Human Services Office of Inspector
12 General to carry out fraud and abuse activities authorized
13 by section 1817(k)(3) of such Act, and of which
14 \$83,000,000 shall be for the Department of Justice to
15 carry out fraud and abuse activities authorized by section
16 1817(k)(3) of such Act: *Provided*, That the report re-
17 quired by section 1817(k)(5) of the Social Security Act
18 for fiscal year 2020 shall include measures of the oper-
19 ational efficiency and impact on fraud, waste, and abuse
20 in the Medicare, Medicaid, and CHIP programs for the
21 funds provided by this appropriation: *Provided further*,
22 That of the amount provided under this heading,
23 \$311,000,000 is provided to meet the terms of section
24 251(b)(2)(C)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985, as amended, and

1 \$475,000,000 is additional new budget authority specified
2 for purposes of section 251(b)(2)(C) of such Act: *Provided*
3 *further*, That the Secretary shall provide not less than
4 \$18,000,000 from amounts made available under this
5 heading and amounts made available for fiscal year 2020
6 under section 1817(k)(3)(A) of the Social Security Act for
7 the Senior Medicare Patrol program to combat health care
8 fraud and abuse.

9 ADMINISTRATION FOR CHILDREN AND FAMILIES

10 PAYMENTS TO STATES FOR CHILD SUPPORT

11 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

12 For carrying out, except as otherwise provided, titles
13 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
14 and the Act of July 5, 1960, \$2,890,000,000, to remain
15 available until expended; and for such purposes for the
16 first quarter of fiscal year 2021, \$1,400,000,000, to re-
17 main available until expended.

18 For carrying out, after May 31 of the current fiscal
19 year, except as otherwise provided, titles I, IV–D, X, XI,
20 XIV, and XVI of the Social Security Act and the Act of
21 July 5, 1960, for the last 3 months of the current fiscal
22 year for unanticipated costs, incurred for the current fiscal
23 year, such sums as may be necessary.

1 LOW INCOME HOME ENERGY ASSISTANCE

2 For making payments under subsections (b) and (d)
3 of section 2602 of the Low-Income Home Energy Assist-
4 ance Act of 1981 (42 U.S.C. 8621 et seq.),
5 \$3,840,304,000: *Provided*, That notwithstanding section
6 2609A(a) of such Act, not more than \$2,988,000 may be
7 reserved by the Secretary of Health and Human Services
8 for technical assistance, training, and monitoring of pro-
9 gram activities for compliance with internal controls, poli-
10 cies and procedures and the Secretary may, in addition
11 to the authorities provided in section 2609A(a)(1), use
12 such funds through contracts with private entities that do
13 not qualify as nonprofit organizations: *Provided further*,
14 That \$3,637,316,000 of the amount appropriated under
15 this heading shall be allocated to each State and territory
16 in amounts equal to the amount each State and territory
17 was allocated in fiscal year 2018 pursuant to allocations
18 made from amounts appropriated under this heading in
19 the Consolidated Appropriations Act, 2018 (Public Law
20 115–141): *Provided further*, that \$37,280,000 of the
21 amount appropriated under this heading shall be allocated
22 as though the total appropriation for such payments for
23 fiscal year 2020 was less than \$1,975,000,000.

1 REFUGEE AND ENTRANT ASSISTANCE

2 For necessary expenses for refugee and entrant as-
3 sistance activities authorized by section 414 of the Immi-
4 gration and Nationality Act and section 501 of the Ref-
5 ugee Education Assistance Act of 1980, and for carrying
6 out section 462 of the Homeland Security Act of 2002,
7 section 235 of the William Wilberforce Trafficking Victims
8 Protection Reauthorization Act of 2008, the Trafficking
9 Victims Protection Act of 2000 (“TVPA”), and the Tor-
10 ture Victims Relief Act of 1998, \$2,411,701,000, of which
11 \$2,364,446,000 shall remain available through September
12 30, 2022 for carrying out such sections 414, 501, 462,
13 and 235: *Provided*, That amounts available under this
14 heading to carry out the TVPA shall also be available for
15 research and evaluation with respect to activities under
16 such Act: *Provided further*, That not less than
17 \$190,000,000 shall be used for legal services, child advo-
18 cates, and post-release services: *Provided further*, That
19 none of the funds made available by this Act may be used
20 to implement or enforce the Memorandum of Agreement
21 Among the Office of Refugee Resettlement of the Depart-
22 ment of Health and Human Services and U.S. Immigra-
23 tion and Customs Enforcement and U.S. Customs and
24 Border Protection of the Department of Homeland Secu-
25 rity Regarding Consultation and Information Sharing in

1 Unaccompanied Alien Children Matters, dated April 13,
2 2018: *Provided further*, That not later than 30 days after
3 the date of enactment of this Act, the Secretary of Health
4 and Human Services shall submit to the Committees on
5 Appropriations of the House of Representatives and the
6 Senate a detailed spend plan of anticipated uses of funds
7 made available in this account, including the following:
8 costs, capacity, and timelines for existing grants and con-
9 tracts; costs for expanding capacity through use of com-
10 munity-based residential care placements (including long-
11 term and transitional foster care and small group homes)
12 through new or modified grants and contracts; costs and
13 services to be provided for legal services, child advocates,
14 and post-release services; program administration; and the
15 average number of weekly referrals and discharge rate as-
16 sumed in the spend plan: *Provided further*, That such plan
17 shall be updated to reflect changes and expenditures and
18 submitted to the Committees every 60 days thereafter.

19 None of the funds made available in this Act may
20 be used in contravention of the Homeland Security Act
21 of 2002, the William Wilberforce Trafficking Victims Pro-
22 tection Reauthorization Act of 2008, or the Adoption and
23 Safe Families Act of 1997 (as those law are in effect on
24 the date of the enactment of this Act, and including provi-
25 sions of other statutes amended or added by those laws,

1 as so in effect), or the Stipulated Settlement Agreement
2 in *Flores v. Reno* (U.S. District Court, Central District
3 of California, 1997).

4 PAYMENTS TO STATES FOR THE CHILD CARE AND
5 DEVELOPMENT BLOCK GRANT

6 For carrying out the Child Care and Development
7 Block Grant Act of 1990 (“CCDBG Act”),
8 \$7,676,000,000 shall be used to supplement, not supplant
9 State general revenue funds for child care assistance for
10 low-income families: *Provided*, That technical assistance
11 under section 658I(a)(3) of such Act may be provided di-
12 rectly, or through the use of contracts, grants, cooperative
13 agreements, or interagency agreements: *Provided further*,
14 That all funds made available to carry out section 418
15 of the Social Security Act (42 U.S.C. 618), including
16 funds appropriated for that purpose in such section 418
17 or any other provision of law, shall be subject to the res-
18 ervation of funds authority in paragraphs (4) and (5) of
19 section 658O(a) of the CCDBG Act: *Provided further*,
20 That in addition to the amounts required to be reserved
21 by the Secretary under section 658O(a)(2)(A) of such Act,
22 \$156,780,000 shall be for Indian tribes and tribal organi-
23 zations.

1 SOCIAL SERVICES BLOCK GRANT

2 For making grants to States pursuant to section
3 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
4 *vided*, That notwithstanding subparagraph (B) of section
5 404(d)(2) of such Act, the applicable percent specified
6 under such subparagraph for a State to carry out State
7 programs pursuant to title XX–A of such Act shall be 10
8 percent.

9 CHILDREN AND FAMILIES SERVICES PROGRAMS

10 For carrying out, except as otherwise provided, the
11 Runaway and Homeless Youth Act, the Head Start Act,
12 the Every Student Succeeds Act, the Child Abuse Preven-
13 tion and Treatment Act, sections 303 and 313 of the
14 Family Violence Prevention and Services Act, the Native
15 American Programs Act of 1974, title II of the Child
16 Abuse Prevention and Treatment and Adoption Reform
17 Act of 1978 (adoption opportunities), part B–1 of title IV
18 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
19 of the Social Security Act, and the Community Services
20 Block Grant Act (“CSBG Act”); and for necessary admin-
21 istrative expenses to carry out titles I, IV, V, X, XI, XIV,
22 XVI, and XX–A of the Social Security Act, the Act of
23 July 5, 1960, the Low-Income Home Energy Assistance
24 Act of 1981, the Child Care and Development Block Grant
25 Act of 1990, the Assets for Independence Act, title IV of

1 the Immigration and Nationality Act, and section 501 of
2 the Refugee Education Assistance Act of 1980,
3 \$13,967,468,000, of which \$75,000,000, to remain avail-
4 able through September 30, 2021, shall be for grants to
5 States for adoption and legal guardianship incentive pay-
6 ments, as defined by section 473A of the Social Security
7 Act and may be made for adoptions and legal
8 guardianships completed before September 30, 2020: *Pro-*
9 *vided*, That \$11,563,095,000 shall be for making pay-
10 ments under the Head Start Act, of which, notwith-
11 standing section 640 of such Act:

12 (1) \$217,000,000 shall be available for a cost
13 of living adjustment, and with respect to any con-
14 tinuing appropriations act, funding available for a
15 cost of living adjustment shall not be construed as
16 an authority or condition under this Act;

17 (2) \$25,000,000 shall be available for allocation
18 by the Secretary to supplement activities described
19 in paragraphs (7)(B) and (9) of section 641(c) of
20 the Head Start Act under the Designation Renewal
21 System, established under the authority of sections
22 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
23 and such funds shall not be included in the calcula-
24 tion of “base grant” in subsequent fiscal years, as

1 such term is used in section 640(a)(7)(A) of such
2 Act;

3 (3) \$1,330,000,000, in addition to funds other-
4 wise available under such section 640 for such pur-
5 poses, shall be available through March 31, 2021,
6 for Early Head Start programs as described in sec-
7 tion 645A of such Act, for conversion of Head Start
8 services to Early Head Start services as described in
9 section 645(a)(5)(A) of such Act, for discretionary
10 grants for high quality infant and toddler care
11 through Early Head Start-Child Care Partnerships,
12 to entities defined as eligible under section 645A(d)
13 of such Act, for training and technical assistance for
14 such activities, and for up to \$26,000,000 in Federal
15 costs of administration and evaluation;

16 (4) \$750,000,000 shall be available for quality
17 improvement consistent with section 640(a)(5) of
18 such Act; and

19 (5) \$8,000,000 shall be available for the pur-
20 poses of re-establishing the Tribal Colleges and Uni-
21 versities Head Start Partnership Program consistent
22 with section 648(g) of such Act:

23 *Provided further*, That the Secretary may reduce the res-
24 ervation of funds under section 640(a)(2)(C) of such Act
25 in lieu of reducing the reservation of funds under sections

1 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such
2 Act: *Provided further*, That \$350,000,000 shall be avail-
3 able until December 31, 2020 for carrying out sections
4 9212 and 9213 of the Every Student Succeeds Act: *Pro-*
5 *vided further*, That up to 3 percent of the funds in the
6 preceding proviso shall be available for technical assist-
7 ance and evaluation related to grants awarded under such
8 section 9212: *Provided further*, That \$796,000,000 shall
9 be for making payments under the CSBG Act: *Provided*
10 *further*, That \$36,000,000 shall be for sections 680 and
11 678E(b)(2) of the CSBG Act, of which not less than
12 \$25,000,000 shall be for section 680(a)(2) and not less
13 than \$11,000,000 shall be for section 680(a)(3)(B) of
14 such Act: *Provided further*, That, notwithstanding section
15 675C(a)(3) of such Act, to the extent Community Services
16 Block Grant funds are distributed as grant funds by a
17 State to an eligible entity as provided under such Act, and
18 have not been expended by such entity, they shall remain
19 with such entity for carryover into the next fiscal year for
20 expenditure by such entity consistent with program pur-
21 poses: *Provided further*, That the Secretary shall establish
22 procedures regarding the disposition of intangible assets
23 and program income that permit such assets acquired
24 with, and program income derived from, grant funds au-
25 thorized under section 680 of the CSBG Act to become

1 the sole property of such grantees after a period of not
2 more than 12 years after the end of the grant period for
3 any activity consistent with section 680(a)(2)(A) of the
4 CSBG Act: *Provided further*, That intangible assets in the
5 form of loans, equity investments and other debt instru-
6 ments, and program income may be used by grantees for
7 any eligible purpose consistent with section 680(a)(2)(A)
8 of the CSBG Act: *Provided further*, That these procedures
9 shall apply to such grant funds made available after No-
10 vember 29, 1999: *Provided further*, That funds appro-
11 priated for section 680(a)(2) of the CSBG Act shall be
12 available for financing construction and rehabilitation and
13 loans or investments in private business enterprises owned
14 by community development corporations: *Provided further*,
15 That \$175,000,000 shall be for carrying out section
16 303(a) of the Family Violence Prevention and Services
17 Act, of which \$5,000,000 shall be allocated notwith-
18 standing section 303(a)(2) of such Act for carrying out
19 section 309 of such Act: *Provided further*, That the per-
20 centages specified in section 112(a)(2) of the Child Abuse
21 Prevention and Treatment Act shall not apply to funds
22 appropriated under this heading: *Provided further*, That
23 \$1,864,000 shall be for a human services case manage-
24 ment system for federally declared disasters, to include a
25 comprehensive national case management contract and

1 Federal costs of administering the system: *Provided fur-*
2 *ther*, That up to \$2,000,000 shall be for improving the
3 Public Assistance Reporting Information System, includ-
4 ing grants to States to support data collection for a study
5 of the system's effectiveness.

6 PROMOTING SAFE AND STABLE FAMILIES

7 For carrying out, except as otherwise provided, sec-
8 tion 436 of the Social Security Act, \$345,000,000 and,
9 for carrying out, except as otherwise provided, section 437
10 of such Act, \$79,765,000: *Provided*, That of the funds
11 available to carry out section 437, \$59,765,000 shall be
12 allocated consistent with subsections (b) through (d) of
13 such section: *Provided further*, That of the funds available
14 to carry out section 437, to assist in meeting the require-
15 ments described in section 471(e)(4)(C), \$20,000,000
16 shall be for grants to each State, territory, and Indian
17 tribe operating title IV-E plans for developing, enhancing,
18 or evaluating kinship navigator programs, as described in
19 section 427(a)(1) of such Act: *Provided further*, That sec-
20 tion 437(b)(1) shall be applied to amounts in the previous
21 proviso by substituting "5 percent" for "3.3 percent", and
22 notwithstanding section 436(b)(1), such reserved amounts
23 may be used for identifying, establishing, and dissemi-
24 nating practices to meet the criteria specified in section
25 471(e)(4)(C): *Provided further*, That the reservation in

1 section 437(b)(2) and the limitations in section 437(d)
2 shall not apply to funds specified in the second proviso:
3 *Provided further*, That the minimum grant award for kin-
4 ship navigator programs in the case of States and terri-
5 tories shall be \$200,000, and, in the case of tribes, shall
6 be \$25,000: *Provided further*, That section 437(b)(4) of
7 such Act shall be applied by substituting “fiscal year
8 2020” for “fiscal year 2018”.

9 PAYMENTS FOR FOSTER CARE AND PERMANENCY

10 For carrying out, except as otherwise provided, title
11 IV–E of the Social Security Act, \$5,744,000,000.

12 For carrying out, except as otherwise provided, title
13 IV–E of the Social Security Act, for the first quarter of
14 fiscal year 2021, \$3,000,000,000.

15 For carrying out, after May 31 of the current fiscal
16 year, except as otherwise provided, section 474 of title IV–
17 E of the Social Security Act, for the last 3 months of the
18 current fiscal year for unanticipated costs, incurred for the
19 current fiscal year, such sums as may be necessary.

20 ADMINISTRATION FOR COMMUNITY LIVING

21 AGING AND DISABILITY SERVICES PROGRAMS

22 (INCLUDING TRANSFER OF FUNDS)

23 For carrying out, to the extent not otherwise pro-
24 vided, the Older Americans Act of 1965 (“OAA”), the
25 RAISE Family Caregivers Act, the Supporting Grand-

1 parents Raising Grandchildren Act, titles III and XXIX
2 of the PHS Act, sections 1252 and 1253 of the PHS Act,
3 section 119 of the Medicare Improvements for Patients
4 and Providers Act of 2008, title XX–B of the Social Secu-
5 rity Act, the Developmental Disabilities Assistance and
6 Bill of Rights Act, parts 2 and 5 of subtitle D of title
7 II of the Help America Vote Act of 2002, the Assistive
8 Technology Act of 1998, titles II and VII (and section
9 14 with respect to such titles) of the Rehabilitation Act
10 of 1973, and for Department-wide coordination of policy
11 and program activities that assist individuals with disabil-
12 ities, \$2,294,343,000, together with \$55,000,000 to be
13 transferred from the Federal Hospital Insurance Trust
14 Fund and the Federal Supplementary Medical Insurance
15 Trust Fund to carry out section 4360 of the Omnibus
16 Budget Reconciliation Act of 1990: *Provided*, That
17 amounts appropriated under this heading may be used for
18 grants to States under section 361 of the OAA only for
19 disease prevention and health promotion programs and ac-
20 tivities which have been demonstrated through rigorous
21 evaluation to be evidence-based and effective: *Provided*
22 *further*, That of amounts made available under this head-
23 ing to carry out sections 311, 331, and 336 of the OAA,
24 up to one percent of such amounts shall be available for
25 developing and implementing evidence-based practices for

1 enhancing senior nutrition: *Provided further*, That not-
2 withstanding any other provision of this Act, funds made
3 available under this heading to carry out section 311 of
4 the OAA may be transferred to the Secretary of Agri-
5 culture in accordance with such section: *Provided further*,
6 That \$2,000,000 shall be for competitive grants to sup-
7 port alternative financing programs that provide for the
8 purchase of assistive technology devices, such as a low-
9 interest loan fund; an interest buy-down program; a re-
10 volving loan fund; a loan guarantee; or an insurance pro-
11 gram: *Provided further*, That applicants shall provide an
12 assurance that, and information describing the manner in
13 which, the alternative financing program will expand and
14 emphasize consumer choice and control: *Provided further*,
15 That State agencies and community-based disability orga-
16 nizations that are directed by and operated for individuals
17 with disabilities shall be eligible to compete: *Provided fur-*
18 *ther*, That none of the funds made available under this
19 heading may be used by an eligible system (as defined in
20 section 102 of the Protection and Advocacy for Individuals
21 with Mental Illness Act (42 U.S.C. 10802)) to continue
22 to pursue any legal action in a Federal or State court on
23 behalf of an individual or group of individuals with a de-
24 velopmental disability (as defined in section 102(8)(A) of
25 the Developmental Disabilities and Assistance and Bill of

1 Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is at-
2 tributable to a mental impairment (or a combination of
3 mental and physical impairments), that has as the re-
4 quested remedy the closure of State operated intermediate
5 care facilities for people with intellectual or developmental
6 disabilities, unless reasonable public notice of the action
7 has been provided to such individuals (or, in the case of
8 mental incapacitation, the legal guardians who have been
9 specifically awarded authority by the courts to make
10 healthcare and residential decisions on behalf of such indi-
11 viduals) who are affected by such action, within 90 days
12 of instituting such legal action, which informs such indi-
13 viduals (or such legal guardians) of their legal rights and
14 how to exercise such rights consistent with current Fed-
15 eral Rules of Civil Procedure: *Provided further*, That the
16 limitations in the immediately preceding proviso shall not
17 apply in the case of an individual who is neither competent
18 to consent nor has a legal guardian, nor shall the proviso
19 apply in the case of individuals who are a ward of the
20 State or subject to public guardianship.

21 DEPARTMENTAL MANAGEMENT

22 GENERAL DEPARTMENTAL MANAGEMENT

23 For necessary expenses, not otherwise provided, for
24 general departmental management, including hire of six
25 passenger motor vehicles, and for carrying out titles III,

1 XVII, XXI, and section 229 of the PHS Act, functions
2 of the Departmental Appeals Board authorized in title
3 XVIII of the Social Security Act, the United States-Mex-
4 ico Border Health Commission Act, and research studies
5 under section 1110 of the Social Security Act,
6 \$474,169,000, together with \$64,828,000 from the
7 amounts available under section 241 of the PHS Act to
8 carry out national health or human services research and
9 evaluation activities: *Provided*, That of the funds made
10 available under this heading, \$60,000,000 shall be for mi-
11 nority AIDS prevention and treatment activities: *Provided*
12 *further*, That of the funds made available under this head-
13 ing, \$20,000,000 shall be for the Departmental Appeals
14 Board: *Provided further*, That of the funds made available
15 under this heading, \$110,000,000 shall be for making
16 competitive grants to public and private entities, as well
17 as continuing to fund through fiscal year 2020 grants
18 awarded for fiscal years 2015 through 2019, to fund medi-
19 cally accurate and age appropriate programs that reduce
20 teen pregnancy and for the Federal costs associated with
21 administering and evaluating such grants, of which not
22 more than 10 percent of the available funds shall be for
23 training and technical assistance, outreach, and additional
24 program support activities, and of the remaining amount
25 75 percent shall be for replicating programs that have

1 been proven effective through rigorous evaluation to re-
2 duce teenage pregnancy, behavioral risk factors underlying
3 teenage pregnancy, or other associated risk factors, and
4 25 percent shall be available for research and demonstra-
5 tion grants to develop, replicate, refine, and test additional
6 models and innovative strategies for preventing teenage
7 pregnancy: *Provided further*, That amounts made available
8 under this heading for programs to reduce teen pregnancy
9 shall not be made available by interagency agreement or
10 otherwise to any agency within the Department of Health
11 and Human Services other than the Office of the Sec-
12 retary to carry out or support such programs: *Provided*
13 *further*, That of the amounts provided under this heading
14 from amounts available under section 241 of the PHS Act,
15 \$6,800,000 shall be available to carry out evaluations (in-
16 cluding longitudinal evaluations) of teenage pregnancy
17 prevention approaches: *Provided further*, That funds pro-
18 vided in this Act for embryo adoption activities may be
19 used to provide to individuals adopting embryos, through
20 grants and other mechanisms, medical and administrative
21 services deemed necessary for such adoptions: *Provided*
22 *further*, That such services shall be provided consistent
23 with 42 CFR 59.5(a)(4).

24 For an additional amount for prize competitions (as
25 authorized by section 24 of the Stevenson-Wydler Tech-

1 nology Innovation Act of 1980 (15 U.S.C. 3719)),
2 \$10,000,000.

3 OFFICE OF MEDICARE HEARINGS AND APPEALS

4 For expenses necessary for the Office of Medicare
5 Hearings and Appeals, \$182,381,000 shall remain avail-
6 able until September 30, 2021, to be transferred in appro-
7 priate part from the Federal Hospital Insurance Trust
8 Fund and the Federal Supplementary Medical Insurance
9 Trust Fund.

10 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
11 INFORMATION TECHNOLOGY

12 For expenses necessary for the Office of the National
13 Coordinator for Health Information Technology, including
14 grants, contracts, and cooperative agreements for the de-
15 velopment and advancement of interoperable health infor-
16 mation technology, \$60,367,000 shall be available from
17 amounts available under section 241 of the PHS Act.

18 OFFICE OF INSPECTOR GENERAL

19 For expenses necessary for the Office of Inspector
20 General, including the hire of passenger motor vehicles for
21 investigations, in carrying out the provisions of the Inspec-
22 tor General Act of 1978, \$85,000,000: *Provided*, That of
23 such amount, necessary sums shall be available for pro-
24 viding protective services to the Secretary and inves-

1 tivating non-payment of child support cases for which non-
2 payment is a Federal offense under 18 U.S.C. 228.

3 OFFICE FOR CIVIL RIGHTS

4 For expenses necessary for the Office for Civil
5 Rights, \$38,798,000.

6 RETIREMENT PAY AND MEDICAL BENEFITS FOR

7 COMMISSIONED OFFICERS

8 For retirement pay and medical benefits of Public
9 Health Service Commissioned Officers as authorized by
10 law, for payments under the Retired Serviceman's Family
11 Protection Plan and Survivor Benefit Plan, and for med-
12 ical care of dependents and retired personnel under the
13 Dependents' Medical Care Act, such amounts as may be
14 required during the current fiscal year.

15 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

16 FUND

17 For expenses necessary to support activities related
18 to countering potential biological, nuclear, radiological,
19 chemical, and cybersecurity threats to civilian populations,
20 and for other public health emergencies, \$1,083,458,000,
21 of which \$566,700,000 shall remain available through
22 September 30, 2021, for expenses necessary to support
23 advanced research and development pursuant to section
24 319L of the PHS Act and other administrative expenses
25 of the Biomedical Advanced Research and Development

1 Authority: *Provided*, That funds provided under this head-
2 ing for the purpose of acquisition of security counter-
3 measures shall be in addition to any other funds available
4 for such purpose: *Provided further*, That products pur-
5 chased with funds provided under this heading may, at
6 the discretion of the Secretary, be deposited in the Stra-
7 tegic National Stockpile pursuant to section 319F-2 of
8 the PHS Act: *Provided further*, That \$5,000,000 of the
9 amounts made available to support emergency operations
10 shall remain available through September 30, 2022.

11 For expenses necessary for procuring security coun-
12 termeasures (as defined in section 319F-2(c)(1)(B) of the
13 PHS Act), \$735,000,000, to remain available until ex-
14 pended.

15 For expenses necessary to carry out section 319F-
16 2(a) of the PHS Act, \$920,000,000, to remain available
17 until expended.

18 For an additional amount for expenses necessary to
19 prepare for or respond to an influenza pandemic,
20 \$270,000,000, of which \$225,000,000 shall be available
21 until expended, for activities including the development
22 and purchase of vaccine, antivirals, necessary medical sup-
23 plies, diagnostics, and other surveillance tools: *Provided*,
24 That notwithstanding section 496(b) of the PHS Act,
25 funds may be used for the construction or renovation of

1 made available for the evaluation (directly, or by grants
2 or contracts) and the implementation and effectiveness of
3 programs funded in this title.

4 (TRANSFER OF FUNDS)

5 SEC. 205. Not to exceed 1 percent of any discre-
6 tionary funds (pursuant to the Balanced Budget and
7 Emergency Deficit Control Act of 1985) which are appro-
8 priated for the current fiscal year for HHS in this Act
9 may be transferred between appropriations, but no such
10 appropriation shall be increased by more than 3 percent
11 by any such transfer: *Provided*, That the transfer author-
12 ity granted by this section shall be available only to meet
13 emergency needs and shall not be used to create any new
14 program or to fund any project or activity for which no
15 funds are provided in this Act: *Provided further*, That the
16 Committees on Appropriations of the House of Represent-
17 atives and the Senate are notified at least 15 days in ad-
18 vance of any transfer.

19 SEC. 206. In lieu of the timeframe specified in section
20 338E(c)(2) of the PHS Act, terminations described in
21 such section may occur up to 60 days after the effective
22 date of a contract awarded in fiscal year 2020 under sec-
23 tion 338B of such Act, or at any time if the individual
24 who has been awarded such contract has not received
25 funds due under the contract.

1 SEC. 207. None of the funds appropriated in this Act
2 may be made available to any entity under title X of the
3 PHS Act unless the applicant for the award certifies to
4 the Secretary that it encourages family participation in
5 the decision of minors to seek family planning services and
6 that it provides counseling to minors on how to resist at-
7 tempts to coerce minors into engaging in sexual activities.

8 SEC. 208. Notwithstanding any other provision of
9 law, no provider of services under title X of the PHS Act
10 shall be exempt from any State law requiring notification
11 or the reporting of child abuse, child molestation, sexual
12 abuse, rape, or incest.

13 SEC. 209. None of the funds appropriated by this Act
14 (including funds appropriated to any trust fund) may be
15 used to carry out the Medicare Advantage program if the
16 Secretary denies participation in such program to an oth-
17 erwise eligible entity (including a Provider Sponsored Or-
18 ganization) because the entity informs the Secretary that
19 it will not provide, pay for, provide coverage of, or provide
20 referrals for abortions: *Provided*, That the Secretary shall
21 make appropriate prospective adjustments to the capita-
22 tion payment to such an entity (based on an actuarially
23 sound estimate of the expected costs of providing the serv-
24 ice to such entity's enrollees): *Provided further*, That noth-
25 ing in this section shall be construed to change the Medi-

1 care program's coverage for such services and a Medicare
2 Advantage organization described in this section shall be
3 responsible for informing enrollees where to obtain infor-
4 mation about all Medicare covered services.

5 SEC. 210. None of the funds made available in this
6 title may be used, in whole or in part, to advocate or pro-
7 mote gun control.

8 SEC. 211. The Secretary shall make available through
9 assignment not more than 60 employees of the Public
10 Health Service to assist in child survival activities and to
11 work in AIDS programs through and with funds provided
12 by the Agency for International Development, the United
13 Nations International Children's Emergency Fund or the
14 World Health Organization.

15 SEC. 212. In order for HHS to carry out inter-
16 national health activities, including HIV/AIDS and other
17 infectious disease, chronic and environmental disease, and
18 other health activities abroad during fiscal year 2020:

19 (1) The Secretary may exercise authority equiv-
20 alent to that available to the Secretary of State in
21 section 2(c) of the State Department Basic Authori-
22 ties Act of 1956. The Secretary shall consult with
23 the Secretary of State and relevant Chief of Mission
24 to ensure that the authority provided in this section
25 is exercised in a manner consistent with section 207

1 of the Foreign Service Act of 1980 and other appli-
2 cable statutes administered by the Department of
3 State.

4 (2) The Secretary is authorized to provide such
5 funds by advance or reimbursement to the Secretary
6 of State as may be necessary to pay the costs of ac-
7 quisition, lease, alteration, renovation, and manage-
8 ment of facilities outside of the United States for
9 the use of HHS. The Department of State shall co-
10 operate fully with the Secretary to ensure that HHS
11 has secure, safe, functional facilities that comply
12 with applicable regulation governing location, set-
13 back, and other facilities requirements and serve the
14 purposes established by this Act. The Secretary is
15 authorized, in consultation with the Secretary of
16 State, through grant or cooperative agreement, to
17 make available to public or nonprofit private institu-
18 tions or agencies in participating foreign countries,
19 funds to acquire, lease, alter, or renovate facilities in
20 those countries as necessary to conduct programs of
21 assistance for international health activities, includ-
22 ing activities relating to HIV/AIDS and other infec-
23 tious diseases, chronic and environmental diseases,
24 and other health activities abroad.

1 House of Representatives and the Senate are notified at
2 least 15 days in advance of any transfer.

3 (TRANSFER OF FUNDS)

4 SEC. 214. Of the amounts made available in this Act
5 for NIH, the amount for research related to the human
6 immunodeficiency virus, as jointly determined by the Di-
7 rector of NIH and the Director of the Office of AIDS Re-
8 search, shall be made available to the “Office of AIDS
9 Research” account. The Director of the Office of AIDS
10 Research shall transfer from such account amounts nec-
11 essary to carry out section 2353(d)(3) of the PHS Act.

12 SEC. 215. (a) AUTHORITY.—Notwithstanding any
13 other provision of law, the Director of NIH (“Director”)
14 may use funds authorized under section 402(b)(12) of the
15 PHS Act to enter into transactions (other than contracts,
16 cooperative agreements, or grants) to carry out research
17 identified pursuant to or research and activities described
18 in such section 402(b)(12).

19 (b) PEER REVIEW.—In entering into transactions
20 under subsection (a), the Director may utilize such peer
21 review procedures (including consultation with appropriate
22 scientific experts) as the Director determines to be appro-
23 priate to obtain assessments of scientific and technical
24 merit. Such procedures shall apply to such transactions
25 in lieu of the peer review and advisory council review pro-
26 cedures that would otherwise be required under sections

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
2 and 494 of the PHS Act.

3 SEC. 216. Not to exceed \$45,000,000 of funds appro-
4 priated by this Act to the institutes and centers of the
5 National Institutes of Health may be used for alteration,
6 repair, or improvement of facilities, as necessary for the
7 proper and efficient conduct of the activities authorized
8 herein, at not to exceed \$3,500,000 per project.

9 (TRANSFER OF FUNDS)

10 SEC. 217. Of the amounts made available for NIH,
11 1 percent of the amount made available for National Re-
12 search Service Awards (“NRSA”) shall be made available
13 to the Administrator of the Health Resources and Services
14 Administration to make NRSA awards for research in pri-
15 mary medical care to individuals affiliated with entities
16 who have received grants or contracts under sections 736,
17 739, or 747 of the PHS Act, and 1 percent of the amount
18 made available for NRSA shall be made available to the
19 Director of the Agency for Healthcare Research and Qual-
20 ity to make NRSA awards for health service research.

21 SEC. 218. (a) The Biomedical Advanced Research
22 and Development Authority (“BARDA”) may enter into
23 a contract, for more than one but no more than 10 pro-
24 gram years, for purchase of research services or of security
25 countermeasures, as that term is defined in section 319F–

1 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
2 if—

3 (1) funds are available and obligated—

4 (A) for the full period of the contract or
5 for the first fiscal year in which the contract is
6 in effect; and

7 (B) for the estimated costs associated with
8 a necessary termination of the contract; and

9 (2) the Secretary determines that a multi-year
10 contract will serve the best interests of the Federal
11 Government by encouraging full and open competi-
12 tion or promoting economy in administration, per-
13 formance, and operation of BARDA’s programs.

14 (b) A contract entered into under this section—

15 (1) shall include a termination clause as de-
16 scribed by subsection (c) of section 3903 of title 41,
17 United States Code; and

18 (2) shall be subject to the congressional notice
19 requirement stated in subsection (d) of such section.

20 SEC. 219. (a) The Secretary shall publish in the fiscal
21 year 2021 budget justification and on Departmental Web
22 sites information concerning the employment of full-time
23 equivalent Federal employees or contractors for the pur-
24 poses of implementing, administering, enforcing, or other-
25 wise carrying out the provisions of the ACA, and the

1 amendments made by that Act, in the proposed fiscal year
2 and each fiscal year since the enactment of the ACA.

3 (b) With respect to employees or contractors sup-
4 ported by all funds appropriated for purposes of carrying
5 out the ACA (and the amendments made by that Act),
6 the Secretary shall include, at a minimum, the following
7 information:

8 (1) For each such fiscal year, the section of
9 such Act under which such funds were appropriated,
10 a statement indicating the program, project, or ac-
11 tivity receiving such funds, the Federal operating di-
12 vision or office that administers such program, and
13 the amount of funding received in discretionary or
14 mandatory appropriations.

15 (2) For each such fiscal year, the number of
16 full-time equivalent employees or contracted employ-
17 ees assigned to each authorized and funded provision
18 detailed in accordance with paragraph (1).

19 (c) In carrying out this section, the Secretary may
20 exclude from the report employees or contractors who—

21 (1) are supported through appropriations en-
22 acted in laws other than the ACA and work on pro-
23 grams that existed prior to the passage of the ACA;

1 (2) spend less than 50 percent of their time on
2 activities funded by or newly authorized in the ACA;
3 or

4 (3) work on contracts for which FTE reporting
5 is not a requirement of their contract, such as fixed-
6 price contracts.

7 SEC. 220. The Secretary shall publish, as part of the
8 fiscal year 2021 budget of the President submitted under
9 section 1105(a) of title 31, United States Code, informa-
10 tion that details the uses of all funds used by the Centers
11 for Medicare & Medicaid Services specifically for Health
12 Insurance Exchanges for each fiscal year since the enact-
13 ment of the ACA and the proposed uses for such funds
14 for fiscal year 2021. Such information shall include, for
15 each such fiscal year, the amount of funds used for each
16 activity specified under the heading “Health Insurance
17 Exchange Transparency” in the committee report accom-
18 panying this Act.

19 SEC. 221. None of the funds made available by this
20 Act from the Federal Hospital Insurance Trust Fund or
21 the Federal Supplemental Medical Insurance Trust Fund,
22 or transferred from other accounts funded by this Act to
23 the “Centers for Medicare & Medicaid Services—Program
24 Management” account, may be used for payments under

1 section 1342(b)(1) of Public Law 111–148 (relating to
2 risk corridors).

3 (TRANSFER OF FUNDS)

4 SEC. 222. (a) Within 45 days of enactment of this
5 Act, the Secretary shall transfer funds appropriated under
6 section 4002 of the ACA to the accounts specified, in the
7 amounts specified, and for the activities specified under
8 the heading “Prevention and Public Health Fund” in the
9 committee report accompanying this Act.

10 (b) Notwithstanding section 4002(c) of the ACA, the
11 Secretary may not further transfer these amounts.

12 (c) Funds transferred for activities authorized under
13 section 2821 of the PHS Act shall be made available with-
14 out reference to section 2821(b) of such Act.

15 SEC. 223. Effective during the period beginning on
16 November 1, 2015 and ending January 1, 2022, any pro-
17 vision of law that refers (including through cross-reference
18 to another provision of law) to the current recommenda-
19 tions of the United States Preventive Services Task Force
20 with respect to breast cancer screening, mammography,
21 and prevention shall be administered by the Secretary in-
22 volved as if—

23 (1) such reference to such current recommenda-
24 tions were a reference to the recommendations of
25 such Task Force with respect to breast cancer

1 screening, mammography, and prevention last issued
2 before 2009; and

3 (2) such recommendations last issued before
4 2009 applied to any screening mammography modal-
5 ity under section 1861(jj) of the Social Security Act
6 (42 U.S.C. 1395x(jj)).

7 SEC. 224. In making Federal financial assistance, the
8 provisions relating to indirect costs in part 75 of title 45,
9 Code of Federal Regulations, including with respect to the
10 approval of deviations from negotiated rates, shall con-
11 tinue to apply to the National Institutes of Health to the
12 same extent and in the same manner as such provisions
13 were applied in the third quarter of fiscal year 2017. None
14 of the funds appropriated in this or prior Acts or otherwise
15 made available to the Department of Health and Human
16 Services or to any department or agency may be used to
17 develop or implement a modified approach to such provi-
18 sions, or to intentionally or substantially expand the fiscal
19 effect of the approval of such deviations from negotiated
20 rates beyond the proportional effect of such approvals in
21 such quarter.

22 (TRANSFER OF FUNDS)

23 SEC. 225. The NIH Director may transfer funds spe-
24 cifically appropriated for opioid addiction, opioid alter-
25 natives, pain management, and addiction treatment to
26 other Institutes and Centers of the NIH to be used for

1 the same purpose 15 days after notifying the Committees
2 on Appropriations: *Provided*, That the transfer authority
3 provided in the previous proviso is in addition to any other
4 transfer authority provided by law.

5 SEC. 226. (a) The Secretary shall provide to the
6 Committees on Appropriations of the House of Represent-
7 atives and the Senate:

8 (1) Detailed monthly enrollment figures from
9 the Exchanges established under the Patient Protec-
10 tion and Affordable Care Act of 2010 pertaining to
11 enrollments during the open enrollment period; and

12 (2) Notification of any new or competitive grant
13 awards, including supplements, authorized under
14 section 330 of the Public Health Service Act.

15 (b) The Committees on Appropriations of the House
16 and Senate must be notified at least 2 business days in
17 advance of any public release of enrollment information
18 or the award of such grants.

19 SEC. 227. Not later than the 15th day of each month,
20 the Department of Health and Human Services shall pro-
21 vide the Committees on Appropriations of the House of
22 Representatives and Senate a report on staffing described
23 in the committee report accompanying this Act.

24 SEC. 228. Funds appropriated in this Act that are
25 available for salaries and expenses of employees of the De-

1 partment of Health and Human Services shall also be
2 available to pay travel and related expenses of such an
3 employee or of a member of his or her family, when such
4 employee is assigned to duty, in the United States or in
5 a U.S. territory, during a period and in a location that
6 are the subject of a determination of a public health emer-
7 gency under section 319 of the Public Health Service Act
8 and such travel is necessary to obtain medical care for
9 an illness, injury, or medical condition that cannot be ade-
10 quately addressed in that location at that time. For pur-
11 poses of this section, the term “U.S. territory” means
12 Guam, the Commonwealth of Puerto Rico, the Northern
13 Mariana Islands, the Virgin Islands, American Samoa, or
14 the Trust Territory of the Pacific Islands.

15 SEC. 229. The Department of Health and Human
16 Services may accept donations from the private sector,
17 nongovernmental organizations, and other groups inde-
18 pendent of the Federal Government for the care of unac-
19 companied alien children (as defined in section 462(g)(2)
20 of the Homeland Security Act of 2002 (6 U.S.C.
21 279(g)(2))) in the care of the Office of Refugee Resettle-
22 ment of the Administration for Children and Families, in-
23 cluding medical goods and services, school supplies, toys,
24 clothing, and any other items intended to promote the
25 wellbeing of such children.

1 (RESCISSION)

2 SEC. 230. Of the unobligated balances made available
3 by section 301(b)(3) of Public Law 114–10,
4 \$4,300,000,000 are hereby permanently rescinded.

5 SEC. 231. None of the funds made available by this
6 Act may be used to prevent a United States Senator or
7 Member of the House of Representatives from entering,
8 for the purpose of conducting oversight, any facility in the
9 United States used for the purpose of maintaining custody
10 of, or otherwise housing, unaccompanied alien children (as
11 defined in section 462(g)(2) of the Homeland Security Act
12 of 2002 (6 U.S.C. 279(g)(2))). Nothing in this section
13 shall be construed to require such a Senator or Member
14 to provide prior notice of the intent to enter such a facility
15 for such purpose.

16 SEC. 232. To the extent practicable, and so long as
17 it is appropriate and in the best interest of the child, in
18 cases where the Office of Refugee Resettlement of the De-
19 partment of Health and Human Services is responsible for
20 the care of siblings who are unaccompanied alien children
21 (as defined in section 462(g)(2) of the Homeland Security
22 Act of 2002 (6 U.S.C. 279(g)(2))), the Director of the Of-
23 fice shall place the siblings—

24 (1) in the same facility; or

25 (2) with the same sponsor.

1 SEC. 233. (a) None of the funds provided by this Act
2 or provided by any accounts in the Treasury of the United
3 States derived by the collection of fees available to the Sec-
4 retary of Health and Human Services, or to any other offi-
5 cial of a Federal agency funded by this Act may be used
6 to facilitate the Secretary of Homeland Security placing
7 in detention, removing, referring for a decision whether
8 to initiate removal proceedings, or initiating removal pro-
9 ceedings against a sponsor, potential sponsor, or member
10 of a household of a sponsor or potential sponsor of an un-
11 accompanied alien child (as defined in section 462(g) of
12 the Homeland Security Act of 2002 (6 U.S.C. 279(g)))
13 based on information shared by the Secretary of Health
14 and Human Services, or information shared by an unac-
15 companied alien child himself or herself with the Depart-
16 ment of Homeland Security or the Department of Health
17 and Human Services.

18 (b) Subsection (a) shall not apply if a background
19 check of a sponsor, potential sponsor, or member of a
20 household of a sponsor or potential sponsor reveals—

21 (1) a felony conviction or pending felony charge
22 that relates to—

23 (A) an aggravated felony (as defined in
24 section 101(a)(43) of the Immigration and Na-
25 tionality Act (8 U.S.C. 1101(a)(43)));

1 (B) child abuse;

2 (C) sexual violence or abuse; or

3 (D) child pornography;

4 (2) an association with any business that em-
5 ploys a minor who—

6 (A) is unrelated to the sponsor, potential
7 sponsor, or member of a household of a sponsor
8 or potential sponsor; and

9 (B) is—

10 (i) not paid a legal wage; or

11 (ii) unable to attend school due to em-
12 ployment; or

13 (3) an association with the organization or im-
14 plementation of prostitution.

15 SEC. 234. None of the funds made available in this
16 Act may be used to house unaccompanied alien children
17 (as such term is defined in section 462(g) of the Home-
18 land Security Act of 2002 (6 U.S.C. 279(g))) in—

19 (a) soft-sided dormitories; or

20 (b) an influx facility that is not State-licensed for the
21 care of dependent minors, except in the case that the Sec-
22 retary of Health and Human Services determines that
23 housing unaccompanied alien children in such a facility
24 is necessary on a temporary basis due to an influx of such
25 children or an emergency, provided that—

1 (1) any such influx facility that remains in op-
2 eration for more than three consecutive months shall
3 fully comply with the requirements listed in Exhibit
4 1 of the Flores Settlement Agreement, regardless of
5 the status of the underlying settlement agreement,
6 as well as the standard staffing ratio requirements
7 for youth care workers, mental health providers, and
8 clinicians to children that permanent facilities are
9 required to meet, including those in section 4.4.1 of
10 the Office of Refugee Resettlement’s (ORR) Policies
11 and Procedures Guide for “Children Entering the
12 United States Unaccompanied”;

13 (2) the Secretary of Health and Human Serv-
14 ices may grant a one-month waiver for an influx fa-
15 cility’s non-compliance with paragraph (1) if the
16 Secretary certifies and provides a report to Congress
17 on the facility’s good-faith efforts and progress to-
18 wards compliance;

19 (3) not more than three consecutive waivers
20 under paragraph (2) may be granted to any one fa-
21 cility;

22 (4) ORR shall ensure full adherence to the
23 monitoring requirements set forth in section 5.5 of
24 its Policies and Procedures Guide; and

1 (5) for any such influx facility in operation for
2 more than three consecutive months, ORR shall con-
3 duct a minimum of one comprehensive monitoring
4 visit during the first three months of operation, with
5 quarterly monitoring visits thereafter.

6 SEC. 235. Not later than 14 days after the date of
7 enactment of this Act, and weekly thereafter, the Sec-
8 retary of Health and Human Services shall submit to the
9 Committees on Appropriations of the House of Represent-
10 atives and the Senate, and make publicly available online,
11 a report with respect to children who were separated from
12 their parents or legal guardians by the Department of
13 Homeland Security (DHS) (regardless of whether or not
14 such separation was pursuant to an option selected by the
15 children, parents, or guardians), subsequently classified as
16 unaccompanied alien children, and transferred to the care
17 and custody of the Office of Refugee Resettlement of the
18 Department of Health and Human Services (ORR) during
19 the previous week. Each report shall contain the following
20 information:

21 (1) The number and ages of children so sepa-
22 rated at or between ports of entry, to be reported by
23 sector where separation occurred.

24 (2) The documented cause of separation, as re-
25 ported by DHS when each child was referred.

1 (3) The custody status of the parents or legal
2 guardians from whom the child was separated.

3 SEC. 236. (a) None of the funds made available by
4 this Act may be awarded to any organization, including
5 under the Federal Foster Care program under part E of
6 title IV of the Social Security Act, that does not comply
7 with subsections (c) and (d) of section 75.300 of title 45,
8 Code of Federal Regulations (prohibiting discrimination
9 on the basis of age, disability, sex, race, color, national
10 origin, religion, gender identity, or sexual orientation).

11 (b) None of the funds made available by this Act may
12 be used by the Department of Health and Human Services
13 to grant an exception from either such subsection for any
14 Federal grantee.

15 SEC. 237. Funds appropriated under this Act, any
16 previous appropriations Act, or the Patient Protection and
17 Affordable Care Act that are available for salaries and ex-
18 penses of employees of the Department of Health and
19 Human Services shall also remain available for obligation
20 for the primary and secondary schooling of eligible de-
21 pendants of HHS personnel stationed in the Common-
22 wealth of Puerto Rico, the Commonwealth of the Northern
23 Mariana Islands, and other territories or possessions of
24 the United States at costs not in excess of those paid for
25 or reimbursed by the Department of Defense.

1 SEC. 238. None of the funds made available by this
2 Act may be used to implement, enforce, or otherwise give
3 effect to the revision to section 447.10 of title 42, Code
4 of Federal Regulations, contained in the proposed rule en-
5 titled “Medicaid Program; Reassignment of Medicaid Pro-
6 vider Claims” (83 Fed. Reg. 32252 (July 12, 2018)).

7 SEC. 239. None of the funds appropriated in this bill
8 or otherwise made available to the Department of Health
9 and Human Services shall be used to publish the proposed
10 regulation in the Fall 2018 Unified Agenda of Regulatory
11 and Deregulatory Actions relating to the Medicaid Non-
12 emergency Medical Transportation benefit for Medicaid
13 beneficiaries expected to be published for comment in May
14 2019 and promulgated in Fall 2019 (RIN: 0938–AT81).

15 SEC. 240. None of the funds made available by this
16 Act may be used to finalize, implement, or enforce the rule
17 entitled “Protecting Statutory Conscience Rights in
18 Health Care; Delegations of Authority” issued by the De-
19 partment of Health and Human Services (RIN 0945–
20 AA10).

21 This title may be cited as the “Department of Health
22 and Human Services Appropriations Act, 2020”.

1 TITLE III
2 DEPARTMENT OF EDUCATION
3 EDUCATION FOR THE DISADVANTAGED

4 For carrying out title I and subpart 2 of part B of
5 title II of the Elementary and Secondary Education Act
6 of 1965 (referred to in this Act as “ESEA”) and section
7 418A of the Higher Education Act of 1965 (referred to
8 in this Act as “HEA”), \$17,563,802,000, of which
9 \$6,638,625,000 shall become available on July 1, 2020,
10 and shall remain available through September 30, 2021,
11 and of which \$10,841,177,000 shall become available on
12 October 1, 2020, and shall remain available through Sep-
13 tember 30, 2021, for academic year 2020–2021: *Provided*,
14 That \$6,459,401,000 shall be for basic grants under sec-
15 tion 1124 of the ESEA: *Provided further*, That up to
16 \$5,000,000 of these funds shall be available to the Sec-
17 retary of Education (referred to in this title as “Sec-
18 retary”) on October 1, 2019, to obtain annually updated
19 local educational agency-level census poverty data from
20 the Bureau of the Census: *Provided further*, That
21 \$1,362,301,000 shall be for concentration grants under
22 section 1124A of the ESEA: *Provided further*, That
23 \$4,519,050,000 shall be for targeted grants under section
24 1125 of the ESEA: *Provided further*, That
25 \$4,519,050,000 shall be for education finance incentive

1 grants under section 1125A of the ESEA: *Provided fur-*
2 *ther*, That \$224,000,000 shall be for carrying out subpart
3 2 of part B of title II: *Provided further*, That \$50,000,000
4 shall be for carrying out section 418A of the HEA.

5 IMPACT AID

6 For carrying out programs of financial assistance to
7 federally affected schools authorized by title VII of the
8 ESEA, \$1,498,112,000, of which \$1,351,242,000 shall be
9 for basic support payments under section 7003(b),
10 \$48,316,000 shall be for payments for children with dis-
11 abilities under section 7003(d), \$17,406,000, shall be for
12 construction under section 7007(a), \$76,313,000 shall be
13 for Federal property payments under section 7002, and
14 \$4,835,000, to remain available until expended, shall be
15 for facilities maintenance under section 7008: *Provided*,
16 That for purposes of computing the amount of a payment
17 for an eligible local educational agency under section
18 7003(a) for school year 2019–2020, children enrolled in
19 a school of such agency that would otherwise be eligible
20 for payment under section 7003(a)(1)(B) of such Act, but
21 due to the deployment of both parents or legal guardians,
22 or a parent or legal guardian having sole custody of such
23 children, or due to the death of a military parent or legal
24 guardian while on active duty (so long as such children
25 reside on Federal property as described in section

1 7003(a)(1)(B)), are no longer eligible under such section,
2 shall be considered as eligible students under such section,
3 provided such students remain in average daily attendance
4 at a school in the same local educational agency they at-
5 tended prior to their change in eligibility status.

6 SCHOOL IMPROVEMENT PROGRAMS

7 For carrying out school improvement activities au-
8 thorized by part B of title I, part A of title II, subpart
9 1 of part A of title IV, part B of title IV, part B of title
10 V, and parts B and C of title VI of the ESEA; the McKin-
11 ney-Vento Homeless Assistance Act; section 203 of the
12 Educational Technical Assistance Act of 2002; the Com-
13 pact of Free Association Amendments Act of 2003; and
14 the Civil Rights Act of 1964, \$6,016,470,000, of which
15 \$4,174,902,000 shall become available on July 1, 2020,
16 and remain available through September 30, 2021, and
17 of which \$1,681,441,000 shall become available on Octo-
18 ber 1, 2020, and shall remain available through September
19 30, 2021, for academic year 2020-2021: *Provided*, That
20 \$378,000,000 shall be for part B of title I: *Provided fur-*
21 *ther*, That \$1,321,673,000 shall be for part B of title IV:
22 *Provided further*, That \$40,000,000 shall be for part B
23 of title VI and may be used for construction, renovation,
24 and modernization of any elementary school, secondary
25 school, or structure related to an elementary school or sec-

1 2 of part A of title VI and \$13,000,000 shall be for sub-
2 part 3 of part A of title VI.

3 INNOVATION AND IMPROVEMENT

4 For carrying out activities authorized by subparts 1,
5 3 and 4 of part B of title II, and parts C, D, and E and
6 subparts 1 and 4 of part F of title IV of the ESEA,
7 \$1,223,815,000: *Provided*, That \$304,815,000 shall be for
8 subparts 1, 3 and 4 of part B of title II and shall be made
9 available without regard to sections 2201, 2231(b) and
10 2241: *Provided further*, That \$619,000,000 shall be for
11 parts C, D, and E and subpart 4 of part F of title IV,
12 and shall be made available without regard to sections
13 4311, 4409(a), and 4601 of the ESEA: *Provided further*,
14 That notwithstanding section 4601(b), \$300,000,000 shall
15 be available through December 31, 2020 for subpart 1 of
16 part F of title IV, of which \$170,000,000 shall be for so-
17 cial and emotional learning grants, and \$125,000,000
18 shall be used for science, technology, engineering, arts,
19 and mathematics, including computer science education
20 grants.

21 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

22 For carrying out activities authorized by subparts 2
23 and 3 of part F of title IV of the ESEA, \$240,000,000:
24 *Provided*, That \$120,000,000 shall be available for section
25 4631, of which up to \$10,000,000, to remain available

1 until expended, shall be for the Project School Emergency
2 Response to Violence (Project SERV) program: *Provided*
3 *further*, That \$40,000,000 shall be available for section
4 4625: *Provided further*, That \$80,000,000 shall be avail-
5 able through December 31, 2020, for section 4624.

6 ENGLISH LANGUAGE ACQUISITION

7 For carrying out part A of title III of the ESEA,
8 \$980,000,000, which shall become available on July 1,
9 2020, and shall remain available through September 30,
10 2021, except that 6.5 percent of such amount shall be
11 available on October 1, 2019, and shall remain available
12 through September 30, 2021, to carry out activities under
13 section 3111(c)(1)(C).

14 SPECIAL EDUCATION

15 For carrying out the Individuals with Disabilities
16 Education Act (IDEA) and the Special Olympics Sport
17 and Empowerment Act of 2004, \$14,523,544,000, of
18 which \$4,975,709,000 shall become available on July 1,
19 2020, and shall remain available through September 30,
20 2021, and of which \$9,283,383,000 shall become available
21 on October 1, 2020, and shall remain available through
22 September 30, 2021, for academic year 2020–2021: *Pro-*
23 *vided*, That the amount for section 611(b)(2) of the IDEA
24 shall be equal to the lesser of the amount available for
25 that activity during fiscal year 2019, increased by the

1 amount of inflation as specified in section 619(d)(2)(B)
2 of the IDEA, or the percent change in the funds appro-
3 priated under section 611(i) of the IDEA, but not less
4 than the amount for that activity during fiscal year 2019:
5 *Provided further*, That the Secretary shall, without regard
6 to section 611(d) of the IDEA, distribute to all other
7 States (as that term is defined in section 611(g)(2)), sub-
8 ject to the third proviso, any amount by which a State's
9 allocation under section 611, from funds appropriated
10 under this heading, is reduced under section
11 612(a)(18)(B), according to the following: 85 percent on
12 the basis of the States' relative populations of children
13 aged 3 through 21 who are of the same age as children
14 with disabilities for whom the State ensures the avail-
15 ability of a free appropriate public education under this
16 part, and 15 percent to States on the basis of the States'
17 relative populations of those children who are living in pov-
18 erty: *Provided further*, That the Secretary may not dis-
19 tribute any funds under the previous proviso to any State
20 whose reduction in allocation from funds appropriated
21 under this heading made funds available for such a dis-
22 tribution: *Provided further*, That the States shall allocate
23 such funds distributed under the second proviso to local
24 educational agencies in accordance with section 611(f):
25 *Provided further*, That the amount by which a State's allo-

1 cation under section 611(d) of the IDEA is reduced under
2 section 612(a)(18)(B) and the amounts distributed to
3 States under the previous provisos in fiscal year 2012 or
4 any subsequent year shall not be considered in calculating
5 the awards under section 611(d) for fiscal year 2013 or
6 for any subsequent fiscal years: *Provided further*, That,
7 notwithstanding the provision in section 612(a)(18)(B) re-
8 garding the fiscal year in which a State's allocation under
9 section 611(d) is reduced for failure to comply with the
10 requirement of section 612(a)(18)(A), the Secretary may
11 apply the reduction specified in section 612(a)(18)(B) over
12 a period of consecutive fiscal years, not to exceed five,
13 until the entire reduction is applied: *Provided further*,
14 That the Secretary may, in any fiscal year in which a
15 State's allocation under section 611 is reduced in accord-
16 ance with section 612(a)(18)(B), reduce the amount a
17 State may reserve under section 611(e)(1) by an amount
18 that bears the same relation to the maximum amount de-
19 scribed in that paragraph as the reduction under section
20 612(a)(18)(B) bears to the total allocation the State
21 would have received in that fiscal year under section
22 611(d) in the absence of the reduction: *Provided further*,
23 That the Secretary shall either reduce the allocation of
24 funds under section 611 for any fiscal year following the
25 fiscal year for which the State fails to comply with the

1 requirement of section 612(a)(18)(A) as authorized by
2 section 612(a)(18)(B), or seek to recover funds under sec-
3 tion 452 of the General Education Provisions Act (20
4 U.S.C. 1234a): *Provided further*, That the funds reserved
5 under 611(c) of the IDEA may be used to provide tech-
6 nical assistance to States to improve the capacity of the
7 States to meet the data collection requirements of sections
8 616 and 618 and to administer and carry out other serv-
9 ices and activities to improve data collection, coordination,
10 quality, and use under parts B and C of the IDEA: *Pro-*
11 *vided further*, That the Secretary may use funds made
12 available for the State Personnel Development Grants pro-
13 gram under part D, subpart 1 of IDEA to evaluate pro-
14 gram performance under such subpart: *Provided further*,
15 That States may use funds reserved for other State-level
16 activities under sections 611(e)(2) and 619(f) of the IDEA
17 to make subgrants to local educational agencies, institu-
18 tions of higher education, other public agencies, and pri-
19 vate non-profit organizations to carry out activities au-
20 thorized by those sections: *Provided further*, That, not-
21 withstanding section 643(e)(2)(A) of the IDEA, if 5 or
22 fewer States apply for grants pursuant to section 643(e)
23 of such Act, the Secretary shall provide a grant to each
24 State in an amount equal to the maximum amount de-
25 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*

1 *ther*, That if more than 5 States apply for grants pursuant
2 to section 643(e) of the IDEA, the Secretary shall award
3 funds to those States on the basis of the States' relative
4 populations of infants and toddlers except that no such
5 State shall receive a grant in excess of the amount de-
6 scribed in section 643(e)(2)(B) of such Act.

7 REHABILITATION SERVICES

8 For carrying out, to the extent not otherwise pro-
9 vided, the Rehabilitation Act of 1973 and the Helen Keller
10 National Center Act, \$3,752,076,000, of which
11 \$3,610,040,000 shall be for grants for vocational rehabili-
12 tation services under title I of the Rehabilitation Act: *Pro-*
13 *vided*, That the Secretary may use amounts provided in
14 this Act that remain available subsequent to the reallocot-
15 ment of funds to States pursuant to section 110(b) of the
16 Rehabilitation Act for innovative activities aimed at im-
17 proving the outcomes of individuals with disabilities as de-
18 fined in section 7(20)(B) of the Rehabilitation Act, includ-
19 ing activities aimed at improving the education and post-
20 school outcomes of children receiving Supplemental Secu-
21 rity Income (“SSI”) and their families that may result
22 in long-term improvement in the SSI child recipient’s eco-
23 nomic status and self-sufficiency: *Provided further*, That
24 States may award subgrants for a portion of the funds
25 to other public and private, nonprofit entities: *Provided*

1 *further*, That any funds made available subsequent to real-
2 lotment for innovative activities aimed at improving the
3 outcomes of individuals with disabilities shall remain avail-
4 able until September 30, 2021.

5 SPECIAL INSTITUTIONS FOR PERSONS WITH
6 DISABILITIES

7 AMERICAN PRINTING HOUSE FOR THE BLIND

8 For carrying out the Act to Promote the Education
9 of the Blind of March 3, 1879, \$39,000,000.

10 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

11 For the National Technical Institute for the Deaf
12 under titles I and II of the Education of the Deaf Act
13 of 1986, \$80,000,000: *Provided*, That from the total
14 amount available, the Institute may at its discretion use
15 funds for the endowment program as authorized under
16 section 207 of such Act.

17 GALLAUDET UNIVERSITY

18 For the Kendall Demonstration Elementary School,
19 the Model Secondary School for the Deaf, and the partial
20 support of Gallaudet University under titles I and II of
21 the Education of the Deaf Act of 1986, \$138,361,000:
22 *Provided*, That from the total amount available, the Uni-
23 versity may at its discretion use funds for the endowment
24 program as authorized under section 207 of such Act.

1 CAREER, TECHNICAL, AND ADULT EDUCATION

2 For carrying out, to the extent not otherwise pro-
3 vided, the Carl D. Perkins Career and Technical Edu-
4 cation Act of 2006 (Perkins Act), and the Adult Edu-
5 cation and Family Literacy Act (AEFLA),
6 \$2,003,133,000, of which \$1,212,133,000 shall become
7 available on July 1, 2020, and shall remain available
8 through September 30, 2021, and of which \$791,000,000
9 shall become available on October 1, 2020, and shall re-
10 main available through September 30, 2021: *Provided*,
11 That of the amounts made available for the AEFLA,
12 \$13,712,000 shall be for national leadership activities
13 under section 242.

14 STUDENT FINANCIAL ASSISTANCE

15 For carrying out subparts 1, 3, and 10 of part A,
16 and part C of title IV of the HEA, \$24,937,352,000,
17 which shall remain available through September 30, 2021.

18 The maximum Pell Grant for which a student shall
19 be eligible during award year 2020–2021 shall be \$5,285.

20 STUDENT AID ADMINISTRATION

21 For Federal administrative expenses to carry out part
22 D of title I, and subparts 1, 3, 9, and 10 of part A, and
23 parts B, C, D, and E of title IV of the HEA, and subpart
24 1 of part A of title VII of the Public Health Service Act,
25 \$1,678,943,000, to remain available through September

1 30, 2021: *Provided*, That the Secretary shall allocate new
2 student loan borrower accounts to eligible student loan
3 servicers on the basis of their past performance compared
4 to all loan servicers, utilizing established common metrics,
5 and on the basis of the capacity of each servicer to process
6 new and existing accounts and compliance with Federal
7 and State law: *Provided further*, That for student loan
8 contracts awarded prior to October 1, 2017, the Secretary
9 shall allow student loan borrowers who are consolidating
10 Federal student loans to select from any student loan
11 servicer to service their new consolidated student loan:
12 *Provided further*, That in order to promote accountability
13 and high-quality service to borrowers, the Secretary shall
14 not award funding for any contract solicitation for a new
15 Federal student loan servicing environment, including the
16 solicitation for the FSA Next Generation Processing and
17 Servicing Environment, unless such an environment pro-
18 vides for the participation of multiple student loan
19 servicers that contract directly with the Department of
20 Education: *Provided further*, That the FSA Next Genera-
21 tion Processing and Servicing Environment, or any new
22 Federal student loan servicing environment, shall include
23 accountability measures that account for the performance
24 of the portfolio and contractor compliance with Federal
25 Student Aid (FSA) guidelines: *Provided further*, That

1 FSA shall ensure that contracts for the Next Generation
2 Processing and Servicing Environment, or any new Fed-
3 eral loan servicing environment, incentivize more support
4 to borrowers at risk of delinquency or default: *Provided*
5 *further*, That the Secretary shall provide quarterly brief-
6 ings to the Committees on Appropriations and Education
7 and Labor of the House of Representatives and the Com-
8 mittees on Appropriations and Health, Education, Labor,
9 and Pensions of the Senate on general progress related
10 to solicitations for Federal student loan servicing con-
11 tracts.

12 HIGHER EDUCATION

13 For carrying out, to the extent not otherwise pro-
14 vided, titles II, III, IV, V, VI, and VII of the HEA, the
15 Mutual Educational and Cultural Exchange Act of 1961,
16 and section 117 of the Perkins Act, \$2,748,533,000: *Pro-*
17 *vided*, That notwithstanding any other provision of law,
18 funds made available in this Act to carry out title VI of
19 the HEA and section 102(b)(6) of the Mutual Educational
20 and Cultural Exchange Act of 1961 may be used to sup-
21 port visits and study in foreign countries by individuals
22 who are participating in advanced foreign language train-
23 ing and international studies in areas that are vital to
24 United States national security and who plan to apply
25 their language skills and knowledge of these countries in

1 such loans, shall be as defined in section 502 of the Con-
2 gressional Budget Act of 1974: *Provided further*, That
3 these funds are available to subsidize total loan principal,
4 any part of which is to be guaranteed, not to exceed
5 \$212,100,000: *Provided further*, That these funds may be
6 used to support loans to public and private Historically
7 Black Colleges and Universities without regard to the limi-
8 tations within section 344(a) of the HEA.

9 In addition, \$20,000,000 shall be made available to
10 provide for the deferment of loans made under part D of
11 title III of the HEA to eligible institutions that are private
12 Historically Black Colleges and Universities, which apply
13 for the deferment of such a loan and demonstrate financial
14 need for such deferment by having a score of 2.6 or less
15 on the Department of Education's financial responsibility
16 test: *Provided*, That during the period of deferment of
17 such a loan, interest on the loan will not accrue or be cap-
18 italized, and the period of deferment shall be for at least
19 a period of 3-fiscal years and not more than 6-fiscal years:
20 *Provided further*, That funds available under this para-
21 graph shall be used to fund eligible deferment requests
22 submitted for this purpose in fiscal year 2018: *Provided*
23 *further*, That the Secretary shall create and execute an
24 outreach plan to work with States and the Capital Financ-
25 ing Advisory Board to improve outreach to States and help

1 additional public Historically Black Colleges and Univer-
2 sities participate in the program.

3 In addition, \$10,000,000 shall be made available to
4 provide for the deferment of loans made under part D of
5 title III of the HEA to eligible institutions that are public
6 Historically Black Colleges and Universities, which apply
7 for the deferment of such a loan and demonstrate financial
8 need for such deferment, which shall be determined by the
9 Secretary of Education based on factors including, but not
10 limited to, equal to or greater than 5 percent of the
11 school's annual revenue from the previous fiscal year rel-
12 ative to its debt service: *Provided*, That during the period
13 of deferment of such a loan, interest on the loan will not
14 accrue or be capitalized, and the period of deferment shall
15 be for at least a period of 3-fiscal years and not more
16 than 6-fiscal years.

17 In addition, for administrative expenses to carry out
18 the Historically Black College and University Capital Fi-
19 nancing Program entered into pursuant to part D of title
20 III of the HEA, \$334,000.

21 INSTITUTE OF EDUCATION SCIENCES

22 For carrying out activities authorized by the Edu-
23 cation Sciences Reform Act of 2002, the National Assess-
24 ment of Educational Progress Authorization Act, section
25 208 of the Educational Technical Assistance Act of 2002,

1 and section 664 of the Individuals with Disabilities Edu-
2 cation Act, \$650,000,000, which shall remain available
3 through September 30, 2021: *Provided*, That funds avail-
4 able to carry out section 208 of the Educational Technical
5 Assistance Act may be used to link Statewide elementary
6 and secondary data systems with early childhood, postsec-
7 ondary, and workforce data systems, or to further develop
8 such systems: *Provided further*, That up to \$6,000,000 of
9 the funds available to carry out section 208 of the Edu-
10 cational Technical Assistance Act may be used for awards
11 to public or private organizations or agencies to support
12 activities to improve data coordination, quality, and use
13 at the local, State, and national levels.

14 DEPARTMENTAL MANAGEMENT

15 PROGRAM ADMINISTRATION

16 For carrying out, to the extent not otherwise pro-
17 vided, the Department of Education Organization Act, in-
18 cluding rental of conference rooms in the District of Co-
19 lumbia and hire of three passenger motor vehicles,
20 \$430,000,000: *Provided*, That, notwithstanding any other
21 provision of law, none of the funds provided by this Act
22 or provided by previous Appropriations Acts to the De-
23 partment of Education available for obligation or expendi-
24 ture in the current fiscal year may be used for any activity
25 relating to implementing a reorganization that decentral-

1 izes, reduces the staffing level, or alters the responsibil-
2 ities, structure, authority, or functionality of the Budget
3 Service of the Department of Education, relative to the
4 organization and operation of the Budget Service as in
5 effect on January 1, 2018.

6 OFFICE FOR CIVIL RIGHTS

7 For expenses necessary for the Office for Civil
8 Rights, as authorized by section 203 of the Department
9 of Education Organization Act, \$130,000,000.

10 OFFICE OF INSPECTOR GENERAL

11 For expenses necessary for the Office of Inspector
12 General, as authorized by section 212 of the Department
13 of Education Organization Act, \$63,418,000.

14 GENERAL PROVISIONS

15 SEC. 301. No funds appropriated in this Act may be
16 used to prevent the implementation of programs of vol-
17 untary prayer and meditation in the public schools.

18 (TRANSFER OF FUNDS)

19 SEC. 302. Not to exceed 1 percent of any discre-
20 tionary funds (pursuant to the Balanced Budget and
21 Emergency Deficit Control Act of 1985) which are appro-
22 priated for the Department of Education in this Act may
23 be transferred between appropriations, but no such appro-
24 priation shall be increased by more than 3 percent by any
25 such transfer: *Provided*, That the transfer authority
26 granted by this section shall be available only to meet

1 emergency needs and shall not be used to create any new
2 program or to fund any project or activity for which no
3 funds are provided in this Act: *Provided further*, That the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate are notified at least 15 days in ad-
6 vance of any transfer.

7 SEC. 303. Funds appropriated in this Act and con-
8 solidated for evaluation purposes under section 8601(c) of
9 the ESEA shall be available from July 1, 2020, through
10 September 30, 2021.

11 SEC. 304. (a) An institution of higher education that
12 maintains an endowment fund supported with funds ap-
13 propriated for title III or V of the HEA for fiscal year
14 2020 may use the income from that fund to award schol-
15 arships to students, subject to the limitation in section
16 331(c)(3)(B)(i) of the HEA. The use of such income for
17 such purposes, prior to the enactment of this Act, shall
18 be considered to have been an allowable use of that in-
19 come, subject to that limitation.

20 (b) Subsection (a) shall be in effect until titles III
21 and V of the HEA are reauthorized.

22 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
23 1011c(f)) is amended by striking “2019” and inserting
24 “2020”.

1 of attendance (defined in section 472 of the HEA) at that
2 institution.

3 (b) An organization that receives information pursu-
4 ant to subsection (a) shall not sell or otherwise share such
5 information.

6 (c) This section shall be in effect until title IV of the
7 HEA is reauthorized.

8 SEC. 310. For an additional amount for “Department
9 of Education—Federal Direct Student Loan Program Ac-
10 count”, \$350,000,000, to remain available until expended,
11 shall be for the cost, as defined under section 502 of the
12 Congressional Budget Act of 1974, of the Secretary of
13 Education providing loan cancellation in the same manner
14 as under section 455(m) of the Higher Education Act of
15 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made
16 under part D of title IV of such Act who would qualify
17 for loan cancellation under section 455(m) except some,
18 or all, of the 120 required payments under section
19 455(m)(1)(A) do not qualify for purposes of the program
20 because they were monthly payments made in accordance
21 with graduated or extended repayment plans as described
22 under subparagraph (B) or (C) of section 455(d)(1) or
23 the corresponding repayment plan for a consolidation loan
24 made under section 455(g) and that were less than the
25 amount calculated under section 455(d)(1)(A), based on

1 a 10-year repayment period: *Provided*, That the total loan
2 volume, including outstanding principal, fees, capitalized
3 interest, or acerued interest, at application that is eligible
4 for such loan cancellation by such borrowers shall not ex-
5 ceed \$500,000,000: *Provided further*, That the Secretary
6 shall develop and make available a simple method for bor-
7 rowers to apply for loan cancellation under this section
8 within 60 days of enactment of this Act: *Provided further*,
9 That the Secretary shall provide loan cancellation under
10 this section to eligible borrowers on a first-come, first-
11 serve basis, based on the date of application and subject
12 to both the limitation on total loan volume at application
13 for such loan cancellation specified in the first proviso and
14 the availability of appropriations under this section: *Pro-*
15 *vided further*, That no borrower may, for the same service,
16 receive a reduction of loan obligations under both this sec-
17 tion and section 428J, 428K, 428L, or 460 of such Act:
18 *Provided further*, That the Secretary shall inform all bor-
19 rowers who have submitted an Employment Certification
20 Form and are in the incorrect repayment program about
21 the Temporary Expanded Public Service Loan Forgive-
22 ness Program and requirements for qualification under
23 the program.

24 SEC. 311. Of the amounts made available under this
25 title under the heading “Student Aid Administration”,

1 \$2,300,000 shall be used by the Secretary of Education
2 to conduct outreach to borrowers of loans made under part
3 D of title IV of the Higher Education Act of 1965 who
4 may intend to qualify for loan cancellation under section
5 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that
6 borrowers are meeting the terms and conditions of such
7 loan cancellation: *Provided*, That the Secretary shall spe-
8 cifically conduct outreach to assist borrowers who would
9 qualify for loan cancellation under section 455(m) of such
10 Act except that the borrower has made some, or all, of
11 the 120 required payments under a repayment plan that
12 is not described under section 455(m)(A) of such Act, to
13 encourage borrowers to enroll in a qualifying repayment
14 plan: *Provided further*, That the Secretary shall also com-
15 municate to all Direct Loan borrowers the full require-
16 ments of section 455(m) of such Act and improve the fil-
17 ing of employment certification by providing improved out-
18 reach and information such as outbound calls, electronic
19 communications, ensuring prominent access to program
20 requirements and benefits on each servicer’s website, and
21 creating an option for all borrowers to complete the entire
22 payment certification process electronically and on a cen-
23 tralized website.

24 This title may be cited as the “Department of Edu-
25 cation Appropriations Act, 2020”.

1 TITLE IV
2 RELATED AGENCIES
3 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
4 BLIND OR SEVERELY DISABLED
5 SALARIES AND EXPENSES

6 For expenses necessary for the Committee for Pur-
7 chase From People Who Are Blind or Severely Disabled
8 (referred to in this title as “the Committee”) established
9 under section 8502 of title 41, United States Code,
10 \$9,000,000: *Provided*, That in order to authorize any cen-
11 tral nonprofit agency designated pursuant to section
12 8503(c) of title 41, United States Code, to perform re-
13 quirements of the Committee as prescribed under section
14 51–3.2 of title 41, Code of Federal Regulations, the Com-
15 mittee shall enter into a written agreement with any such
16 central nonprofit agency: *Provided further*, That such
17 agreement shall contain such auditing, oversight, and re-
18 porting provisions as necessary to implement chapter 85
19 of title 41, United States Code: *Provided further*, That
20 such agreement shall include the elements listed under the
21 heading “Committee For Purchase From People Who Are
22 Blind or Severely Disabled—Written Agreement Ele-
23 ments” in the explanatory statement described in section
24 4 of Public Law 114–113 (in the matter preceding division
25 A of that consolidated Act): *Provided further*, That any

1 such central nonprofit agency may not charge a fee under
2 section 51–3.5 of title 41, Code of Federal Regulations,
3 prior to executing a written agreement with the Com-
4 mittee: *Provided further*, That no less than \$1,650,000
5 shall be available for the Office of Inspector General.

6 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
7 OPERATING EXPENSES

8 For necessary expenses for the Corporation for Na-
9 tional and Community Service (referred to in this title as
10 “CNCS”) to carry out the Domestic Volunteer Service Act
11 of 1973 (referred to in this title as “1973 Act”) and the
12 National and Community Service Act of 1990 (referred
13 to in this title as “1990 Act”), \$829,665,000, notwith-
14 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
15 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
16 amounts provided under this heading: (1) up to 1 percent
17 of program grant funds may be used to defray the costs
18 of conducting grant application reviews, including the use
19 of outside peer reviewers and electronic management of
20 the grants cycle; (2) \$17,538,000 shall be available to pro-
21 vide assistance to State commissions on national and com-
22 munity service, under section 126(a) of the 1990 Act and
23 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
24 \$33,000,000 shall be available to carry out subtitle E of
25 the 1990 Act; and (4) \$6,400,000 shall be available for

1 expenses authorized under section 501(a)(4)(F) of the
2 1990 Act, which, notwithstanding the provisions of section
3 198P shall be awarded by CNCS on a competitive basis:
4 *Provided further*, That for the purposes of carrying out
5 the 1990 Act, satisfying the requirements in section
6 122(c)(1)(D) may include a determination of need by the
7 local community.

8 PAYMENT TO THE NATIONAL SERVICE TRUST
9 (INCLUDING TRANSFER OF FUNDS)

10 For payment to the National Service Trust estab-
11 lished under subtitle D of title I of the 1990 Act,
12 \$218,691,000, to remain available until expended: *Pro-*
13 *vided*, That CNCS may transfer additional funds from the
14 amount provided within “Operating Expenses” allocated
15 to grants under subtitle C of title I of the 1990 Act to
16 the National Service Trust upon determination that such
17 transfer is necessary to support the activities of national
18 service participants and after notice is transmitted to the
19 Committees on Appropriations of the House of Represent-
20 atives and the Senate: *Provided further*, That amounts ap-
21 propriated for or transferred to the National Service Trust
22 may be invested under section 145(b) of the 1990 Act
23 without regard to the requirement to apportion funds
24 under 31 U.S.C. 1513(b).

1 SALARIES AND EXPENSES

2 For necessary expenses of administration as provided
3 under section 501(a)(5) of the 1990 Act and under section
4 504(a) of the 1973 Act, including payment of salaries, au-
5 thorized travel, hire of passenger motor vehicles, the rental
6 of conference rooms in the District of Columbia, the em-
7 ployment of experts and consultants authorized under 5
8 U.S.C. 3109, and not to exceed \$2,500 for official recep-
9 tion and representation expenses, \$83,737,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the Inspector General Act of 1978,
13 \$6,013,000.

14 ADMINISTRATIVE PROVISIONS

15 SEC. 401. CNCS shall make any significant changes
16 to program requirements, service delivery or policy only
17 through public notice and comment rulemaking. For fiscal
18 year 2020, during any grant selection process, an officer
19 or employee of CNCS shall not knowingly disclose any cov-
20 ered grant selection information regarding such selection,
21 directly or indirectly, to any person other than an officer
22 or employee of CNCS that is authorized by CNCS to re-
23 ceive such information.

24 SEC. 402. AmeriCorps programs receiving grants
25 under the National Service Trust program shall meet an

1 overall minimum share requirement of 24 percent for the
2 first 3 years that they receive AmeriCorps funding, and
3 thereafter shall meet the overall minimum share require-
4 ment as provided in section 2521.60 of title 45, Code of
5 Federal Regulations, without regard to the operating costs
6 match requirement in section 121(e) or the member sup-
7 port Federal share limitations in section 140 of the 1990
8 Act, and subject to partial waiver consistent with section
9 2521.70 of title 45, Code of Federal Regulations.

10 SEC. 403. Donations made to CNCS under section
11 196 of the 1990 Act for the purposes of financing pro-
12 grams and operations under titles I and II of the 1973
13 Act or subtitle B, C, D, or E of title I of the 1990 Act
14 shall be used to supplement and not supplant current pro-
15 grams and operations.

16 SEC. 404. In addition to the requirements in section
17 146(a) of the 1990 Act, use of an educational award for
18 the purpose described in section 148(a)(4) shall be limited
19 to individuals who are veterans as defined under section
20 101 of the Act.

21 SEC. 405. For the purpose of carrying out section
22 189D of the 1990 Act—

23 (1) entities described in paragraph (a) of such
24 section shall be considered “qualified entities” under

1 section 3 of the National Child Protection Act of
2 1993 (“NCPA”);

3 (2) individuals described in such section shall
4 be considered “volunteers” under section 3 of
5 NCPA; and

6 (3) State Commissions on National and Com-
7 munity Service established pursuant to section 178
8 of the 1990 Act, are authorized to receive criminal
9 history record information, consistent with Public
10 Law 92–544.

11 SEC. 406. Notwithstanding sections 139(b), 146 and
12 147 of the 1990 Act, an individual who successfully com-
13 pletes a term of service of not less than 1,200 hours dur-
14 ing a period of not more than one year may receive a na-
15 tional service education award having a value of 70 per-
16 cent of the value of a national service education award
17 determined under section 147(a) of the Act.

18 CORPORATION FOR PUBLIC BROADCASTING

19 For payment to the Corporation for Public Broad-
20 casting (“CPB”), as authorized by the Communications
21 Act of 1934, an amount which shall be available within
22 limitations specified by that Act, for the fiscal year 2022,
23 \$495,000,000: *Provided*, That none of the funds made
24 available to CPB by this Act shall be used to pay for re-
25 ceptions, parties, or similar forms of entertainment for

1 Government officials or employees: *Provided further*, That
2 none of the funds made available to CPB by this Act shall
3 be available or used to aid or support any program or ac-
4 tivity from which any person is excluded, or is denied ben-
5 efits, or is discriminated against, on the basis of race,
6 color, national origin, religion, or sex: *Provided further*,
7 That none of the funds made available to CPB by this
8 Act shall be used to apply any political test or qualification
9 in selecting, appointing, promoting, or taking any other
10 personnel action with respect to officers, agents, and em-
11 ployees of CPB.

12 In addition, for the costs associated with replacing
13 and upgrading the public broadcasting interconnection
14 system and other technologies and services that create in-
15 frastructure and efficiencies within the public media sys-
16 tem, \$20,000,000.

17 FEDERAL MEDIATION AND CONCILIATION SERVICE

18 SALARIES AND EXPENSES

19 For expenses necessary for the Federal Mediation
20 and Conciliation Service (“Service”) to carry out the func-
21 tions vested in it by the Labor-Management Relations Act,
22 1947, including hire of passenger motor vehicles; for ex-
23 penses necessary for the Labor-Management Cooperation
24 Act of 1978; and for expenses necessary for the Service
25 to carry out the functions vested in it by the Civil Service

1 Reform Act, \$48,200,000, including up to \$900,000 to re-
2 main available through September 30, 2021, for activities
3 authorized by the Labor-Management Cooperation Act of
4 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,
5 fees charged, up to full-cost recovery, for special training
6 activities and other conflict resolution services and tech-
7 nical assistance, including those provided to foreign gov-
8 ernments and international organizations, and for arbitra-
9 tion services shall be credited to and merged with this ac-
10 count, and shall remain available until expended: *Provided*
11 *further*, That fees for arbitration services shall be available
12 only for education, training, and professional development
13 of the agency workforce: *Provided further*, That the Direc-
14 tor of the Service is authorized to accept and use on behalf
15 of the United States gifts of services and real, personal,
16 or other property in the aid of any projects or functions
17 within the Director's jurisdiction.

18 FEDERAL MINE SAFETY AND HEALTH REVIEW

19 COMMISSION

20 SALARIES AND EXPENSES

21 For expenses necessary for the Federal Mine Safety
22 and Health Review Commission, \$17,184,000.

1 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

2 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

3 AND ADMINISTRATION

4 For carrying out the Museum and Library Services
5 Act of 1996 and the National Museum of African Amer-
6 ican History and Culture Act, \$267,000,000.

7 MEDICAID AND CHIP PAYMENT AND ACCESS

8 COMMISSION

9 SALARIES AND EXPENSES

10 For expenses necessary to carry out section 1900 of
11 the Social Security Act, \$8,480,000.

12 MEDICARE PAYMENT ADVISORY COMMISSION

13 SALARIES AND EXPENSES

14 For expenses necessary to carry out section 1805 of
15 the Social Security Act, \$12,645,000, to be transferred to
16 this appropriation from the Federal Hospital Insurance
17 Trust Fund and the Federal Supplementary Medical In-
18 surance Trust Fund.

19 NATIONAL COUNCIL ON DISABILITY

20 SALARIES AND EXPENSES

21 For expenses necessary for the National Council on
22 Disability as authorized by title IV of the Rehabilitation
23 Act of 1973, \$3,450,000.

1 NATIONAL LABOR RELATIONS BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary for the National Labor Rela-
4 tions Board to carry out the functions vested in it by the
5 Labor-Management Relations Act, 1947, and other laws,
6 \$341,500,000.

7 NATIONAL MEDIATION BOARD

8 SALARIES AND EXPENSES

9 For expenses necessary to carry out the provisions
10 of the Railway Labor Act, including emergency boards ap-
11 pointed by the President, \$15,800,000.

12 OCCUPATIONAL SAFETY AND HEALTH REVIEW

13 COMMISSION

14 SALARIES AND EXPENSES

15 For expenses necessary for the Occupational Safety
16 and Health Review Commission, \$13,225,000.

17 RAILROAD RETIREMENT BOARD

18 DUAL BENEFITS PAYMENTS ACCOUNT

19 For payment to the Dual Benefits Payments Ac-
20 count, authorized under section 15(d) of the Railroad Re-
21 tirement Act of 1974, \$16,000,000, which shall include
22 amounts becoming available in fiscal year 2020 pursuant
23 to section 224(c)(1)(B) of Public Law 98-76; and in addi-
24 tion, an amount, not to exceed 2 percent of the amount
25 provided herein, shall be available proportional to the

1 amount by which the product of recipients and the average
2 benefit received exceeds the amount available for payment
3 of vested dual benefits: *Provided*, That the total amount
4 provided herein shall be credited in 12 approximately
5 equal amounts on the first day of each month in the fiscal
6 year.

7 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

8 ACCOUNTS

9 For payment to the accounts established in the
10 Treasury for the payment of benefits under the Railroad
11 Retirement Act for interest earned on unnegotiated
12 checks, \$150,000, to remain available through September
13 30, 2021, which shall be the maximum amount available
14 for payment pursuant to section 417 of Public Law 98–
15 76.

16 LIMITATION ON ADMINISTRATION

17 For necessary expenses for the Railroad Retirement
18 Board (“Board”) for administration of the Railroad Re-
19 tirement Act and the Railroad Unemployment Insurance
20 Act, \$135,500,000, to be derived in such amounts as de-
21 termined by the Board from the railroad retirement ac-
22 counts and from moneys credited to the railroad unem-
23 ployment insurance administration fund: *Provided*, That
24 notwithstanding section 7(b)(9) of the Railroad Retire-
25 ment Act this limitation may be used to hire attorneys

1 only through the excepted service: *Provided further*, That
2 the previous proviso shall not change the status under
3 Federal employment laws of any attorney hired by the
4 Railroad Retirement Board prior to January 1, 2013: *Pro-*
5 *vided further*, That notwithstanding section 7(b)(9) of the
6 Railroad Retirement Act, this limitation may be used to
7 hire students attending qualifying educational institutions
8 or individuals who have recently completed qualifying edu-
9 cational programs using current excepted hiring authori-
10 ties established by the Office of Personnel Management:
11 *Provided further*, That \$13,460,000, to remain available
12 until expended, shall be used to supplement, not supplant,
13 existing resources devoted to operations and improvements
14 for the Board's Information Technology Investment Initia-
15 tives.

16 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

17 For expenses necessary for the Office of Inspector
18 General for audit, investigatory and review activities, as
19 authorized by the Inspector General Act of 1978, not more
20 than \$11,500,000, to be derived from the railroad retire-
21 ment accounts and railroad unemployment insurance ac-
22 count.

1 SOCIAL SECURITY ADMINISTRATION

2 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

3 For payment to the Federal Old-Age and Survivors
4 Insurance Trust Fund and the Federal Disability Insur-
5 ance Trust Fund, as provided under sections 201(m) and
6 1131(b)(2) of the Social Security Act, \$11,000,000.

7 SUPPLEMENTAL SECURITY INCOME PROGRAM

8 For carrying out titles XI and XVI of the Social Se-
9 curity Act, section 401 of Public Law 92-603, section 212
10 of Public Law 93-66, as amended, and section 405 of
11 Public Law 95-216, including payment to the Social Secu-
12 rity trust funds for administrative expenses incurred pur-
13 suant to section 201(g)(1) of the Social Security Act,
14 \$41,938,540,000, to remain available until expended: *Pro-*
15 *vided*, That any portion of the funds provided to a State
16 in the current fiscal year and not obligated by the State
17 during that year shall be returned to the Treasury: *Pro-*
18 *vided further*, That not more than \$101,000,000 shall be
19 available for research and demonstrations under sections
20 1110, 1115, and 1144 of the Social Security Act, and re-
21 main available through September 30, 2022.

22 For making, after June 15 of the current fiscal year,
23 benefit payments to individuals under title XVI of the So-
24 cial Security Act, for unanticipated costs incurred for the
25 current fiscal year, such sums as may be necessary.

1 For making benefit payments under title XVI of the
2 Social Security Act for the first quarter of fiscal year
3 2021, \$19,900,000,000, to remain available until ex-
4 pended.

5 LIMITATION ON ADMINISTRATIVE EXPENSES

6 For necessary expenses, including the hire of two pas-
7 senger motor vehicles, and not to exceed \$20,000 for offi-
8 cial reception and representation expenses, not more than
9 \$12,940,945,000 may be expended, as authorized by sec-
10 tion 201(g)(1) of the Social Security Act, from any one
11 or all of the trust funds referred to in such section: *Pro-*
12 *vided*, That \$2,400,000 shall be for the Social Security
13 Advisory Board: *Provided further*, That \$45,000,000 shall
14 remain available until expended for information tech-
15 nology modernization, including related hardware and
16 software infrastructure and equipment, and for adminis-
17 trative expenses directly associated with information tech-
18 nology modernization: *Provided further*, That \$50,000,000
19 shall remain available through September 30, 2021, for
20 activities to address the disability hearings backlog within
21 the Office of Hearings Operations: *Provided further*, That
22 unobligated balances of funds provided under this para-
23 graph at the end of fiscal year 2020 not needed for fiscal
24 year 2020 shall remain available until expended to invest
25 in the Social Security Administration information tech-

1 nology and telecommunications hardware and software in-
2 frastructure, including related equipment and non-payroll
3 administrative expenses associated solely with this infor-
4 mation technology and telecommunications infrastructure:
5 *Provided further*, That the Commissioner of Social Secu-
6 rity shall notify the Committees on Appropriations of the
7 House of Representatives and the Senate prior to making
8 unobligated balances available under the authority in the
9 previous proviso: *Provided further*, That reimbursement to
10 the trust funds under this heading for expenditures for
11 official time for employees of the Social Security Adminis-
12 tration pursuant to 5 U.S.C. 7131, and for facilities or
13 support services for labor organizations pursuant to poli-
14 cies, regulations, or procedures referred to in section
15 7135(b) of such title shall be made by the Secretary of
16 the Treasury, with interest, from amounts in the general
17 fund not otherwise appropriated, as soon as possible after
18 such expenditures are made.

19 Of the total amount made available in the first para-
20 graph under this heading, not more than \$1,582,000,000,
21 to remain available through March 31, 2021, is for the
22 costs associated with continuing disability reviews under
23 titles II and XVI of the Social Security Act, including
24 work-related continuing disability reviews to determine
25 whether earnings derived from services demonstrate an in-

1 individual's ability to engage in substantial gainful activity,
2 for the cost associated with conducting redeterminations
3 of eligibility under title XVI of the Social Security Act,
4 for the cost of co-operative disability investigation units,
5 and for the cost associated with the prosecution of fraud
6 in the programs and operations of the Social Security Ad-
7 ministration by Special Assistant United States Attorneys:
8 *Provided*, That, of such amount, \$273,000,000 is provided
9 to meet the terms of section 251(b)(2)(B)(ii)(III) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985, as amended, and \$1,309,000,000 is additional new
12 budget authority specified for purposes of section
13 251(b)(2)(B) of such Act: *Provided further*, That, of the
14 additional new budget authority described in the preceding
15 proviso, up to \$10,000,000 may be transferred to the "Of-
16 fice of Inspector General", Social Security Administration,
17 for the cost of jointly operated co-operative disability in-
18 vestigation units: *Provided further*, That such transfer au-
19 thority is in addition to any other transfer authority pro-
20 vided by law: *Provided further*, That the Commissioner
21 shall provide to the Congress (at the conclusion of the fis-
22 cal year) a report on the obligation and expenditure of
23 these funds, similar to the reports that were required by
24 section 103(d)(2) of Public Law 104-121 for fiscal years
25 1996 through 2002.

1 In addition, \$130,000,000 to be derived from admin-
2 istration fees in excess of \$5.00 per supplementary pay-
3 ment collected pursuant to section 1616(d) of the Social
4 Security Act or section 212(b)(3) of Public Law 93-66,
5 which shall remain available until expended: *Provided*,
6 That to the extent that the amounts collected pursuant
7 to such sections in fiscal year 2020 exceed \$130,000,000,
8 the amounts shall be available in fiscal year 2021 only
9 to the extent provided in advance in appropriations Acts.

10 In addition, up to \$1,000,000 to be derived from fees
11 collected pursuant to section 303(c) of the Social Security
12 Protection Act, which shall remain available until ex-
13 pended.

14 OFFICE OF INSPECTOR GENERAL

15 (INCLUDING TRANSFER OF FUNDS)

16 For expenses necessary for the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, \$30,000,000, together with not to
19 exceed \$75,500,000, to be transferred and expended as
20 authorized by section 201(g)(1) of the Social Security Act
21 from the Federal Old-Age and Survivors Insurance Trust
22 Fund and the Federal Disability Insurance Trust Fund.

23 In addition, an amount not to exceed 3 percent of
24 the total provided in this appropriation may be transferred
25 from the “Limitation on Administrative Expenses”, Social

1 Security Administration, to be merged with this account,
2 to be available for the time and purposes for which this
3 account is available: *Provided*, That notice of such trans-
4 fers shall be transmitted promptly to the Committees on
5 Appropriations of the House of Representatives and the
6 Senate at least 15 days in advance of any transfer.

7 TITLE V

8 GENERAL PROVISIONS

9 (TRANSFER OF FUNDS)

10 SEC. 501. The Secretaries of Labor, Health and
11 Human Services, and Education are authorized to transfer
12 unexpended balances of prior appropriations to accounts
13 corresponding to current appropriations provided in this
14 Act. Such transferred balances shall be used for the same
15 purpose, and for the same periods of time, for which they
16 were originally appropriated.

17 SEC. 502. No part of any appropriation contained in
18 this Act shall remain available for obligation beyond the
19 current fiscal year unless expressly so provided herein.

20 SEC. 503. (a) No part of any appropriation contained
21 in this Act or transferred pursuant to section 4002 of
22 Public Law 111–148 shall be used, other than for normal
23 and recognized executive-legislative relationships, for pub-
24 licity or propaganda purposes, for the preparation, dis-
25 tribution, or use of any kit, pamphlet, booklet, publication,

1 electronic communication, radio, television, or video pres-
2 entation designed to support or defeat the enactment of
3 legislation before the Congress or any State or local legis-
4 lature or legislative body, except in presentation to the
5 Congress or any State or local legislature itself, or de-
6 signed to support or defeat any proposed or pending regu-
7 lation, administrative action, or order issued by the execu-
8 tive branch of any State or local government, except in
9 presentation to the executive branch of any State or local
10 government itself.

11 (b) No part of any appropriation contained in this
12 Act or transferred pursuant to section 4002 of Public Law
13 111–148 shall be used to pay the salary or expenses of
14 any grant or contract recipient, or agent acting for such
15 recipient, related to any activity designed to influence the
16 enactment of legislation, appropriations, regulation, ad-
17 ministrative action, or Executive order proposed or pend-
18 ing before the Congress or any State government, State
19 legislature or local legislature or legislative body, other
20 than for normal and recognized executive-legislative rela-
21 tionships or participation by an agency or officer of a
22 State, local or tribal government in policymaking and ad-
23 ministrative processes within the executive branch of that
24 government.

1 (c) The prohibitions in subsections (a) and (b) shall
2 include any activity to advocate or promote any proposed,
3 pending or future Federal, State or local tax increase, or
4 any proposed, pending, or future requirement or restric-
5 tion on any legal consumer product, including its sale or
6 marketing, including but not limited to the advocacy or
7 promotion of gun control.

8 SEC. 504. The Secretaries of Labor and Education
9 are authorized to make available not to exceed \$28,000
10 and \$20,000, respectively, from funds available for sala-
11 ries and expenses under titles I and III, respectively, for
12 official reception and representation expenses; the Direc-
13 tor of the Federal Mediation and Conciliation Service is
14 authorized to make available for official reception and rep-
15 resentation expenses not to exceed \$5,000 from the funds
16 available for “Federal Mediation and Conciliation Service,
17 Salaries and Expenses”; and the Chairman of the Na-
18 tional Mediation Board is authorized to make available for
19 official reception and representation expenses not to ex-
20 ceed \$5,000 from funds available for “National Mediation
21 Board, Salaries and Expenses”.

22 SEC. 505. When issuing statements, press releases,
23 requests for proposals, bid solicitations and other docu-
24 ments describing projects or programs funded in whole or
25 in part with Federal money, all grantees receiving Federal

1 funds included in this Act, including but not limited to
2 State and local governments and recipients of Federal re-
3 search grants, shall clearly state—

4 (1) the percentage of the total costs of the pro-
5 gram or project which will be financed with Federal
6 money;

7 (2) the dollar amount of Federal funds for the
8 project or program; and

9 (3) percentage and dollar amount of the total
10 costs of the project or program that will be financed
11 by non-governmental sources.

12 SEC. 506. (a) None of the funds appropriated in this
13 Act, and none of the funds in any trust fund to which
14 funds are appropriated in this Act, shall be expended for
15 any abortion.

16 (b) None of the funds appropriated in this Act, and
17 none of the funds in any trust fund to which funds are
18 appropriated in this Act, shall be expended for health ben-
19 efits coverage that includes coverage of abortion.

20 (c) The term “health benefits coverage” means the
21 package of services covered by a managed care provider
22 or organization pursuant to a contract or other arrange-
23 ment.

24 SEC. 507. (a) The limitations established in the pre-
25 ceding section shall not apply to an abortion—

1 (1) if the pregnancy is the result of an act of
2 rape or incest; or

3 (2) in the case where a woman suffers from a
4 physical disorder, physical injury, or physical illness,
5 including a life-endangering physical condition
6 caused by or arising from the pregnancy itself, that
7 would, as certified by a physician, place the woman
8 in danger of death unless an abortion is performed.

9 (b) Nothing in the preceding section shall be con-
10 strued as prohibiting the expenditure by a State, locality,
11 entity, or private person of State, local, or private funds
12 (other than a State's or locality's contribution of Medicaid
13 matching funds).

14 (c) Nothing in the preceding section shall be con-
15 strued as restricting the ability of any managed care pro-
16 vider from offering abortion coverage or the ability of a
17 State or locality to contract separately with such a pro-
18 vider for such coverage with State funds (other than a
19 State's or locality's contribution of Medicaid matching
20 funds).

21 (d)(1) None of the funds made available in this Act
22 may be made available to a Federal agency or program,
23 or to a State or local government, if such agency, program,
24 or government subjects any institutional or individual
25 health care entity to discrimination on the basis that the

1 health care entity does not provide, pay for, provide cov-
2 erage of, or refer for abortions.

3 (2) In this subsection, the term “health care entity”
4 includes an individual physician or other health care pro-
5 fessional, a hospital, a provider-sponsored organization, a
6 health maintenance organization, a health insurance plan,
7 or any other kind of health care facility, organization, or
8 plan.

9 SEC. 508. (a) None of the funds made available in
10 this Act may be used for—

11 (1) the creation of a human embryo or embryos
12 for research purposes; or

13 (2) research in which a human embryo or em-
14 bryos are destroyed, discarded, or knowingly sub-
15 jected to risk of injury or death greater than that
16 allowed for research on fetuses in utero under 45
17 CFR 46.204(b) and section 498(b) of the Public
18 Health Service Act (42 U.S.C. 289g(b)).

19 (b) For purposes of this section, the term “human
20 embryo or embryos” includes any organism, not protected
21 as a human subject under 45 CFR 46 as of the date of
22 the enactment of this Act, that is derived by fertilization,
23 parthenogenesis, cloning, or any other means from one or
24 more human gametes or human diploid cells.

1 SEC. 509. (a) None of the funds made available in
2 this Act may be used for any activity that promotes the
3 legalization of any drug or other substance included in
4 schedule I of the schedules of controlled substances estab-
5 lished under section 202 of the Controlled Substances Act
6 except for normal and recognized executive-congressional
7 communications.

8 (b) The limitation in subsection (a) shall not apply
9 when there is significant medical evidence of a therapeutic
10 advantage to the use of such drug or other substance or
11 that federally sponsored clinical trials are being conducted
12 to determine therapeutic advantage.

13 SEC. 510. None of the funds made available in this
14 Act may be used to promulgate or adopt any final stand-
15 ard under section 1173(b) of the Social Security Act pro-
16 viding for, or providing for the assignment of, a unique
17 health identifier for an individual (except in an individ-
18 ual's capacity as an employer or a health care provider),
19 until legislation is enacted specifically approving the
20 standard.

21 SEC. 511. None of the funds made available in this
22 Act may be obligated or expended to enter into or renew
23 a contract with an entity if—

24 (1) such entity is otherwise a contractor with
25 the United States and is subject to the requirement

1 in 38 U.S.C. 4212(d) regarding submission of an
2 annual report to the Secretary of Labor concerning
3 employment of certain veterans; and

4 (2) such entity has not submitted a report as
5 required by that section for the most recent year for
6 which such requirement was applicable to such enti-
7 ty.

8 SEC. 512. None of the funds made available in this
9 Act may be transferred to any department, agency, or in-
10 strumentality of the United States Government, except
11 pursuant to a transfer made by, or transfer authority pro-
12 vided in, this Act or any other appropriation Act.

13 SEC. 513. None of the funds made available by this
14 Act to carry out the Library Services and Technology Act
15 may be made available to any library covered by para-
16 graph (1) of section 224(f) of such Act, as amended by
17 the Children's Internet Protection Act, unless such library
18 has made the certifications required by paragraph (4) of
19 such section.

20 SEC. 514. (a) None of the funds provided under this
21 Act, or provided under previous appropriations Acts to the
22 agencies funded by this Act that remain available for obli-
23 gation or expenditure in fiscal year 2020, or provided from
24 any accounts in the Treasury of the United States derived
25 by the collection of fees available to the agencies funded

1 by this Act, shall be available for obligation or expenditure
2 through a reprogramming of funds that—

3 (1) creates new programs;

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

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

8 (4) contracts out or privatizes any functions or
9 activities presently performed by Federal employees;

10 unless the Committees on Appropriations of the House of
11 Representatives and the Senate are consulted 15 days in
12 advance of such reprogramming or of an announcement
13 of intent relating to such reprogramming, whichever oc-
14 curs earlier, and are notified in writing 10 days in advance
15 of such reprogramming.

16 (b) None of the funds provided under this Act, or
17 provided under previous appropriations Acts to the agen-
18 cies funded by this Act that remain available for obligation
19 or expenditure in fiscal year 2020, or provided from any
20 accounts in the Treasury of the United States derived by
21 the collection of fees available to the agencies funded by
22 this Act, shall be available for obligation or expenditure
23 through a reprogramming of funds in excess of \$500,000
24 or 10 percent, whichever is less, that—

1 (1) augments existing programs, projects (in-
2 cluding construction projects), or activities;

3 (2) reduces by 10 percent funding for any exist-
4 ing program, project, or activity, or numbers of per-
5 sonnel by 10 percent as approved by Congress; or

6 (3) results from any general savings from a re-
7 duction in personnel which would result in a change
8 in existing programs, activities, or projects as ap-
9 proved by Congress;

10 unless the Committees on Appropriations of the House of
11 Representatives and the Senate are consulted 15 days in
12 advance of such reprogramming or of an announcement
13 of intent relating to such reprogramming, whichever oc-
14 curs earlier, and are notified in writing 10 days in advance
15 of such reprogramming.

16 (c) None of the funds provided under this Act, or pro-
17 vided under previous appropriations Acts to the agencies
18 funded by this Act that remain available for obligation or
19 expenditure in fiscal year 2020, or provided from any ac-
20 counts in the Treasury of the United States derived by
21 the collection of fees available to the agencies funded by
22 this Act, shall be available for obligation or expenditure
23 that—

24 (1) relocates an office or employees;

25 (2) reorganizes or renames offices; or

1 (3) reorganizes programs or activities;
2 unless the relocation, renaming, or reorganization was in-
3 cluded in the President's fiscal year 2020 budget proposal,
4 including the accompanying justification documents sub-
5 mitted to the Committees on Appropriations of the House
6 of Representatives and the Senate, and such committees
7 are consulted at least 15 days in advance of such reloca-
8 tion, renaming, or reorganization.

9 SEC. 515. (a) None of the funds made available in
10 this Act may be used to request that a candidate for ap-
11 pointment to a Federal scientific advisory committee dis-
12 close the political affiliation or voting history of the can-
13 didate or the position that the candidate holds with re-
14 spect to political issues not directly related to and nec-
15 essary for the work of the committee involved.

16 (b) None of the funds made available in this Act may
17 be used to disseminate information that is deliberately
18 false or misleading.

19 SEC. 516. Within 45 days of enactment of this Act,
20 each department and related agency funded through this
21 Act shall submit an operating plan that details at the pro-
22 gram, project, and activity level any funding allocations
23 for fiscal year 2020 that are different than those specified
24 in this Act, the accompanying detailed table in the joint

1 explanatory statement accompanying this Act or the fiscal
2 year 2020 budget request.

3 SEC. 517. The Secretaries of Labor, Health and
4 Human Services, and Education shall each prepare and
5 submit to the Committees on Appropriations of the House
6 of Representatives and the Senate a report on the number
7 and amount of contracts, grants, and cooperative agree-
8 ments exceeding \$500,000, individually or in total at the
9 program, project, or activity level, in value and awarded
10 by the Department on a non-competitive basis during each
11 quarter of fiscal year 2020, but not to include grants
12 awarded on a formula basis or directed by law. Such re-
13 port shall include the name of the contractor or grantee,
14 the amount of funding, the governmental purpose, includ-
15 ing a justification for issuing the award on a non-competi-
16 tive basis. Such report shall be transmitted to the Commit-
17 tees within 30 days after the end of the quarter for which
18 the report is submitted.

19 SEC. 518. None of the funds appropriated in this Act
20 shall be expended or obligated by the Commissioner of So-
21 cial Security, for purposes of administering Social Security
22 benefit payments under title II of the Social Security Act,
23 to process any claim for credit for a quarter of coverage
24 based on work performed under a social security account
25 number that is not the claimant's number and the per-

1 formance of such work under such number has formed the
2 basis for a conviction of the claimant of a violation of sec-
3 tion 208(a)(6) or (7) of the Social Security Act.

4 SEC. 519. None of the funds appropriated by this Act
5 may be used by the Commissioner of Social Security or
6 the Social Security Administration to pay the compensa-
7 tion of employees of the Social Security Administration
8 to administer Social Security benefit payments, under any
9 agreement between the United States and Mexico estab-
10 lishing totalization arrangements between the social secu-
11 rity system established by title II of the Social Security
12 Act and the social security system of Mexico, which would
13 not otherwise be payable but for such agreement.

14 SEC. 520. (a) None of the funds made available in
15 this Act may be used to maintain or establish a computer
16 network unless such network blocks the viewing,
17 downloading, and exchanging of pornography.

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

22 SEC. 521. For purposes of carrying out Executive
23 Order 13589, Office of Management and Budget Memo-
24 randum M-12-12 dated May 11, 2012, and requirements

1 contained in the annual appropriations bills relating to
2 conference attendance and expenditures:

3 (1) the operating divisions of HHS shall be con-
4 sidered independent agencies; and

5 (2) attendance at and support for scientific con-
6 ferences shall be tabulated separately from and not
7 included in agency totals.

8 SEC. 522. Federal agencies funded under this Act
9 shall clearly state within the text, audio, or video used for
10 advertising or educational purposes, including emails or
11 Internet postings, that the communication is printed, pub-
12 lished, or produced and disseminated at U.S. taxpayer ex-
13 pense. The funds used by a Federal agency to carry out
14 this requirement shall be derived from amounts made
15 available to the agency for advertising or other commu-
16 nications regarding the programs and activities of the
17 agency.

18 SEC. 523. (a) Federal agencies may use Federal dis-
19 cretionary funds that are made available in this Act to
20 carry out up to 10 Performance Partnership Pilots. Such
21 Pilots shall be governed by the provisions of section 526
22 of division H of Public Law 113–76, except that in car-
23 rying out such Pilots section 526 shall be applied by sub-
24 stituting “Fiscal Year 2020” for “Fiscal Year 2014” in
25 the title of subsection (b) and by substituting “September

1 30, 2024” for “September 30, 2018” each place it ap-
2 pears: *Provided*, That such pilots shall include commu-
3 nities that have experienced civil unrest.

4 (b) In addition, Federal agencies may use Federal
5 discretionary funds that are made available in this Act to
6 participate in Performance Partnership Pilots that are
7 being carried out pursuant to the authority provided by
8 section 526 of division H of Public Law 113–76, section
9 524 of division G of Public Law 113–235, section 525 of
10 division H of Public Law 114–113, section 525 of division
11 H of Public Law 115–31, and section 525 of division H
12 of Public Law 115–141.

13 (c) Pilot sites selected under authorities in this Act
14 and prior appropriations Acts may be granted by relevant
15 agencies up to an additional 5 years to operate under such
16 authorities.

17 SEC. 524. Not later than 30 days after the end of
18 each calendar quarter, beginning with the first month of
19 fiscal year 2020, the Departments of Labor, Health and
20 Human Services and Education and the Social Security
21 Administration shall provide the Committees on Appro-
22 priations of the House of Representatives and Senate a
23 report on the status of balances of appropriations: *Pro-*
24 *vided*, That for balances that are unobligated and uncom-
25 mitted, committed, and obligated but unexpended, the

1 monthly reports shall separately identify the amounts at-
2 tributable to each source year of appropriation (beginning
3 with fiscal year 2012, or, to the extent feasible, earlier
4 fiscal years) from which balances were derived.

5 SEC. 525. Of the unobligated balances made available
6 for purposes of carrying out section 2105(a)(3) of the So-
7 cial Security Act, \$7,715,000,000 shall not be available
8 for obligation in this fiscal year.

9 SEC. 526. (a)(1) The Secretary of Homeland Secu-
10 rity, after appropriate consultation with the Secretary of
11 Labor and appropriate employers, shall develop, through
12 notice and comment rulemaking, a process to provide
13 quarterly allocation of visas issued pursuant to petitions
14 submitted by employers for individuals to be admitted
15 under section 101(a)(15)(H)(ii)(b) of the Immigration
16 and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

17 (2) In developing the process described in paragraph
18 (1), the Secretary shall ensure that—

19 (A) all such petitions are submitted to the Sec-
20 retary not later than 45 days before the first day of
21 the quarter during which the requested beneficiaries
22 are expected to begin their employment with the em-
23 ployer; and

1 (B) all decisions to approve or deny a petition
2 are made not later than 15 days before the first date
3 of employment specified in the petition.

4 (b) Subject to subsection (c), for fiscal year 2021,
5 and every fiscal year thereafter, of the visas authorized
6 under section 214(g)(1)(B) of the Immigration and Na-
7 tionality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary of
8 Homeland Security shall issue—

9 (1) not more than 14 percent to aliens whose employ-
10 ment is scheduled to begin during the first quarter of the
11 fiscal year;

12 (2) not more than 45 percent (plus any visas author-
13 ized, but not issued, under paragraph (1)) to aliens whose
14 employment is scheduled to begin during the second quar-
15 ter of the fiscal year;

16 (3) not more than 39 percent (plus any visas author-
17 ized, but not issued, under paragraphs (1) and (2)) to
18 aliens whose employment is scheduled to begin during the
19 third quarter of the fiscal year; and

20 (4) not more than 2 percent (plus any visas author-
21 ized, but not issued, under paragraph (1), (2), and (3))
22 to aliens whose employment is scheduled to begin during
23 the fourth quarter of the fiscal year.

24 (c) Not later than 2 years after the date of the enact-
25 ment of this Act, and every 2 years thereafter, the Sec-

1 reitary of Homeland Security, in the Secretary's sole and
2 unreviewable discretion, and after consultation with the
3 Secretary of Labor, shall—

4 (1) compare the quarterly allocation of visas under
5 subsection (b) to the actual need for individuals to be ad-
6 mitted under section 101(a)(15)(H)(ii)(b) of the Immigra-
7 tion and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b))
8 in each quarter; and

9 (2) adjust the quarterly allocation of such visas ac-
10 cordingly.

11 (d) For each calendar quarter subject to the visa allo-
12 cation process set forth in subsection (b) or (c), if the total
13 number of visas requested by employers whose petitions
14 meet the standards for approval exceeds the total number
15 of visas available for such employers, the Secretary shall
16 ensure that each such petition is approved for a minimum
17 number of visas, which shall be calculated based on the
18 ratio between the total number of visas requested by such
19 employers and the total number of visas available.

20 (e) Effective October 1, 2020, section 214(g)(10) of
21 the Immigration and Nationality Act (8 U.S.C.
22 1184(g)(10)) is repealed.

23 (f) Section 214(c)(14)(C) of the Immigration and
24 Nationality Act (8 U.S.C. 1184(c)(14)(C)) is amended to
25 read as follows:

1 “(C) In determining the level of penalties to be as-
2 sessed under subparagraph (A), the highest penalties shall
3 be reserved for—

4 “(i) willful failures to meet any of the condi-
5 tions of the petition that involve harm to United
6 States workers; and

7 “(ii) willful misrepresentations of the number of
8 necessary nonimmigrants in an application for tem-
9 porary labor certification in support of a petition for
10 nonimmigrants described in section
11 101(a)(15)(H)(ii)(b).”.

12 SEC. 527. None of the funds made available by this
13 Act may be used to replace or diminish the quality of care
14 provided by Medicare Advantage (as established in Title
15 42, Chapter 7, Subchapter XVIII, Part C of the United
16 States Code) and the TRICARE program (as defined in
17 Section 1072 of Title 10 of the United States Code).

18 SEC. 528. Except as expressly provided otherwise,
19 any reference to “this Act” contained in this division shall
20 be treated as referring only to the provisions of this divi-
21 sion.

22 SEC. 529. Any reference to a “report accompanying
23 this Act” contained in this division shall be treated as a
24 reference to House Report 116-62. The effect of such Re-
25 port shall be limited to this division and shall apply for

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

3 This Act may be cited as the “Departments of Labor,
4 Health and Human Services, and Education, and Related
5 Agencies Appropriations Act, 2020”.

6 **DIVISION B—LEGISLATIVE BRANCH**
7 **APPROPRIATIONS ACT, 2020**

8 The following sums are appropriated, out of any
9 money in the Treasury not otherwise appropriated, for the
10 Legislative Branch for the fiscal year ending September
11 30, 2020, and for other purposes, namely:

12 **TITLE I**
13 **LEGISLATIVE BRANCH**
14 **HOUSE OF REPRESENTATIVES**
15 **SALARIES AND EXPENSES**

16 For salaries and expenses of the House of Represent-
17 atives, \$1,350,725,000, as follows:

18 **HOUSE LEADERSHIP OFFICES**

19 For salaries and expenses, as authorized by law,
20 \$28,428,000, including: Office of the Speaker,
21 \$7,964,000, including \$25,000 for official expenses of the
22 Speaker; Office of the Majority Floor Leader, \$2,955,000,
23 including \$10,000 for official expenses of the Majority
24 Leader; Office of the Minority Floor Leader, \$8,682,000,
25 including \$10,000 for official expenses of the Minority

1 Leader; Office of the Majority Whip, including the Chief
2 Deputy Majority Whip, \$2,456,000, including \$5,000 for
3 official expenses of the Majority Whip; Office of the Mi-
4 nority Whip, including the Chief Deputy Minority Whip,
5 \$1,904,000, including \$5,000 for official expenses of the
6 Minority Whip; Republican Conference, \$2,406,000;
7 Democratic Caucus, \$2,061,000: *Provided*, That such
8 amount for salaries and expenses shall remain available
9 from January 3, 2020 until January 2, 2021.

10 MEMBERS' REPRESENTATIONAL ALLOWANCES

11 INCLUDING MEMBERS' CLERK HIRE, OFFICIAL

12 EXPENSES OF MEMBERS, AND OFFICIAL MAIL

13 For Members' representational allowances, including
14 Members' clerk hire, official expenses, and official mail,
15 \$615,000,000.

16 ALLOWANCE FOR COMPENSATION OF INTERNS IN

17 MEMBER OFFICES

18 For the allowance established under section 120 of
19 the Legislative Branch Appropriations Act, 2019 (2
20 U.S.C. 5322a) for the compensation of interns who serve
21 in the offices of Members of the House of Representatives,
22 \$11,025,000, to remain available through December 31,
23 2020: *Provided*, That notwithstanding section 120(b) of
24 such Act, an office of a Member of the House of Rep-
25 resentatives may use not more than \$25,000 of the allow-

1 ance available under this heading during calendar year
2 2020.

3 ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE
4 LEADERSHIP OFFICES

5 For the allowance established under section 113 of
6 this Act for the compensation of interns who serve in
7 House leadership offices, \$365,000, to remain available
8 through December 31, 2020: *Provided*, That of the
9 amount provided under this heading, \$200,000 shall be
10 available for the compensation of interns who serve in
11 House leadership offices of the majority, to be allocated
12 among such offices by the Speaker of the House of Rep-
13 resentatives, and \$165,000 shall be available for the com-
14 pensation of interns who serve in House leadership offices
15 of the minority, to be allocated among such offices by the
16 Minority Floor Leader.

17 COMMITTEE EMPLOYEES

18 STANDING COMMITTEES, SPECIAL AND SELECT

19 For salaries and expenses of standing committees,
20 special and select, authorized by House resolutions,
21 \$135,359,000: *Provided*, That such amount shall remain
22 available for such salaries and expenses until December
23 31, 2020, except that \$2,850,000 of such amount shall
24 remain available until expended for committee room up-
25 grading.

1 COMMITTEE ON APPROPRIATIONS

2 For salaries and expenses of the Committee on Ap-
3 propriations, \$24,269,000, including studies and examina-
4 tions of executive agencies and temporary personal serv-
5 ices for such committee, to be expended in accordance with
6 section 202(b) of the Legislative Reorganization Act of
7 1946 and to be available for reimbursement to agencies
8 for services performed: *Provided*, That such amount shall
9 remain available for such salaries and expenses until De-
10 cember 31, 2020.

11 SALARIES, OFFICERS AND EMPLOYEES

12 For compensation and expenses of officers and em-
13 ployees, as authorized by law, \$245,736,000, including:
14 for salaries and expenses of the Office of the Clerk, includ-
15 ing the positions of the Chaplain and the Historian, and
16 including not more than \$25,000 for official representa-
17 tion and reception expenses, of which not more than
18 \$20,000 is for the Family Room and not more than
19 \$2,000 is for the Office of the Chaplain, \$32,228,000, of
20 which \$3,120,000 shall remain available until expended;
21 for salaries and expenses of the Office of the Sergeant at
22 Arms, including the position of Superintendent of Garages
23 and the Office of Emergency Management, and including
24 not more than \$3,000 for official representation and re-
25 ception expenses, \$22,071,000, of which \$10,267,000

1 shall remain available until expended; for salaries and ex-
2 penses of the Office of the Chief Administrative Officer
3 including not more than \$3,000 for official representation
4 and reception expenses, \$164,308,000, of which
5 \$11,639,000 shall remain available until expended; for sal-
6 aries and expenses of the Office of Diversity and Inclusion,
7 \$1,000,000; for salaries and expenses of the Office of the
8 Whistleblower Ombudsman, \$750,000; for salaries and ex-
9 penses of the Office of the Inspector General, \$5,019,000;
10 for salaries and expenses of the Office of General Counsel,
11 \$1,518,000; for salaries and expenses of the Office of the
12 Parliamentarian, including the Parliamentarian, \$2,000
13 for preparing the Digest of Rules, and not more than
14 \$1,000 for official representation and reception expenses,
15 \$2,088,000; for salaries and expenses of the Office of the
16 Law Revision Counsel of the House, \$3,419,000; for sala-
17 ries and expenses of the Office of the Legislative Counsel
18 of the House, \$11,937,000; for salaries and expenses of
19 the Office of Interparliamentary Affairs, \$814,000; for
20 other authorized employees, \$584,000.

21 ALLOWANCES AND EXPENSES

22 For allowances and expenses as authorized by House
23 resolution or law, \$290,543,000, including: supplies, mate-
24 rials, administrative costs and Federal tort claims,
25 \$526,000; official mail for committees, leadership offices,

1 and administrative offices of the House, \$190,000; Gov-
2 ernment contributions for health, retirement, Social Secu-
3 rity, and other applicable employee benefits,
4 \$262,000,000, to remain available until March 31, 2021;
5 salaries and expenses for Business Continuity and Dis-
6 aster Recovery, \$17,668,000, of which \$5,000,000 shall
7 remain available until expended; transition activities for
8 new members and staff, \$4,489,000, to remain available
9 until expended; Wounded Warrior Program, \$3,000,000,
10 to remain available until expended; Office of Congressional
11 Ethics, \$1,670,000; and miscellaneous items including
12 purchase, exchange, maintenance, repair and operation of
13 House motor vehicles, interparliamentary receptions, and
14 gratuities to heirs of deceased employees of the House,
15 \$1,000,000.

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

21 SEC. 110. (a) Notwithstanding any other provision
22 of law, any amounts appropriated under this Act for
23 "HOUSE OF REPRESENTATIVES—SALARIES AND
24 EXPENSES—MEMBERS' REPRESENTATIONAL ALLOW-
25 ANCES" shall be available only for fiscal year 2020. Any

1 amount remaining after all payments are made under such
2 allowances for fiscal year 2020 shall be deposited in the
3 Treasury and used for deficit reduction (or, if there is no
4 Federal budget deficit after all such payments have been
5 made, for reducing the Federal debt, in such manner as
6 the Secretary of the Treasury considers appropriate).

7 (b) The Committee on House Administration of the
8 House of Representatives shall have authority to prescribe
9 regulations to carry out this section.

10 (c) As used in this section, the term “Member of the
11 House of Representatives” means a Representative in, or
12 a Delegate or Resident Commissioner to, the Congress.

13 LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

14 SEC. 111. None of the funds made available in this
15 Act may be used by the Chief Administrative Officer of
16 the House of Representatives to make any payments from
17 any Members’ Representational Allowance for the leasing
18 of a vehicle, excluding mobile district offices, in an aggre-
19 gate amount that exceeds \$1,000 for the vehicle in any
20 month.

21 ALLOWANCE FOR COMPENSATION OF INTERNS IN

22 MEMBER OFFICES

23 SEC. 112. (a) Section 120(f) of the Legislative
24 Branch Appropriations Act, 2019 (2 U.S.C. 5322a(f)) is
25 amended by striking the period at the end and inserting

1 the following: “, and such sums as may be necessary for
2 fiscal year 2020 and each succeeding fiscal year.”.

3 (b) The amendment made by subsection (a) shall take
4 effect as if included in the enactment of section 120 of
5 the Legislative Branch Appropriations Act, 2019 (2
6 U.S.C. 5322a).

7 ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE
8 LEADERSHIP OFFICES

9 SEC. 113. (a) There is established for the House of
10 Representatives an allowance which shall be available for
11 the compensation of interns who serve in House leadership
12 offices.

13 (b) Section 104(b) of the House of Representatives
14 Administrative Reform Technical Corrections Act (2
15 U.S.C. 5321(b)) shall apply with respect to an intern who
16 is compensated under the allowance under this section in
17 the same manner as such section applies with respect to
18 an intern who is compensated under the Members’ Rep-
19 resentational Allowance.

20 (c) In this section —

21 (1) the term “House leadership office” means,
22 with respect to a fiscal year, any office for which the
23 appropriation for salaries and expenses of the office
24 for the fiscal year is provided under the heading
25 “House Leadership Offices” in the Act making ap-

1 appropriations for the Legislative Branch for the fiscal
2 year; and

3 (2) term “intern”, with respect to a House
4 leadership office, has the meaning given such term
5 with respect to a Member of the House of Rep-
6 resentatives in section 104(c)(2) of the House of
7 Representatives Administrative Reform Technical
8 Corrections Act (2 U.S.C. 5321(c)(2)).

9 (d) There are authorized to be appropriated to carry
10 out this section such sums as may be necessary for fiscal
11 year 2020 and each succeeding fiscal year.

12 CYBERSECURITY ASSISTANCE FOR HOUSE OF
13 REPRESENTATIVES

14 SEC. 114. The head of any Federal entity that pro-
15 vides assistance to the House of Representatives in the
16 House’s efforts to deter, prevent, mitigate, or remediate
17 cybersecurity risks to, and incidents involving, the infor-
18 mation systems of the House shall take all necessary steps
19 to ensure the constitutional integrity of the separate
20 branches of the government at all stages of providing the
21 assistance, including applying minimization procedures to
22 limit the spread or sharing of privileged House and Mem-
23 ber information.

24 RESCISSIONS OF FUNDS

25 SEC. 115. (a) Of the unobligated balances available
26 from prior appropriations Acts from the revolving fund es-

1 tablished under House Resolution 94, Ninety Eighth Con-
2 gress, agreed to February 8, 1983, as enacted into perma-
3 nent law by section 110 of the Congressional Operations
4 Appropriations Act, 1984 (2 U.S.C. 4917), \$1,000,000 is
5 hereby rescinded.

6 (b) Of the unobligated balances available from prior
7 appropriations Acts from the revolving fund established in
8 the item relating to “Stationery” under the heading
9 “House of Representatives, Contingent Expenses of the
10 House” in the first section of the Legislative Branch Ap-
11 propriation Act, 1948 (2 U.S.C. 5534), \$4,000,000 is
12 hereby rescinded.

13 USE OF AVAILABLE BALANCES OF EXPIRED

14 APPROPRIATIONS

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 116. (a) Subject to section 119 of the Legisla-
17 tive Branch Appropriations Act, 2018 (2 U.S.C. 5511),
18 available balances of expired appropriations for the House
19 of Representatives shall be available to the House of Rep-
20 resentatives—

21 (1) for the payment of a death gratuity which
22 is specifically appropriated by law and which is made
23 in connection with the death of an employee of the
24 House of Representatives, without regard to the fis-
25 cal year in which the payment is made; and

1 (2) for deposit into the account established
2 under section 109 of the Legislative Branch Appro-
3 priations Act, 1998 (2 U.S.C. 5508) for making
4 payments of the House of Representatives to the
5 Employees' Compensation Fund under section 8147
6 of title 5, United States Code, and for reimbursing
7 the Secretary of Labor for any amounts paid with
8 respect to unemployment compensation payments for
9 former employees of the House.

10 (b) This section shall apply with respect to funds ap-
11 propriated or otherwise made available in fiscal year 2020
12 and each succeeding fiscal year.

13 REDUCTION IN AMOUNT OF TUITION CHARGED FOR CHIL-
14 DREN OF EMPLOYEES OF HOUSE CHILD CARE CEN-
15 TER

16 SEC. 117. (a) Section 312(d) of the Legislative
17 Branch Appropriations Act, 1992 (2 U.S.C. 2062(d)) is
18 amended by adding at the end the following new para-
19 graph:

20 “(4) In the case of a child of an employee of
21 the center who is furnished care at the center, the
22 Chief Administrative Officer shall reduce the amount
23 of tuition otherwise charged with respect to such
24 child during a month by the greater of—

25 “(A) 50 percent; or

1 For other joint items, as follows:

2 OFFICE OF THE ATTENDING PHYSICIAN

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

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

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

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

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

17 (5) \$2,800,000 for reimbursement to the De-
18 partment of the Navy for expenses incurred for staff
19 and equipment assigned to the Office of the Attend-
20 ing Physician, which shall be advanced and credited
21 to the applicable appropriation or appropriations
22 from which such salaries, allowances, and other ex-
23 penses are payable and shall be available for all the
24 purposes thereof, \$3,868,260, to be disbursed by the

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

3 OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

4 SALARIES AND EXPENSES

5 For salaries and expenses of the Office of Congres-
6 sional Accessibility Services, \$1,509,000, to be disbursed
7 by the Secretary of the Senate.

8 CAPITOL POLICE

9 SALARIES

10 For salaries of employees of the Capitol Police, in-
11 cluding overtime, hazardous duty pay, and Government
12 contributions for health, retirement, social security, pro-
13 fessional liability insurance, and other applicable employee
14 benefits, \$378,062,000, of which overtime shall not exceed
15 \$47,048,000 unless the Committees on Appropriations of
16 the House and Senate are notified, to be disbursed by the
17 Chief of the Capitol Police or his designee.

18 GENERAL EXPENSES

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

1 relocation of instructor and liaison personnel for the Fed-
2 eral Law Enforcement Training Center, and not more
3 than \$5,000 to be expended on the certification of the
4 Chief of the Capitol Police in connection with official rep-
5 resentation and reception expenses, \$85,279,000, to be
6 disbursed by the Chief of the Capitol Police or his des-
7 ignee: *Provided*, That, notwithstanding any other provi-
8 sion of law, the cost of basic training for the Capitol Police
9 at the Federal Law Enforcement Training Center for fis-
10 cal year 2020 shall be paid by the Secretary of Homeland
11 Security from funds available to the Department of Home-
12 land Security.

13 ADMINISTRATIVE PROVISION

14 SEC. 118. Section 908(c) of the Emergency Supple-
15 mental Act, 2002 (2 U.S.C. 1926(c)), is amended by strik-
16 ing “\$40,000” and inserting “\$60,000”.

17 OFFICE OF CONGRESSIONAL WORKPLACE

18 RIGHTS

19 SALARIES AND EXPENSES

20 For salaries and expenses necessary for the operation
21 of the Office of Congressional Workplace Rights,
22 \$6,333,000, of which \$1,000,000 shall remain available
23 until September 30, 2021, and of which not more than
24 \$1,000 may be expended on the certification of the Execu-

1 tive Director in connection with official representation and
2 reception expenses.

3 CONGRESSIONAL BUDGET OFFICE

4 SALARIES AND EXPENSES

5 For salaries and expenses necessary for operation of
6 the Congressional Budget Office, including not more than
7 \$6,000 to be expended on the certification of the Director
8 of the Congressional Budget Office in connection with offi-
9 cial representation and reception expenses, \$52,666,000.

10 OFFICE OF TECHNOLOGY ASSESSMENT

11 SALARIES AND EXPENSES

12 For necessary expenses in carrying out the Tech-
13 nology Assessment Act of 1972 (Public Law 92-484; 2
14 U.S.C. 471 et. seq.), \$6,000,000, to remain available until
15 September 30, 2021.

16 ARCHITECT OF THE CAPITOL

17 CAPITAL CONSTRUCTION AND OPERATIONS

18 (INCLUDING TRANSFER OF FUNDS)

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

1 and water and sewer services for the Capitol, Senate and
2 House office buildings, Library of Congress buildings, and
3 the grounds about the same, Botanic Garden, Senate ga-
4 rage, and air conditioning refrigeration not supplied from
5 plants in any of such buildings; heating the Government
6 Publishing Office and Washington City Post Office, and
7 heating and chilled water for air conditioning for the Su-
8 preme Court Building, the Union Station complex, the
9 Thurgood Marshall Federal Judiciary Building and the
10 Folger Shakespeare Library, expenses for which shall be
11 advanced or reimbursed upon request of the Architect of
12 the Capitol and amounts so received shall be deposited
13 into the Treasury to the credit of this appropriation,
14 \$102,557,000, of which \$18,900,000 shall remain avail-
15 able until September 30, 2024: *Provided*, That not more
16 than \$9,000,000 of the funds credited or to be reimbursed
17 to this appropriation as herein provided shall be available
18 for obligation during fiscal year 2020.

19 LIBRARY BUILDINGS AND GROUNDS

20 For all necessary expenses for the mechanical and
21 structural maintenance, care and operation of the Library
22 buildings and grounds, \$86,833,000, of which
23 \$57,500,000 shall remain available until September 30,
24 2024.

1 CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

2 For all necessary expenses for the maintenance, care
3 and operation of buildings, grounds and security enhance-
4 ments of the United States Capitol Police, wherever lo-
5 cated, the Alternate Computing Facility, and Architect of
6 the Capitol security operations, \$52,840,000, of which
7 \$26,500,000 shall remain available until September 30,
8 2024.

9 BOTANIC GARDEN

10 For all necessary expenses for the maintenance, care
11 and operation of the Botanic Garden and the nurseries,
12 buildings, grounds, and collections; and purchase and ex-
13 change, maintenance, repair, and operation of a passenger
14 motor vehicle; all under the direction of the Joint Com-
15 mittee on the Library, \$15,822,000, of which \$4,000,000
16 shall remain available until September 30, 2024: *Provided,*
17 That, of the amount made available under this heading,
18 the Architect of the Capitol may obligate and expend such
19 sums as may be necessary for the maintenance, care and
20 operation of the National Garden established under sec-
21 tion 307E of the Legislative Branch Appropriations Act,
22 1989 (2 U.S.C. 2146).

23 CAPITOL VISITOR CENTER

24 For all necessary expenses for the operation of the
25 Capitol Visitor Center, \$23,391,000.

1 ADMINISTRATIVE PROVISION

2 NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR
3 OVER BUDGET

4 SEC. 119. (a) None of the funds made available in
5 this Act for the Architect of the Capitol may be used to
6 make incentive or award payments to contractors for work
7 on contracts or programs for which the contractor is be-
8 hind schedule or over budget, unless the Architect of the
9 Capitol, or agency-employed designee, determines that any
10 such deviations are due to unforeseeable events, govern-
11 ment-driven scope changes, or are not significant within
12 the overall scope of the project and/or program.

13 (b) This section shall apply with respect to fiscal year
14 2020 and each succeeding fiscal year.

15 LIBRARY OF CONGRESS

16 SALARIES AND EXPENSES

17 For all necessary expenses of the Library of Congress
18 not otherwise provided for, including development and
19 maintenance of the Library's catalogs; custody and custo-
20 dial care of the Library buildings; information technology
21 services provided centrally; special clothing; cleaning,
22 laundering and repair of uniforms; preservation of motion
23 pictures in the custody of the Library; operation and
24 maintenance of the American Folklife Center in the Li-
25 brary; preparation and distribution of catalog records and

1 other publications of the Library; hire or purchase of one
2 passenger motor vehicle; and expenses of the Library of
3 Congress Trust Fund Board not properly chargeable to
4 the income of any trust fund held by the Board,
5 \$507,303,000, of which not more than \$6,000,000 shall
6 be derived from collections credited to this appropriation
7 during fiscal year 2020, and shall remain available until
8 expended, under the Act of June 28, 1902 (chapter 1301;
9 32 Stat. 480; 2 U.S.C. 150): *Provided*, That the Library
10 of Congress may not obligate or expend any funds derived
11 from collections under the Act of June 28, 1902, in excess
12 of the amount authorized for obligation or expenditure in
13 appropriations Acts: *Provided further*, That the total
14 amount available for obligation shall be reduced by the
15 amount by which collections are less than \$6,000,000:
16 *Provided further*, That of the total amount appropriated,
17 not more than \$12,000 may be expended, on the certifi-
18 cation of the Librarian of Congress, in connection with
19 official representation and reception expenses for the
20 Overseas Field Offices: *Provided further*, That of the total
21 amount appropriated, \$9,110,000 shall remain available
22 until expended for the digital collections and educational
23 curricula program: *Provided further*, That of the total
24 amount appropriated, \$1,350,000 shall remain available
25 until expended for upgrade of the Legislative Branch Fi-

1 nancial Management System: *Provided further*, That of
2 the total amount appropriated, \$250,000 shall remain
3 available until expended for the Surplus Books Program
4 to promote the program and facilitate a greater number
5 of donations to eligible entities across the United States:
6 *Provided further*, That of the total amount appropriated,
7 \$3,587,000 shall remain available until expended for the
8 Veterans History Project to continue digitization efforts
9 of already collected materials, reach a greater number of
10 veterans to record their stories, and promote public access
11 to the Project: *Provided further*, That of the total amount
12 appropriated, \$5,000,000 shall remain available until ex-
13 pended for the development of the Library's Visitor Expe-
14 rience project, and may be obligated and expended only
15 upon written approval by the Chair and ranking minority
16 member of the Subcommittee on the Legislative Branch
17 of the Committee on Appropriations of the House of Rep-
18 resentatives and by the Chair and ranking minority mem-
19 ber of the Subcommittee on the Legislative Branch of the
20 Committee on Appropriations of the Senate, following re-
21 view of a project budget justification and cost estimate.

22 COPYRIGHT OFFICE

23 SALARIES AND EXPENSES

24 For all necessary expenses of the Copyright Office,
25 \$91,856,000, of which not more than \$43,221,000, to re-

1 main available until expended, shall be derived from collec-
2 tions credited to this appropriation during fiscal year 2020
3 under sections 708(d) and 1316 of title 17, United States
4 Code: *Provided*, That the Copyright Office may not obli-
5 gate or expend any funds derived from collections under
6 such section in excess of the amount authorized for obliga-
7 tion or expenditure in appropriations Acts: *Provided fur-*
8 *ther*, That not more than \$6,482,000 shall be derived from
9 collections during fiscal year 2020 under sections
10 111(d)(2), 119(b)(3), 803(e), and 1005 of such title: *Pro-*
11 *vided further*, That the total amount available for obliga-
12 tion shall be reduced by the amount by which collections
13 are less than \$49,703,000: *Provided further*, That of the
14 total amount appropriated under this heading, not less
15 than \$17,100,000 is for modernization initiatives, of which
16 \$10,000,000 shall remain available until September 30,
17 2021: *Provided further*, That not more than \$100,000 of
18 the amount appropriated is available for the maintenance
19 of an “International Copyright Institute” in the Copyright
20 Office of the Library of Congress for the purpose of train-
21 ing nationals of developing countries in intellectual prop-
22 erty laws and policies: *Provided further*, That not more
23 than \$6,500 may be expended, on the certification of the
24 Librarian of Congress, in connection with official rep-
25 resentation and reception expenses for activities of the

1 International Copyright Institute and for copyright dele-
2 gations, visitors, and seminars: *Provided further*, That,
3 notwithstanding any provision of chapter 8 of title 17,
4 United States Code, any amounts made available under
5 this heading which are attributable to royalty fees and
6 payments received by the Copyright Office pursuant to
7 sections 111, 119, and chapter 10 of such title may be
8 used for the costs incurred in the administration of the
9 Copyright Royalty Judges program, with the exception of
10 the costs of salaries and benefits for the Copyright Royalty
11 Judges and staff under section 802(e).

12 CONGRESSIONAL RESEARCH SERVICE

13 SALARIES AND EXPENSES

14 For all necessary expenses to carry out the provisions
15 of section 203 of the Legislative Reorganization Act of
16 1946 (2 U.S.C. 166) and to revise and extend the Anno-
17 tated Constitution of the United States of America,
18 \$119,889,000: *Provided*, That no part of such amount
19 may be used to pay any salary or expense in connection
20 with any publication, or preparation of material therefor
21 (except the Digest of Public General Bills), to be issued
22 by the Library of Congress unless such publication has
23 obtained prior approval of either the Committee on House
24 Administration of the House of Representatives or the
25 Committee on Rules and Administration of the Senate:

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

12 BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED
13 SALARIES AND EXPENSES

14 For all necessary expenses to carry out the Act of
15 March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C.
16 135a), \$56,945,000: *Provided*, That of the total amount
17 appropriated, \$650,000 shall be available to contract to
18 provide newspapers to blind and physically handicapped
19 residents at no cost to the individual.

20 ADMINISTRATIVE PROVISION

21 REIMBURSABLE AND REVOLVING FUND ACTIVITIES

22 SEC. 120. (a) For fiscal year 2020, the obligational
23 authority of the Library of Congress for the activities de-
24 scribed in subsection (b) may not exceed \$231,975,000.

1 (b) The activities referred to in subsection (a) are re-
2 imburseable and revolving fund activities that are funded
3 from sources other than appropriations to the Library in
4 appropriations Acts for the legislative branch.

5 GOVERNMENT PUBLISHING OFFICE

6 CONGRESSIONAL PUBLISHING

7 (INCLUDING TRANSFER OF FUNDS)

8 For authorized publishing of Congressional informa-
9 tion and the distribution of Congressional information in
10 any format; publishing of Government publications au-
11 thorized by law to be distributed to Members of Congress;
12 and publishing, and distribution of Government publica-
13 tions authorized by law to be distributed without charge
14 to the recipient, \$79,000,000: *Provided*, That this appro-
15 priation shall not be available for paper copies of the per-
16 manent edition of the Congressional Record for individual
17 Representatives, Resident Commissioner or Delegates au-
18 thorized under section 906 of title 44, United States Code:
19 *Provided further*, That this appropriation shall be available
20 for the payment of obligations incurred under the appro-
21 priations for similar purposes for preceding fiscal years:
22 *Provided further*, That notwithstanding the 2-year limita-
23 tion under section 718 of title 44, United States Code,
24 none of the funds appropriated or made available under
25 this Act or any other Act for printing and binding and

1 related services provided to Congress under chapter 7 of
2 title 44, United States Code, may be expended to print
3 a document, report, or publication after the 27-month pe-
4 riod beginning on the date that such document, report,
5 or publication is authorized by Congress to be printed, un-
6 less Congress reauthorizes such printing in accordance
7 with section 718 of title 44, United States Code: *Provided*
8 *further*, That unobligated or unexpended balances of ex-
9 pired discretionary funds made available under this head-
10 ing in this Act for this fiscal year may be transferred to,
11 and merged with, funds under the heading “Government
12 Publishing Office Business Operations Revolving Fund”
13 no later than the end of the fifth fiscal year after the last
14 fiscal year for which such funds are available for the pur-
15 poses for which appropriated, to be available for carrying
16 out the purposes of this heading, subject to the approval
17 of the Committees on Appropriations of the House of Rep-
18 resentatives and the Senate: *Provided further*, That not-
19 withstanding sections 901, 902, and 906 of title 44,
20 United States Code, this appropriation may be used to
21 prepare indexes to the Congressional Record on only a
22 monthly and session basis.

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

5 For expenses of the public information programs of
6 the Office of Superintendent of Documents necessary to
7 provide for the cataloging and indexing of Government
8 publications in any format, and their distribution to the
9 public, Members of Congress, other Government agencies,
10 and designated depository and international exchange li-
11 braries as authorized by law, \$31,296,000: *Provided*, That
12 amounts of not more than \$2,000,000 from current year
13 appropriations are authorized for producing and dissemi-
14 nating Congressional serial sets and other related publica-
15 tions for fiscal years 2018 and 2019 to depository and
16 other designated libraries: *Provided further*, That unobli-
17 gated or unexpended balances of expired discretionary
18 funds made available under this heading in this Act for
19 this fiscal year may be transferred to, and merged with,
20 funds under the heading “Government Publishing Office
21 Business Operations Revolving Fund” no later than the
22 end of the fifth fiscal year after the last fiscal year for
23 which such funds are available for the purposes for which
24 appropriated, to be available for carrying out the purposes
25 of this heading, subject to the approval of the Committees

1 on Appropriations of the House of Representatives and the
2 Senate.

3 GOVERNMENT PUBLISHING OFFICE BUSINESS

4 OPERATIONS REVOLVING FUND

5 For payment to the Government Publishing Office
6 Business Operations Revolving Fund, \$6,704,000, to re-
7 main available until expended, for information technology
8 development and facilities repair: *Provided*, That the Gov-
9 ernment Publishing Office is hereby authorized to make
10 such expenditures, within the limits of funds available and
11 in accordance with law, and to make such contracts and
12 commitments without regard to fiscal year limitations as
13 provided by section 9104 of title 31, United States Code,
14 as may be necessary in carrying out the programs and
15 purposes set forth in the budget for the current fiscal year
16 for the Government Publishing Office Business Operations
17 Revolving Fund: *Provided further*, That not more than
18 \$7,500 may be expended on the certification of the Direc-
19 tor of the Government Publishing Office in connection
20 with official representation and reception expenses: *Pro-*
21 *vided further*, That the Business Operations Revolving
22 Fund shall be available for the hire or purchase of not
23 more than 12 passenger motor vehicles: *Provided further*,
24 That expenditures in connection with travel expenses of
25 the advisory councils to the Director of the Government

1 Publishing Office shall be deemed necessary to carry out
2 the provisions of title 44, United States Code: *Provided*
3 *further*, That the Business Operations Revolving Fund
4 shall be available for temporary or intermittent services
5 under section 3109(b) of title 5, United States Code, but
6 at rates for individuals not more than the daily equivalent
7 of the annual rate of basic pay for level V of the Executive
8 Schedule under section 5316 of such title: *Provided fur-*
9 *ther*, That activities financed through the Business Oper-
10 ations Revolving Fund may provide information in any
11 format: *Provided further*, That the Business Operations
12 Revolving Fund and the funds provided under the heading
13 “Public Information Programs of the Superintendent of
14 Documents” may not be used for contracted security serv-
15 ices at Government Publishing Office’s passport facility in
16 the District of Columbia.

17 GOVERNMENT ACCOUNTABILITY OFFICE

18 SALARIES AND EXPENSES

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

1 equivalent of the annual rate of basic pay for level IV of
2 the Executive Schedule under section 5315 of such title;
3 hire of one passenger motor vehicle; advance payments in
4 foreign countries in accordance with section 3324 of title
5 31, United States Code; benefits comparable to those pay-
6 able under sections 901(5), (6), and (8) of the Foreign
7 Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8));
8 and under regulations prescribed by the Comptroller Gen-
9 eral of the United States, rental of living quarters in for-
10 eign countries, \$615,604,000: *Provided*, That, in addition,
11 \$24,800,000 of payments received under sections 782,
12 791, 3521, and 9105 of title 31, United States Code, shall
13 be available without fiscal year limitation: *Provided fur-*
14 *ther*, That this appropriation and appropriations for ad-
15 ministrative expenses of any other department or agency
16 which is a member of the National Intergovernmental
17 Audit Forum or a Regional Intergovernmental Audit
18 Forum shall be available to finance an appropriate share
19 of either Forum's costs as determined by the respective
20 Forum, including necessary travel expenses of non-Federal
21 participants: *Provided further*, That payments hereunder
22 to the Forum may be credited as reimbursements to any
23 appropriation from which costs involved are initially fi-
24 nanced.

1 cilities for the House of Representatives issued by the
2 Committee on House Administration and for the Senate
3 issued by the Committee on Rules and Administration.

4 FISCAL YEAR LIMITATION

5 SEC. 202. No part of the funds appropriated in this
6 Act shall remain available for obligation beyond fiscal year
7 2020 unless expressly so provided in this Act.

8 RATES OF COMPENSATION AND DESIGNATION

9 SEC. 203. Whenever in this Act any office or position
10 not specifically established by the Legislative Pay Act of
11 1929 (46 Stat. 32 et seq.) is appropriated for or the rate
12 of compensation or designation of any office or position
13 appropriated for is different from that specifically estab-
14 lished by such Act, the rate of compensation and the des-
15 ignation in this Act shall be the permanent law with re-
16 spect thereto: *Provided*, That the provisions in this Act
17 for the various items of official expenses of Members, offi-
18 cers, and committees of the Senate and House of Rep-
19 resentatives, and clerk hire for Senators and Members of
20 the House of Representatives shall be the permanent law
21 with respect thereto.

22 CONSULTING SERVICES

23 SEC. 204. The expenditure of any appropriation
24 under this Act for any consulting service through procure-
25 ment contract, under section 3109 of title 5, United States
26 Code, shall be limited to those contracts where such ex-

1 penditures are a matter of public record and available for
2 public inspection, except where otherwise provided under
3 existing law, or under existing Executive order issued
4 under existing law.

5 COSTS OF LBFMC

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

15 LIMITATION ON TRANSFERS

16 SEC. 206. None of the funds made available in this
17 Act may be transferred to any department, agency, or in-
18 strumentality of the United States Government, except
19 pursuant to a transfer made by, or transfer authority pro-
20 vided in, this Act or any other appropriation Act.

21 GUIDED TOURS OF THE CAPITOL

22 SEC. 207. (a) Except as provided in subsection (b),
23 none of the funds made available to the Architect of the
24 Capitol in this Act may be used to eliminate or restrict
25 guided tours of the United States Capitol which are led
26 by employees and interns of offices of Members of Con-

1 gress and other offices of the House of Representatives
2 and Senate, unless through regulations as authorized by
3 section 402(b)(8) of the Capitol Visitor Center Act of
4 2008 (2 U.S.C. 2242(b)(8)).

5 (b) At the direction of the Capitol Police Board, or
6 at the direction of the Architect of the Capitol with the
7 approval of the Capitol Police Board, guided tours of the
8 United States Capitol which are led by employees and in-
9 terns described in subsection (a) may be suspended tempo-
10 rarily or otherwise subject to restriction for security or re-
11 lated reasons to the same extent as guided tours of the
12 United States Capitol which are led by the Architect of
13 the Capitol.

14 LIMITATION ON TELECOMMUNICATIONS EQUIPMENT

15 PROCUREMENT

16 SEC. 208. (a) None of the funds appropriated or oth-
17 erwise made available under this Act may be used to ac-
18 quire telecommunications equipment produced by Huawei
19 Technologies Company, ZTE Corporation or a high-im-
20 pact or moderate-impact information system, as defined
21 for security categorization in the National Institute of
22 Standards and Technology's (NIST) Federal Information
23 Processing Standard Publication 199, "Standards for Se-
24 curity Categorization of Federal Information and Informa-
25 tion Systems" unless the agency, office, or other entity
26 acquiring the equipment or system has—

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

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

10 (3) in consultation with the Federal Bureau of
11 Investigation or other appropriate Federal entity,
12 conducted an assessment of any risk of cyber-espio-
13 nage or sabotage associated with the acquisition of
14 such system, including any risk associated with such
15 system being produced, manufactured, or assembled
16 by one or more entities identified by the United
17 States Government as posing a cyber threat, includ-
18 ing but not limited to, those that may be owned, di-
19 rected, or subsidized by the People's Republic of
20 China, the Islamic Republic of Iran, the Democratic
21 People's Republic of Korea, or the Russian Federa-
22 tion.

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

1 viewed and assessed under subsection (a) unless the head
2 of the assessing entity described in subsection (a) has—

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

6 (2) determined, in consultation with NIST and
7 the Federal Bureau of Investigation, that the acqui-
8 sition of such system is in the vital national security
9 interest of the United States; and

10 (3) reported that determination to the Commit-
11 tees on Appropriations of the House of Representa-
12 tives and the Senate in a manner that identifies the
13 system intended for acquisition and a detailed de-
14 scription of the mitigation strategies identified in
15 (1), provided that such report may include a classi-
16 fied annex as necessary.

17 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

18 SEC. 209. (a) None of the funds made available in
19 this Act may be used to maintain or establish a computer
20 network unless such network blocks the viewing,
21 downloading, and exchanging of pornography.

22 (b) Nothing in subsection (a) shall limit the use of
23 funds necessary for any Federal, State, tribal, or local law
24 enforcement agency or any other entity carrying out crimi-
25 nal investigations, prosecution, or adjudication activities
26 or other official government activities.

1 PLASTIC WASTE REDUCTION

2 SEC. 210. All agencies and offices funded by this Act
3 that contract with a food service provider or providers
4 shall confer and coordinate with such food service provider
5 or providers, in consultation with disability advocacy
6 groups, to eliminate or reduce plastic waste, including
7 waste from plastic straws, explore the use of biodegradable
8 items, and increase recycling and composting opportuni-
9 ties.

10 AUTHORITY TO HIRE INDIVIDUALS COVERED BY THE
11 DEFERRED ACTION FOR CHILDHOOD ARRIVALS PROGRAM

12 SEC. 211. Notwithstanding any other provision of
13 law, an entity may use amounts appropriated or otherwise
14 made available under this Act to pay the compensation
15 of an officer or employee without regard to the officer's
16 or employee's immigration status if the officer or employee
17 has been issued an employment authorization document
18 under the Deferred Action for Childhood Arrivals Pro-
19 gram of the Secretary of Homeland Security, established
20 pursuant to the memorandum from the Secretary of
21 Homeland Security entitled "Exercising Prosecutorial
22 Discretion with Respect to Individuals Who Came to the
23 United States as Children", dated June 15, 2012.

24 REFERENCES TO ACT

25 SEC. 212. Except as expressly provided otherwise,
26 any reference to "this Act" contained in this division shall

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

3 REFERENCES TO REPORT

4 SEC. 213. Any reference to a “report accompanying
5 this Act” contained in this division shall be treated as a
6 reference to House Report 116-64. The effect of such Re-
7 port shall be limited to this division and shall apply for
8 purposes of determining the allocation of funds provided
9 by, and the implementation of, this division.

10 This Act may be cited as the “Legislative Branch Ap-
11 propriations Act, 2020”.

12 **DIVISION C—DEPARTMENT OF DEFENSE**
13 **APPROPRIATIONS ACT, 2020**

14 The following sums are appropriated, out of any
15 money in the Treasury not otherwise appropriated, for the
16 fiscal year ending September 30, 2020, for military func-
17 tions administered by the Department of Defense and for
18 other purposes, namely:

19 TITLE I

20 MILITARY PERSONNEL

21 MILITARY PERSONNEL, ARMY

22 For pay, allowances, individual clothing, subsistence,
23 interest on deposits, gratuities, permanent change of sta-
24 tion travel (including all expenses thereof for organiza-
25 tional movements), and expenses of temporary duty travel
26 between permanent duty stations, for members of the

1 Army on active duty (except members of reserve compo-
2 nents provided for elsewhere), cadets, and aviation cadets;
3 for members of the Reserve Officers' Training Corps; and
4 for payments pursuant to section 156 of Public Law 97-
5 377, as amended (42 U.S.C. 402 note), and to the Depart-
6 ment of Defense Military Retirement Fund,
7 \$42,314,762,000.

8 MILITARY PERSONNEL, NAVY

9 For pay, allowances, individual clothing, subsistence,
10 interest on deposits, gratuities, permanent change of sta-
11 tion travel (including all expenses thereof for organiza-
12 tional movements), and expenses of temporary duty travel
13 between permanent duty stations, for members of the
14 Navy on active duty (except members of the Reserve pro-
15 vided for elsewhere), midshipmen, and aviation cadets; for
16 members of the Reserve Officers' Training Corps; and for
17 payments pursuant to section 156 of Public Law 97-377,
18 as amended (42 U.S.C. 402 note), and to the Department
19 of Defense Military Retirement Fund, \$31,679,229,000.

20 MILITARY PERSONNEL, MARINE CORPS

21 For pay, allowances, individual clothing, subsistence,
22 interest on deposits, gratuities, permanent change of sta-
23 tion travel (including all expenses thereof for organiza-
24 tional movements), and expenses of temporary duty travel
25 between permanent duty stations, for members of the Ma-

1 rine Corps on active duty (except members of the Reserve
2 provided for elsewhere); and for payments pursuant to sec-
3 tion 156 of Public Law 97-377, as amended (42 U.S.C.
4 402 note), and to the Department of Defense Military Re-
5 tirement Fund, \$14,064,751,000.

6 MILITARY PERSONNEL, AIR FORCE

7 For pay, allowances, individual clothing, subsistence,
8 interest on deposits, gratuities, permanent change of sta-
9 tion travel (including all expenses thereof for organiza-
10 tional movements), and expenses of temporary duty travel
11 between permanent duty stations, for members of the Air
12 Force on active duty (except members of reserve compo-
13 nents provided for elsewhere), cadets, and aviation cadets;
14 for members of the Reserve Officers' Training Corps; and
15 for payments pursuant to section 156 of Public Law 97-
16 377, as amended (42 U.S.C. 402 note), and to the Depart-
17 ment of Defense Military Retirement Fund,
18 \$31,082,769,000.

19 RESERVE PERSONNEL, ARMY

20 For pay, allowances, clothing, subsistence, gratuities,
21 travel, and related expenses for personnel of the Army Re-
22 serve on active duty under sections 10211, 10302, and
23 7038 of title 10, United States Code, or while serving on
24 active duty under section 12301(d) of title 10, United
25 States Code, in connection with performing duty specified

1 in section 12310(a) of title 10, United States Code, or
2 while undergoing reserve training, or while performing
3 drills or equivalent duty or other duty, and expenses au-
4 thorized by section 16131 of title 10, United States Code;
5 and for payments to the Department of Defense Military
6 Retirement Fund, \$4,847,321,000.

7 RESERVE PERSONNEL, NAVY

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Navy Re-
10 serve on active duty under section 10211 of title 10,
11 United States Code, or while serving on active duty under
12 section 12301(d) of title 10, United States Code, in con-
13 nection with performing duty specified in section 12310(a)
14 of title 10, United States Code, or while undergoing re-
15 serve training, or while performing drills or equivalent
16 duty, and expenses authorized by section 16131 of title
17 10, United States Code; and for payments to the Depart-
18 ment of Defense Military Retirement Fund,
19 \$2,113,357,000.

20 RESERVE PERSONNEL, MARINE CORPS

21 For pay, allowances, clothing, subsistence, gratuities,
22 travel, and related expenses for personnel of the Marine
23 Corps Reserve on active duty under section 10211 of title
24 10, United States Code, or while serving on active duty
25 under section 12301(d) of title 10, United States Code,

1 in connection with performing duty specified in section
2 12310(a) of title 10, United States Code, or while under-
3 going reserve training, or while performing drills or equiv-
4 alent duty, and for members of the Marine Corps platoon
5 leaders class, and expenses authorized by section 16131
6 of title 10, United States Code; and for payments to the
7 Department of Defense Military Retirement Fund,
8 \$829,124,000.

9 RESERVE PERSONNEL, AIR FORCE

10 For pay, allowances, clothing, subsistence, gratuities,
11 travel, and related expenses for personnel of the Air Force
12 Reserve on active duty under sections 10211, 10305, and
13 9038 of title 10, United States Code, or while serving on
14 active duty under section 12301(d) of title 10, United
15 States Code, in connection with performing duty specified
16 in section 12310(a) of title 10, United States Code, or
17 while undergoing reserve training, or while performing
18 drills or equivalent duty or other duty, and expenses au-
19 thorized by section 16131 of title 10, United States Code;
20 and for payments to the Department of Defense Military
21 Retirement Fund, \$1,993,280,000.

22 NATIONAL GUARD PERSONNEL, ARMY

23 For pay, allowances, clothing, subsistence, gratuities,
24 travel, and related expenses for personnel of the Army Na-
25 tional Guard while on duty under sections 10211, 10302,

1 or 12402 of title 10 or section 708 of title 32, United
2 States Code, or while serving on duty under section
3 12301(d) of title 10 or section 502(f) of title 32, United
4 States Code, in connection with performing duty specified
5 in section 12310(a) of title 10, United States Code, or
6 while undergoing training, or while performing drills or
7 equivalent duty or other duty, and expenses authorized by
8 section 16131 of title 10, United States Code; and for pay-
9 ments to the Department of Defense Military Retirement
10 Fund, \$8,664,535,000.

11 NATIONAL GUARD PERSONNEL, AIR FORCE

12 For pay, allowances, clothing, subsistence, gratuities,
13 travel, and related expenses for personnel of the Air Na-
14 tional Guard on duty under sections 10211, 10305, or
15 12402 of title 10 or section 708 of title 32, United States
16 Code, or while serving on duty under section 12301(d) of
17 title 10 or section 502(f) of title 32, United States Code,
18 in connection with performing duty specified in section
19 12310(a) of title 10, United States Code, or while under-
20 going training, or while performing drills or equivalent
21 duty or other duty, and expenses authorized by section
22 16131 of title 10, United States Code; and for payments
23 to the Department of Defense Military Retirement Fund,
24 \$4,032,521,000.

1 TITLE II

2 OPERATION AND MAINTENANCE

3 OPERATION AND MAINTENANCE, ARMY

4 For expenses, not otherwise provided for, necessary
5 for the operation and maintenance of the Army, as author-
6 ized by law, \$41,449,293,000: *Provided*, That not to ex-
7 ceed \$12,478,000 can be used for emergencies and ex-
8 traordinary expenses, to be expended upon the approval
9 or authority of the Secretary of the Army, and payments
10 may be made on his certificate of necessity for confidential
11 military purposes.

12 OPERATION AND MAINTENANCE, NAVY

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Navy and the
15 Marine Corps, as authorized by law, \$51,417,389,000:
16 *Provided*, That not to exceed \$15,055,000 can be used for
17 emergencies and extraordinary expenses, to be expended
18 upon the approval or authority of the Secretary of the
19 Navy, and payments may be made on his certificate of
20 necessity for confidential military purposes.

21 OPERATION AND MAINTENANCE, MARINE CORPS

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance of the Marine Corps,
24 as authorized by law, \$7,945,854,000.

1 OPERATION AND MAINTENANCE, AIR FORCE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance of the Air Force, as
4 authorized by law, \$44,662,729,000: *Provided*, That not
5 to exceed \$7,699,000 can be used for emergencies and ex-
6 traordinary expenses, to be expended upon the approval
7 or authority of the Secretary of the Air Force, and pay-
8 ments may be made on his certificate of necessity for con-
9 fidential military purposes.

10 OPERATION AND MAINTENANCE, SPACE FORCE

11 For expenses, not otherwise provided for, necessary
12 to study and refine plans for the potential establishment
13 of a Space Force as a branch of the Armed Forces,
14 \$15,000,000: *Provided*, That nothing in this provision
15 shall be construed to authorize the establishment of a
16 Space Force.

17 OPERATION AND MAINTENANCE, DEFENSE-WIDE

18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance of activities and agen-
21 cies of the Department of Defense (other than the military
22 departments), as authorized by law, \$37,238,522,000:
23 *Provided*, That not more than \$6,859,000 may be used
24 for the Combatant Commander Initiative Fund authorized
25 under section 166a of title 10, United States Code: *Pro-*

1 *vided further*, That not to exceed \$36,000,000 can be used
2 for emergencies and extraordinary expenses, to be ex-
3 pended on the approval or authority of the Secretary of
4 Defense, and payments may be made on his certificate of
5 necessity for confidential military purposes: *Provided fur-*
6 *ther*, That of the funds provided under this heading, not
7 less than \$44,500,000 shall be made available for the Pro-
8 curement Technical Assistance Cooperative Agreement
9 Program, of which not less than \$4,500,000 shall be avail-
10 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*
11 *vided further*, That none of the funds appropriated or oth-
12 erwise made available by this Act may be used to plan
13 or implement the consolidation of a budget or appropria-
14 tions liaison office of the Office of the Secretary of De-
15 fense, the office of the Secretary of a military department,
16 or the service headquarters of one of the Armed Forces
17 into a legislative affairs or legislative liaison office: *Pro-*
18 *vided further*, That \$17,732,000, to remain available until
19 expended, is available only for expenses relating to certain
20 classified activities, and may be transferred as necessary
21 by the Secretary of Defense to operation and maintenance
22 appropriations or research, development, test and evalua-
23 tion appropriations, to be merged with and to be available
24 for the same time period as the appropriations to which
25 transferred: *Provided further*, That any ceiling on the in-

1 vestment item unit cost of items that may be purchased
2 with operation and maintenance funds shall not apply to
3 the funds described in the preceding proviso: *Provided fur-*
4 *ther*, That of the funds provided under this heading,
5 \$623,073,000, of which \$155,768,000, to remain available
6 until September 30, 2021, shall be available to provide
7 support and assistance to foreign security forces or other
8 groups or individuals to conduct, support or facilitate
9 counterterrorism, crisis response, or other Department of
10 Defense security cooperation programs: *Provided further*,
11 That the transfer authority provided under this heading
12 is in addition to any other transfer authority provided else-
13 where in this Act: *Provided further*, That of the funds
14 made available under this heading for the Office of the
15 Secretary of Defense, Policy, 10 percent shall be withheld
16 from obligation until the Secretary of Defense submits the
17 reports required under the heading “Counter-ISIS Train
18 and Equip Fund” in the Department of Defense Appro-
19 priations Act, 2018 (Division C of Public Law 115–141)
20 and the Department of Defense Appropriations Act, 2019
21 (Division A of Public Law 115–245).

22 OPERATION AND MAINTENANCE, ARMY RESERVE

23 For expenses, not otherwise provided for, necessary
24 for the operation and maintenance, including training, or-
25 ganization, and administration, of the Army Reserve; re-

1 pair of facilities and equipment; hire of passenger motor
2 vehicles; travel and transportation; care of the dead; re-
3 cruiting; procurement of services, supplies, and equip-
4 ment; and communications, \$3,009,594,000.

5 OPERATION AND MAINTENANCE, NAVY RESERVE

6 For expenses, not otherwise provided for, necessary
7 for the operation and maintenance, including training, or-
8 ganization, and administration, of the Navy Reserve; re-
9 pair of facilities and equipment; hire of passenger motor
10 vehicles; travel and transportation; care of the dead; re-
11 cruiting; procurement of services, supplies, and equip-
12 ment; and communications, \$1,110,116,000.

13 OPERATION AND MAINTENANCE, MARINE CORPS

14 RESERVE

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance, including training, or-
17 ganization, and administration, of the Marine Corps Re-
18 serve; repair of facilities and equipment; hire of passenger
19 motor vehicles; travel and transportation; care of the dead;
20 recruiting; procurement of services, supplies, and equip-
21 ment; and communications, \$294,076,000.

22 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

23 For expenses, not otherwise provided for, necessary
24 for the operation and maintenance, including training, or-
25 ganization, and administration, of the Air Force Reserve;

1 repair of facilities and equipment; hire of passenger motor
2 vehicles; travel and transportation; care of the dead; re-
3 cruiting; procurement of services, supplies, and equip-
4 ment; and communications, \$3,356,685,000.

5 OPERATION AND MAINTENANCE, ARMY NATIONAL
6 GUARD

7 For expenses of training, organizing, and admin-
8 istering the Army National Guard, including medical and
9 hospital treatment and related expenses in non-Federal
10 hospitals; maintenance, operation, and repairs to struc-
11 tures and facilities; hire of passenger motor vehicles; per-
12 sonnel services in the National Guard Bureau; travel ex-
13 penses (other than mileage), as authorized by law for
14 Army personnel on active duty, for Army National Guard
15 division, regimental, and battalion commanders while in-
16 specting units in compliance with National Guard Bureau
17 regulations when specifically authorized by the Chief, Na-
18 tional Guard Bureau; supplying and equipping the Army
19 National Guard as authorized by law; and expenses of re-
20 pair, modification, maintenance, and issue of supplies and
21 equipment (including aircraft), \$7,448,536,000.

22 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

23 For expenses of training, organizing, and admin-
24 istering the Air National Guard, including medical and
25 hospital treatment and related expenses in non-Federal

1 hospitals; maintenance, operation, and repairs to struc-
2 tures and facilities; transportation of things, hire of pas-
3 senger motor vehicles; supplying and equipping the Air
4 National Guard, as authorized by law; expenses for repair,
5 modification, maintenance, and issue of supplies and
6 equipment, including those furnished from stocks under
7 the control of agencies of the Department of Defense;
8 travel expenses (other than mileage) on the same basis as
9 authorized by law for Air National Guard personnel on
10 active Federal duty, for Air National Guard commanders
11 while inspecting units in compliance with National Guard
12 Bureau regulations when specifically authorized by the
13 Chief, National Guard Bureau, \$6,592,589,000.

14 UNITED STATES COURT OF APPEALS FOR THE ARMED
15 FORCES

16 For salaries and expenses necessary for the United
17 States Court of Appeals for the Armed Forces,
18 \$14,771,000, of which not to exceed \$5,000 may be used
19 for official representation purposes.

20 ENVIRONMENTAL RESTORATION, ARMY
21 (INCLUDING TRANSFER OF FUNDS)

22 For the Department of the Army, \$235,809,000, to
23 remain available until transferred: *Provided*, That the Sec-
24 retary of the Army shall, upon determining that such
25 funds are required for environmental restoration, reduc-

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

15 ENVIRONMENTAL RESTORATION, NAVY

16 (INCLUDING TRANSFER OF FUNDS)

17 For the Department of the Navy, \$365,883,000, to
18 remain available until transferred: *Provided*, That the Sec-
19 retary of the Navy shall, upon determining that such
20 funds are required for environmental restoration, reduc-
21 tion and recycling of hazardous waste, removal of unsafe
22 buildings and debris of the Department of the Navy, or
23 for similar purposes, transfer the funds made available by
24 this appropriation to other appropriations made available
25 to the Department of the Navy, to be merged with and

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

10 ENVIRONMENTAL RESTORATION, AIR FORCE
11 (INCLUDING TRANSFER OF FUNDS)

12 For the Department of the Air Force, \$365,808,000,
13 to remain available until transferred: *Provided*, That the
14 Secretary of the Air Force shall, upon determining that
15 such funds are required for environmental restoration, re-
16 duction and recycling of hazardous waste, removal of un-
17 safe buildings and debris of the Department of the Air
18 Force, or for similar purposes, transfer the funds made
19 available by this appropriation to other appropriations
20 made available to the Department of the Air Force, to be
21 merged with and to be available for the same purposes
22 and for the same time period as the appropriations to
23 which transferred: *Provided further*, That upon a deter-
24 mination that all or part of the funds transferred from
25 this appropriation are not necessary for the purposes pro-

1 vided herein, such amounts may be transferred back to
2 this appropriation: *Provided further*, That the transfer au-
3 thority provided under this heading is in addition to any
4 other transfer authority provided elsewhere in this Act.

5 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
6 (INCLUDING TRANSFER OF FUNDS)

7 For the Department of Defense, \$19,002,000, to re-
8 main available until transferred: *Provided*, That the Sec-
9 retary of Defense shall, upon determining that such funds
10 are required for environmental restoration, reduction and
11 recycling of hazardous waste, removal of unsafe buildings
12 and debris of the Department of Defense, or for similar
13 purposes, transfer the funds made available by this appro-
14 priation to other appropriations made available to the De-
15 partment of Defense, to be merged with and to be avail-
16 able for the same purposes and for the same time period
17 as the appropriations to which transferred: *Provided fur-*
18 *ther*, That upon a determination that all or part of the
19 funds transferred from this appropriation are not nec-
20 essary for the purposes provided herein, such amounts
21 may be transferred back to this appropriation: *Provided*
22 *further*, That the transfer authority provided under this
23 heading is in addition to any other transfer authority pro-
24 vided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, FORMERLY USED
2 DEFENSE SITES
3 (INCLUDING TRANSFER OF FUNDS)

4 For the Department of the Army, \$260,499,000, to
5 remain available until transferred: *Provided*, That the Sec-
6 retary of the Army shall, upon determining that such
7 funds are required for environmental restoration, reduc-
8 tion and recycling of hazardous waste, removal of unsafe
9 buildings and debris at sites formerly used by the Depart-
10 ment of Defense, transfer the funds made available by this
11 appropriation to other appropriations made available to
12 the Department of the Army, to be merged with and to
13 be available for the same purposes and for the same time
14 period as the appropriations to which transferred: *Pro-*
15 *vided further*, That upon a determination that all or part
16 of the funds transferred from this appropriation are not
17 necessary for the purposes provided herein, such amounts
18 may be transferred back to this appropriation: *Provided*
19 *further*, That the transfer authority provided under this
20 heading is in addition to any other transfer authority pro-
21 vided elsewhere in this Act.

22 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

23 For expenses relating to the Overseas Humanitarian,
24 Disaster, and Civic Aid programs of the Department of
25 Defense (consisting of the programs provided under sec-

1 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
2 United States Code), \$117,663,000, to remain available
3 until September 30, 2021.

4 COOPERATIVE THREAT REDUCTION ACCOUNT

5 For assistance, including assistance provided by con-
6 tract or by grants, under programs and activities of the
7 Department of Defense Cooperative Threat Reduction
8 Program authorized under the Department of Defense Co-
9 operative Threat Reduction Act, \$353,700,000, to remain
10 available until September 30, 2022.

11 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

12 DEVELOPMENT FUND

13 For the Department of Defense Acquisition Work-
14 force Development Fund, \$400,000,000, to remain avail-
15 able for obligation until September 30, 2020: *Provided*,
16 That no other amounts may be otherwise credited or
17 transferred to the Fund, or deposited into the Fund, in
18 fiscal year 2019 pursuant to section 1705(d) of title 10,
19 United States Code.

20 TITLE III

21 PROCUREMENT

22 AIRCRAFT PROCUREMENT, ARMY

23 For construction, procurement, production, modifica-
24 tion, and modernization of aircraft, equipment, including
25 ordnance, ground handling equipment, spare parts, and

1 accessories therefor; specialized equipment and training
2 devices; expansion of public and private plants, including
3 the land necessary therefor, for the foregoing purposes,
4 and such lands and interests therein, may be acquired,
5 and construction prosecuted thereon prior to approval of
6 title; and procurement and installation of equipment, ap-
7 pliances, and machine tools in public and private plants;
8 reserve plant and Government and contractor-owned
9 equipment layaway; and other expenses necessary for the
10 foregoing purposes, \$3,689,720,000, to remain available
11 for obligation until September 30, 2022.

12 MISSILE PROCUREMENT, ARMY

13 For construction, procurement, production, modifica-
14 tion, and modernization of missiles, equipment, including
15 ordnance, ground handling equipment, spare parts, and
16 accessories therefor; specialized equipment and training
17 devices; expansion of public and private plants, including
18 the land necessary therefor, for the foregoing purposes,
19 and such lands and interests therein, may be acquired,
20 and construction prosecuted thereon prior to approval of
21 title; and procurement and installation of equipment, ap-
22 pliances, and machine tools in public and private plants;
23 reserve plant and Government and contractor-owned
24 equipment layaway; and other expenses necessary for the

1 poses, and such lands and interests therein, may be ac-
2 quired, and construction prosecuted thereon prior to ap-
3 proval of title; and procurement and installation of equip-
4 ment, appliances, and machine tools in public and private
5 plants; reserve plant and Government and contractor-
6 owned equipment layaway; and other expenses necessary
7 for the foregoing purposes, \$2,583,895,000, to remain
8 available for obligation until September 30, 2022.

9 OTHER PROCUREMENT, ARMY

10 For construction, procurement, production, and
11 modification of vehicles, including tactical, support, and
12 non-tracked combat vehicles; the purchase of passenger
13 motor vehicles for replacement only; communications and
14 electronic equipment; other support equipment; spare
15 parts, ordnance, and accessories therefor; specialized
16 equipment and training devices; expansion of public and
17 private plants, including the land necessary therefor, for
18 the foregoing purposes, and such lands and interests
19 therein, may be acquired, and construction prosecuted
20 thereon prior to approval of title; and procurement and
21 installation of equipment, appliances, and machine tools
22 in public and private plants; reserve plant and Govern-
23 ment and contractor-owned equipment layaway; and other
24 expenses necessary for the foregoing purposes,

1 \$7,583,678,000, to remain available for obligation until
2 September 30, 2022.

3 AIRCRAFT PROCUREMENT, NAVY

4 For construction, procurement, production, modifica-
5 tion, and modernization of aircraft, equipment, including
6 ordnance, spare parts, and accessories therefor; specialized
7 equipment; expansion of public and private plants, includ-
8 ing the land necessary therefor, and such lands and inter-
9 ests therein, may be acquired, and construction prosecuted
10 thereon prior to approval of title; and procurement and
11 installation of equipment, appliances, and machine tools
12 in public and private plants; reserve plant and Govern-
13 ment and contractor-owned equipment layaway,
14 \$18,971,913,000, to remain available for obligation until
15 September 30, 2022.

16 WEAPONS PROCUREMENT, NAVY

17 For construction, procurement, production, modifica-
18 tion, and modernization of missiles, torpedoes, other weap-
19 ons, and related support equipment including spare parts,
20 and accessories therefor; expansion of public and private
21 plants, including the land necessary therefor, and such
22 lands and interests therein, may be acquired, and con-
23 struction prosecuted thereon prior to approval of title; and
24 procurement and installation of equipment, appliances,
25 and machine tools in public and private plants; reserve

1 tractor-owned equipment layaway; procurement of critical,
2 long lead time components and designs for vessels to be
3 constructed or converted in the future; and expansion of
4 public and private plants, including land necessary there-
5 for, and such lands and interests therein, may be acquired,
6 and construction prosecuted thereon prior to approval of
7 title, as follows:

8 Ohio Replacement Submarine (AP), \$1,611,989,000;
9 Carrier Replacement Program, \$2,066,000,000;
10 Virginia Class Submarine, \$4,192,346,000;
11 Virginia Class Submarine (AP), \$4,266,552,000;
12 CVN Refueling Overhauls, \$667,926,000;
13 CVN Refueling Overhauls (AP), \$16,900,000;
14 DDG-1000 Program, \$155,944,000;
15 DDG-51 Destroyer, \$5,015,295,000;
16 DDG-51 Destroyer (AP), \$224,028,000;
17 FFG-Frigate, \$1,281,177,000;
18 TAO Fleet Oiler, \$981,215,000;
19 TAO Fleet Oiler (AP), \$73,000,000;
20 Towing, Salvage, and Rescue Ship, \$150,282,000;
21 LCU 1700, \$83,670,000;
22 Ship to Shore Connector, \$65,000,000;
23 Service Craft, \$56,289,000;
24 For outfitting, post delivery, conversions, and first
25 destination transportation, \$736,243,000; and

1 Completion of Prior Year Shipbuilding Programs,
2 \$55,700,000.

3 In all: \$21,699,556,000, to remain available for obli-
4 gation until September 30, 2024: *Provided*, That addi-
5 tional obligations may be incurred after September 30,
6 2024, for engineering services, tests, evaluations, and
7 other such budgeted work that must be performed in the
8 final stage of ship construction: *Provided further*, That
9 none of the funds provided under this heading for the con-
10 struction or conversion of any naval vessel to be con-
11 structed in shipyards in the United States shall be ex-
12 pended in foreign facilities for the construction of major
13 components of such vessel: *Provided further*, That none
14 of the funds provided under this heading shall be used
15 for the construction of any naval vessel in foreign ship-
16 yards: *Provided further*, That funds appropriated or other-
17 wise made available by this Act for production of the com-
18 mon missile compartment of nuclear-powered vessels may
19 be available for multiyear procurement of critical compo-
20 nents to support continuous production of such compart-
21 ments only in accordance with the provisions of subsection
22 (i) of section 2218a of title 10, United States Code (as
23 added by section 1023 of the National Defense Authoriza-
24 tion Act for Fiscal Year 2017 (Public Law 114–328)).

1 OTHER PROCUREMENT, NAVY

2 For procurement, production, and modernization of
3 support equipment and materials not otherwise provided
4 for, Navy ordnance (except ordnance for new aircraft, new
5 ships, and ships authorized for conversion); the purchase
6 of passenger motor vehicles for replacement only; expan-
7 sion of public and private plants, including the land nec-
8 essary therefor, and such lands and interests therein, may
9 be acquired, and construction prosecuted thereon prior to
10 approval of title; and procurement and installation of
11 equipment, appliances, and machine tools in public and
12 private plants; reserve plant and Government and con-
13 tractor-owned equipment layaway, \$9,123,068,000, to re-
14 main available for obligation until September 30, 2022.

15 PROCUREMENT, MARINE CORPS

16 For expenses necessary for the procurement, manu-
17 facture, and modification of missiles, armament, military
18 equipment, spare parts, and accessories therefor; plant
19 equipment, appliances, and machine tools, and installation
20 thereof in public and private plants; reserve plant and
21 Government and contractor-owned equipment layaway; ve-
22 hicles for the Marine Corps, including the purchase of pas-
23 senger motor vehicles for replacement only; and expansion
24 of public and private plants, including land necessary
25 therefor, and such lands and interests therein, may be ac-

1 quired, and construction prosecuted thereon prior to ap-
2 proval of title, \$2,838,151,000, to remain available for ob-
3 ligation until September 30, 2022.

4 AIRCRAFT PROCUREMENT, AIR FORCE

5 For construction, procurement, and modification of
6 aircraft and equipment, including armor and armament,
7 specialized ground handling equipment, and training de-
8 vices, spare parts, and accessories therefor; specialized
9 equipment; expansion of public and private plants, Gov-
10 ernment-owned equipment and installation thereof in such
11 plants, erection of structures, and acquisition of land, for
12 the foregoing purposes, and such lands and interests
13 therein, may be acquired, and construction prosecuted
14 thereon prior to approval of title; reserve plant and Gov-
15 ernment and contractor-owned equipment layaway; and
16 other expenses necessary for the foregoing purposes in-
17 cluding rents and transportation of things,
18 \$18,082,933,000, to remain available for obligation until
19 September 30, 2022.

20 MISSILE PROCUREMENT, AIR FORCE

21 For construction, procurement, and modification of
22 missiles, rockets, and related equipment, including spare
23 parts and accessories therefor; ground handling equip-
24 ment, and training devices; expansion of public and pri-
25 vate plants, Government-owned equipment and installa-

1 tion thereof in such plants, erection of structures, and ac-
2 quisition of land, for the foregoing purposes, and such
3 lands and interests therein, may be acquired, and con-
4 struction prosecuted thereon prior to approval of title; re-
5 serve plant and Government and contractor-owned equip-
6 ment layaway; and other expenses necessary for the fore-
7 going purposes including rents and transportation of
8 things, \$2,789,287,000, to remain available for obligation
9 until September 30, 2022.

10 SPACE PROCUREMENT, AIR FORCE

11 For construction, procurement, and modification of
12 spacecraft, rockets, and related equipment, including
13 spare parts and accessories therefor; ground handling
14 equipment, and training devices; expansion of public and
15 private plants, Government-owned equipment and installa-
16 tion thereof in such plants, erection of structures, and ac-
17 quisition of land, for the foregoing purposes, and such
18 lands and interests therein, may be acquired, and con-
19 struction prosecuted thereon prior to approval of title; re-
20 serve plant and Government and contractor-owned equip-
21 ment layaway; and other expenses necessary for the fore-
22 going purposes including rents and transportation of
23 things, \$2,368,443,000, to remain available for obligation
24 until September 30, 2022.

1 PROCUREMENT OF AMMUNITION, AIR FORCE

2 For construction, procurement, production, and
3 modification of ammunition, and accessories therefor; spe-
4 cialized equipment and training devices; expansion of pub-
5 lic and private plants, including ammunition facilities, au-
6 thorized by section 2854 of title 10, United States Code,
7 and the land necessary therefor, for the foregoing pur-
8 poses, and such lands and interests therein, may be ac-
9 quired, and construction prosecuted thereon prior to ap-
10 proval of title; and procurement and installation of equip-
11 ment, appliances, and machine tools in public and private
12 plants; reserve plant and Government and contractor-
13 owned equipment layaway; and other expenses necessary
14 for the foregoing purposes, \$1,602,761,000, to remain
15 available for obligation until September 30, 2022.

16 OTHER PROCUREMENT, AIR FORCE

17 For procurement and modification of equipment (in-
18 cluding ground guidance and electronic control equipment,
19 and ground electronic and communication equipment),
20 and supplies, materials, and spare parts therefor, not oth-
21 erwise provided for; the purchase of passenger motor vehi-
22 cles for replacement only; lease of passenger motor vehi-
23 cles; and expansion of public and private plants, Govern-
24 ment-owned equipment and installation thereof in such
25 plants, erection of structures, and acquisition of land, for

1 the foregoing purposes, and such lands and interests
2 therein, may be acquired, and construction prosecuted
3 thereon, prior to approval of title; reserve plant and Gov-
4 ernment and contractor-owned equipment layaway,
5 \$21,067,888,000, to remain available for obligation until
6 September 30, 2022.

7 PROCUREMENT, DEFENSE-WIDE

8 For expenses of activities and agencies of the Depart-
9 ment of Defense (other than the military departments)
10 necessary for procurement, production, and modification
11 of equipment, supplies, materials, and spare parts there-
12 for, not otherwise provided for; the purchase of passenger
13 motor vehicles for replacement only; expansion of public
14 and private plants, equipment, and installation thereof in
15 such plants, erection of structures, and acquisition of land
16 for the foregoing purposes, and such lands and interests
17 therein, may be acquired, and construction prosecuted
18 thereon prior to approval of title; reserve plant and Gov-
19 ernment and contractor-owned equipment layaway,
20 \$5,100,866,000, to remain available for obligation until
21 September 30, 2022.

22 DEFENSE PRODUCTION ACT PURCHASES

23 For activities by the Department of Defense pursuant
24 to sections 108, 301, 302, and 303 of the Defense Produc-

1 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
2 \$64,393,000, to remain available until expended.

3 TITLE IV
4 RESEARCH, DEVELOPMENT, TEST AND
5 EVALUATION

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
7 ARMY

8 For expenses necessary for basic and applied sci-
9 entific research, development, test and evaluation, includ-
10 ing maintenance, rehabilitation, lease, and operation of fa-
11 cilities and equipment, \$12,046,783,000, to remain avail-
12 able for obligation until September 30, 2021.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 NAVY

15 For expenses necessary for basic and applied sci-
16 entific research, development, test and evaluation, includ-
17 ing maintenance, rehabilitation, lease, and operation of fa-
18 cilities and equipment, \$19,140,865,000, to remain avail-
19 able for obligation until September 30, 2021. *Provided,*
20 That funds appropriated in this paragraph which are
21 available for the V-22 may be used to meet unique oper-
22 ational requirements of the Special Operations Forces.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 AIR FORCE

3 For expenses necessary for basic and applied sci-
4 entific research, development, test and evaluation, includ-
5 ing maintenance, rehabilitation, lease, and operation of fa-
6 cilities and equipment, \$44,554,256,000, to remain avail-
7 able for obligation until September 30, 2021.

8 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
9 DEFENSE-WIDE

10 For expenses of activities and agencies of the Depart-
11 ment of Defense (other than the military departments),
12 necessary for basic and applied scientific research, devel-
13 opment, test and evaluation; advanced research projects
14 as may be designated and determined by the Secretary
15 of Defense, pursuant to law; maintenance, rehabilitation,
16 lease, and operation of facilities and equipment,
17 \$24,492,308,000, to remain available for obligation until
18 September 30, 2021.

19 OPERATIONAL TEST AND EVALUATION, DEFENSE

20 For expenses, not otherwise provided for, necessary
21 for the independent activities of the Director, Operational
22 Test and Evaluation, in the direction and supervision of
23 operational test and evaluation, including initial oper-
24 ational test and evaluation which is conducted prior to,
25 and in support of, production decisions; joint operational

1 testing and evaluation; and administrative expenses in
2 connection therewith, \$221,200,000, to remain available
3 for obligation until September 30, 2021.

4 TITLE V

5 REVOLVING AND MANAGEMENT FUNDS

6 DEFENSE WORKING CAPITAL FUNDS

7 For the Defense Working Capital Funds,
8 \$1,226,211,000.

9 DEFENSE COUNTERINTELLIGENCE AND SECURITY

10 AGENCY WORKING CAPITAL FUND

11 For the Defense Counterintelligence and Security
12 Agency Working Capital Fund, \$200,000,000.

13 TITLE VI

14 OTHER DEPARTMENT OF DEFENSE PROGRAMS

15 DEFENSE HEALTH PROGRAM

16 For expenses, not otherwise provided for, for medical
17 and health care programs of the Department of Defense
18 as authorized by law, \$33,476,039,000; of which
19 \$31,359,442,000, shall be for operation and maintenance,
20 of which not to exceed one percent shall remain available
21 for obligation until September 30, 2021, and of which up
22 to \$15,176,945,000 may be available for contracts entered
23 into under the TRICARE program; of which
24 \$454,324,000, to remain available for obligation until Sep-
25 tember 30, 2022, shall be for procurement; and of which

1 \$1,662,273,000, to remain available for obligation until
2 September 30, 2021, shall be for research, development,
3 test and evaluation: *Provided*, That, notwithstanding any
4 other provision of law, of the amount made available under
5 this heading for research, development, test and evalua-
6 tion, not less than \$8,000,000 shall be available for HIV
7 prevention educational activities undertaken in connection
8 with United States military training, exercises, and hu-
9 manitarian assistance activities conducted primarily in Af-
10 rican nations: *Provided further*, That of the funds provided
11 under this heading for research, development, test and
12 evaluation, not less than \$930,000,000 shall be made
13 available to the United States Army Medical Research and
14 Materiel Command to carry out the congressionally di-
15 rected medical research programs: *Provided further*, That
16 the Secretary of Defense shall submit to the House and
17 Senate Appropriations Committees quarterly reports on
18 the current status of the deployment of the electronic
19 health record: *Provided further*, That the Secretary of De-
20 fense shall provide notice to the House and Senate Appro-
21 priations Committees not later than 10 business days after
22 delaying the proposed timeline of such deployment if such
23 delay is longer than one week: *Provided further*, That the
24 Comptroller General of the United States shall perform
25 quarterly performance reviews of such deployment.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE
3 (INCLUDING TRANSFER OF FUNDS)

4 For drug interdiction and counter-drug activities of
5 the Department of Defense, for transfer to appropriations
6 available to the Department of Defense for military per-
7 sonnel of the reserve components serving under the provi-
8 sions of title 10 and title 32, United States Code; for oper-
9 ation and maintenance; for procurement; and for research,
10 development, test and evaluation, \$816,755,000, of which
11 \$517,171,000 shall be for counter-narcotics support;
12 \$121,922,000 shall be for the drug demand reduction pro-
13 gram; \$172,291,000 shall be for the National Guard
14 counter-drug program; and \$5,371,000 shall be for the
15 National Guard counter-drug schools program: *Provided*,
16 That the funds appropriated under this heading shall be
17 available for obligation for the same time period and for
18 the same purpose as the appropriation to which trans-
19 ferred: *Provided further*, That upon a determination that
20 all or part of the funds transferred from this appropriation
21 are not necessary for the purposes provided herein, such
22 amounts may be transferred back to this appropriation:
23 *Provided further*, That the transfer authority provided
24 under this heading is in addition to any other transfer au-
25 thority contained elsewhere in this Act: *Provided further*,

1 That section 284 of title 10, United States Code, may only
2 be carried out using amounts appropriated under this
3 heading for counter-narcotics support: *Provided further*,
4 That amounts appropriated under this heading for
5 counter-narcotics support may not be used for the con-
6 struction of fences pursuant to subsection (b)(7) of such
7 section: *Provided further*, That the transfer authority con-
8 tained in section 8005 in title VIII of this Act shall not
9 apply to amounts made available under this heading: *Pro-*
10 *vided further*, That funds appropriated under this heading
11 for counter-narcotics support may only be transferred 15
12 days following written notification to the congressional de-
13 fense committees.

14 OFFICE OF THE INSPECTOR GENERAL

15 For expenses and activities of the Office of the In-
16 spector General in carrying out the provisions of the In-
17 spector General Act of 1978, as amended, \$363,499,000,
18 of which \$360,201,000 shall be for operation and mainte-
19 nance, of which not to exceed \$700,000 is available for
20 emergencies and extraordinary expenses to be expended on
21 the approval or authority of the Inspector General, and
22 payments may be made on the Inspector General's certifi-
23 cate of necessity for confidential military purposes; of
24 which \$333,000 to remain available for obligation until
25 September 30, 2022, shall be for procurement; and of

1 which \$2,965,000, to remain available until September 30,
2 2021, shall be for research, development, test and evalua-
3 tion.

4 TITLE VII

5 RELATED AGENCIES

6 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

7 DISABILITY SYSTEM FUND

8 For payment to the Central Intelligence Agency Re-
9 tirement and Disability System Fund, to maintain the
10 proper funding level for continuing the operation of the
11 Central Intelligence Agency Retirement and Disability
12 System, \$514,000,000.

13 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

14 For necessary expenses of the Intelligence Commu-
15 nity Management Account, \$558,000,000.

16 TITLE VIII

17 GENERAL PROVISIONS

18 SEC. 8001. No part of any appropriation contained
19 in this Act shall be used for publicity or propaganda pur-
20 poses not authorized by the Congress.

21 SEC. 8002. During the current fiscal year, provisions
22 of law prohibiting the payment of compensation to, or em-
23 ployment of, any person not a citizen of the United States
24 shall not apply to personnel of the Department of Defense:
25 *Provided*, That salary increases granted to direct and indi-

1 rect hire foreign national employees of the Department of
2 Defense funded by this Act shall not be at a rate in excess
3 of the percentage increase authorized by law for civilian
4 employees of the Department of Defense whose pay is
5 computed under the provisions of section 5332 of title 5,
6 United States Code, or at a rate in excess of the percent-
7 age increase provided by the appropriate host nation to
8 its own employees, whichever is higher: *Provided further,*
9 That this section shall not apply to Department of De-
10 fense foreign service national employees serving at United
11 States diplomatic missions whose pay is set by the Depart-
12 ment of State under the Foreign Service Act of 1980: *Pro-*
13 *vided further,* That the limitations of this provision shall
14 not apply to foreign national employees of the Department
15 of Defense in the Republic of Turkey.

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

19 SEC. 8004. No more than 20 percent of the appro-
20 priations in this Act which are limited for obligation dur-
21 ing the current fiscal year shall be obligated during the
22 last 2 months of the fiscal year: *Provided,* That this sec-
23 tion shall not apply to obligations for support of active
24 duty training of reserve components or summer camp
25 training of the Reserve Officers' Training Corps.

1 (TRANSFER OF FUNDS)

2 SEC. 8005. Upon determination by the Secretary of
3 Defense that such action is necessary in the national inter-
4 est, he may, with the approval of the Office of Manage-
5 ment and Budget, transfer not to exceed a total of
6 \$1,000,000,000 of working capital funds of the Depart-
7 ment of Defense or funds made available in this Act to
8 the Department of Defense for military functions (except
9 military construction) between such appropriations or
10 funds or any subdivision thereof, to be merged with and
11 to be available for the same purposes, and for the same
12 time period, as the appropriation or fund to which trans-
13 ferred: *Provided*, That such authority to transfer may not
14 be used unless the Secretary of Defense and the head of
15 each entity affected by such transfer certifies in writing
16 to the congressional defense committees, as part of the
17 applicable request for reprogramming required for such
18 transfer, that the funds will be used for higher priority
19 items, based on unforeseen military requirements, than
20 those for which originally appropriated and in no case
21 where the item for which funds are requested has been
22 denied by the Congress: *Provided further*, That the Sec-
23 retary of Defense shall notify the Congress promptly of
24 all transfers made pursuant to this authority or any other
25 authority in this Act: *Provided further*, That no part of

1 the funds in this Act shall be available to prepare or
2 present a request to the Committees on Appropriations for
3 reprogramming of funds, unless for higher priority items,
4 based on unforeseen military requirements, than those for
5 which originally appropriated and in no case where the
6 item for which reprogramming is requested has been de-
7 nied by the Congress: *Provided further*, That a request for
8 multiple reprogrammings of funds using authority pro-
9 vided in this section shall be made prior to June 30, 2020.

10 SEC. 8006. (a) With regard to the list of specific pro-
11 grams, projects, and activities (and the dollar amounts
12 and adjustments to budget activities corresponding to
13 such programs, projects, and activities) contained in the
14 tables titled Explanation of Project Level Adjustments in
15 the explanatory statement regarding this Act, the obliga-
16 tion and expenditure of amounts appropriated or other-
17 wise made available in this Act for those programs,
18 projects, and activities for which the amounts appro-
19 priated exceed the amounts requested are hereby required
20 by law to be carried out in the manner provided by such
21 tables to the same extent as if the tables were included
22 in the text of this Act.

23 (b) Amounts specified in the referenced tables de-
24 scribed in subsection (a) shall not be treated as subdivi-
25 sions of appropriations for purposes of section 8005 of this

1 Act: *Provided*, That section 8005 shall apply when trans-
2 fers of the amounts described in subsection (a) occur be-
3 tween appropriation accounts.

4 SEC. 8007. (a) Not later than 60 days after enact-
5 ment of this Act, the Department of Defense shall submit
6 a report to the congressional defense committees to estab-
7 lish the baseline for application of reprogramming and
8 transfer authorities for fiscal year 2020: *Provided*, That
9 the report shall include—

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

15 (2) a delineation in the table for each appro-
16 priation both by budget activity and program,
17 project, and activity as detailed in the Budget Ap-
18 pendix; and

19 (3) an identification of items of special congres-
20 sional interest.

21 (b) Notwithstanding section 8005 of this Act, none
22 of the funds provided in this Act shall be available for
23 reprogramming or transfer until the report identified in
24 subsection (a) is submitted to the congressional defense
25 committees, unless the Secretary of Defense certifies in

1 writing to the congressional defense committees that such
2 reprogramming or transfer is necessary as an emergency
3 requirement: *Provided*, That this subsection shall not
4 apply to transfers from the following appropriations ac-
5 counts:

6 (1) “Environmental Restoration, Army”;

7 (2) “Environmental Restoration, Navy”;

8 (3) “Environmental Restoration, Air Force”;

9 (4) “Environmental Restoration, Defense-
10 Wide”

11 (5) “Environmental Restoration, Formerly
12 Used Defense Sites”.

13 (TRANSFER OF FUNDS)

14 SEC. 8008. During the current fiscal year, cash bal-
15 ances in working capital funds of the Department of De-
16 fense established pursuant to section 2208 of title 10,
17 United States Code, may be maintained in only such
18 amounts as are necessary at any time for cash disburse-
19 ments to be made from such funds: *Provided*, That trans-
20 fers may be made between such funds: *Provided further*,
21 That transfers may be made between working capital
22 funds and the “Foreign Currency Fluctuations, Defense”
23 appropriation and the “Operation and Maintenance” ap-
24 propriation accounts in such amounts as may be deter-
25 mined by the Secretary of Defense, with the approval of

1 the Office of Management and Budget, except that such
2 transfers may not be made unless the Secretary of Defense
3 has notified the Congress of the proposed transfer: *Pro-*
4 *vided further*, That except in amounts equal to the
5 amounts appropriated to working capital funds in this Act,
6 no obligations may be made against a working capital fund
7 to procure or increase the value of war reserve material
8 inventory, unless the Secretary of Defense has notified the
9 Congress prior to any such obligation.

10 SEC. 8009. Funds appropriated by this Act may not
11 be used to initiate a special access program without prior
12 notification 30 calendar days in advance to the congress-
13 sional defense committees.

14 SEC. 8010. None of the funds provided in this Act
15 shall be available to initiate: (1) a multiyear contract that
16 employs economic order quantity procurement in excess of
17 \$20,000,000 in any one year of the contract or that in-
18 cludes an unfunded contingent liability in excess of
19 \$20,000,000; or (2) a contract for advance procurement
20 leading to a multiyear contract that employs economic
21 order quantity procurement in excess of \$20,000,000 in
22 any one year, unless the congressional defense committees
23 have been notified at least 30 days in advance of the pro-
24 posed contract award: *Provided*, That no part of any ap-
25 propriation contained in this Act shall be available to ini-

1 tiate a multiyear contract for which the economic order
2 quantity advance procurement is not funded at least to
3 the limits of the Government's liability: *Provided further*,
4 That no part of any appropriation contained in this Act
5 shall be available to initiate multiyear procurement con-
6 tracts for any systems or component thereof if the value
7 of the multiyear contract would exceed \$500,000,000 un-
8 less specifically provided in this Act: *Provided further*,
9 That no multiyear procurement contract can be termi-
10 nated without 30-day prior notification to the congres-
11 sional defense committees: *Provided further*, That the exe-
12 cution of multiyear authority shall require the use of a
13 present value analysis to determine lowest cost compared
14 to an annual procurement: *Provided further*, That none of
15 the funds provided in this Act may be used for a multiyear
16 contract executed after the date of the enactment of this
17 Act unless in the case of any such contract—

18 (1) the Secretary of Defense has submitted to
19 Congress a budget request for full funding of units
20 to be procured through the contract and, in the case
21 of a contract for procurement of aircraft, that in-
22 cludes, for any aircraft unit to be procured through
23 the contract for which procurement funds are re-
24 quested in that budget request for production be-
25 yond advance procurement activities in the fiscal

1 year covered by the budget, full funding of procure-
2 ment of such unit in that fiscal year;

3 (2) cancellation provisions in the contract do
4 not include consideration of recurring manufacturing
5 costs of the contractor associated with the produc-
6 tion of unfunded units to be delivered under the con-
7 tract;

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

11 (4) the contract does not provide for a price ad-
12 justment based on a failure to award a follow-on
13 contract.

14 SEC. 8011. Within the funds appropriated for the op-
15 eration and maintenance of the Armed Forces, funds are
16 hereby appropriated pursuant to section 401 of title 10,
17 United States Code, for humanitarian and civic assistance
18 costs under chapter 20 of title 10, United States Code.
19 Such funds may also be obligated for humanitarian and
20 civic assistance costs incidental to authorized operations
21 and pursuant to authority granted in section 401 of chap-
22 ter 20 of title 10, United States Code, and these obliga-
23 tions shall be reported as required by section 401(d) of
24 title 10, United States Code: *Provided*, That funds avail-
25 able for operation and maintenance shall be available for

1 providing humanitarian and similar assistance by using
2 Civic Action Teams in the Trust Territories of the Pacific
3 Islands and freely associated states of Micronesia, pursu-
4 ant to the Compact of Free Association as authorized by
5 Public Law 99–239: *Provided further*, That upon a deter-
6 mination by the Secretary of the Army that such action
7 is beneficial for graduate medical education programs con-
8 ducted at Army medical facilities located in Hawaii, the
9 Secretary of the Army may authorize the provision of med-
10 ical services at such facilities and transportation to such
11 facilities, on a nonreimbursable basis, for civilian patients
12 from American Samoa, the Commonwealth of the North-
13 ern Mariana Islands, the Marshall Islands, the Federated
14 States of Micronesia, Palau, and Guam.

15 SEC. 8012. (a) During the current fiscal year, the
16 civilian personnel of the Department of Defense may not
17 be managed on the basis of any end-strength, and the
18 management of such personnel during that fiscal year
19 shall not be subject to any constraint or limitation (known
20 as an end-strength) on the number of such personnel who
21 may be employed on the last day of such fiscal year.

22 (b) The fiscal year 2021 budget request for the De-
23 partment of Defense as well as all justification material
24 and other documentation supporting the fiscal year 2021
25 Department of Defense budget request shall be prepared

1 and submitted to the Congress as if subsections (a) and
2 (b) of this provision were effective with regard to fiscal
3 year 2021.

4 (c) As required by section 1107 of the National De-
5 fense Authorization Act for Fiscal Year 2014 (Public Law
6 113–66; 10 U.S.C. 2358 note) civilian personnel at the
7 Department of Army Science and Technology Reinvention
8 Laboratories may not be managed on the basis of the
9 Table of Distribution and Allowances, and the manage-
10 ment of the workforce strength shall be done in a manner
11 consistent with the budget available with respect to such
12 Laboratories.

13 (d) Nothing in this section shall be construed to apply
14 to military (civilian) technicians.

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

19 SEC. 8014. None of the funds appropriated by this
20 Act shall be available for the basic pay and allowances of
21 any member of the Army participating as a full-time stu-
22 dent and receiving benefits paid by the Secretary of Vet-
23 erans Affairs from the Department of Defense Education
24 Benefits Fund when time spent as a full-time student is
25 credited toward completion of a service commitment: *Pro-*

1 *vided*, That this section shall not apply to those members
2 who have reenlisted with this option prior to October 1,
3 1987: *Provided further*, That this section applies only to
4 active components of the Army.

5 (TRANSFER OF FUNDS)

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

16 SEC. 8016. None of the funds in this Act may be
17 available for the purchase by the Department of Defense
18 (and its departments and agencies) of welded shipboard
19 anchor and mooring chain 4 inches in diameter and under
20 unless the anchor and mooring chain are manufactured
21 in the United States from components which are substan-
22 tially manufactured in the United States: *Provided*, That
23 for the purpose of this section, the term “manufactured”
24 shall include cutting, heat treating, quality control, testing
25 of chain and welding (including the forging and shot blast-

1 ing process): *Provided further*, That for the purpose of this
2 section substantially all of the components of anchor and
3 mooring chain shall be considered to be produced or manu-
4 factured in the United States if the aggregate cost of the
5 components produced or manufactured in the United
6 States exceeds the aggregate cost of the components pro-
7 duced or manufactured outside the United States: *Pro-*
8 *vided further*, That when adequate domestic supplies are
9 not available to meet Department of Defense requirements
10 on a timely basis, the Secretary of the Service responsible
11 for the procurement may waive this restriction on a case-
12 by-case basis by certifying in writing to the Committees
13 on Appropriations that such an acquisition must be made
14 in order to acquire capability for national security pur-
15 poses.

16 SEC. 8017. None of the funds appropriated by this
17 Act shall be used for the support of any nonappropriated
18 funds activity of the Department of Defense that procures
19 malt beverages and wine with nonappropriated funds for
20 resale (including such alcoholic beverages sold by the
21 drink) on a military installation located in the United
22 States unless such malt beverages and wine are procured
23 within that State, or in the case of the District of Colum-
24 bia, within the District of Columbia, in which the military
25 installation is located: *Provided*, That, in a case in which

1 the military installation is located in more than one State,
2 purchases may be made in any State in which the installa-
3 tion is located: *Provided further*, That such local procure-
4 ment requirements for malt beverages and wine shall
5 apply to all alcoholic beverages only for military installa-
6 tions in States which are not contiguous with another
7 State: *Provided further*, That alcoholic beverages other
8 than wine and malt beverages, in contiguous States and
9 the District of Columbia shall be procured from the most
10 competitive source, price and other factors considered.

11 SEC. 8018. None of the funds available to the De-
12 partment of Defense may be used to demilitarize or dis-
13 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
14 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or
15 to demilitarize or destroy small arms ammunition or am-
16 munition components that are not otherwise prohibited
17 from commercial sale under Federal law, unless the small
18 arms ammunition or ammunition components are certified
19 by the Secretary of the Army or designee as unserviceable
20 or unsafe for further use.

21 SEC. 8019. No more than \$500,000 of the funds ap-
22 propriated or made available in this Act shall be used dur-
23 ing a single fiscal year for any single relocation of an orga-
24 nization, unit, activity or function of the Department of
25 Defense into or within the National Capital Region: *Pro-*

1 *vided*, That the Secretary of Defense may waive this re-
2 striction on a case-by-case basis by certifying in writing
3 to the congressional defense committees that such a relo-
4 cation is required in the best interest of the Government.

5 SEC. 8020. Of the funds made available in this Act,
6 \$25,000,000 shall be available for incentive payments au-
7 thorized by section 504 of the Indian Financing Act of
8 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor
9 or a subcontractor at any tier that makes a subcontract
10 award to any subcontractor or supplier as defined in sec-
11 tion 1544 of title 25, United States Code, or a small busi-
12 ness owned and controlled by an individual or individuals
13 defined under section 4221(9) of title 25, United States
14 Code, shall be considered a contractor for the purposes
15 of being allowed additional compensation under section
16 504 of the Indian Financing Act of 1974 (25 U.S.C.
17 1544) whenever the prime contract or subcontract amount
18 is over \$500,000 and involves the expenditure of funds
19 appropriated by an Act making appropriations for the De-
20 partment of Defense with respect to any fiscal year: *Pro-*
21 *vided further*, That notwithstanding section 1906 of title
22 41, United States Code, this section shall be applicable
23 to any Department of Defense acquisition of supplies or
24 services, including any contract and any subcontract at
25 any tier for acquisition of commercial items produced or

1 manufactured, in whole or in part, by any subcontractor
2 or supplier defined in section 1544 of title 25, United
3 States Code, or a small business owned and controlled by
4 an individual or individuals defined under section 4221(9)
5 of title 25, United States Code.

6 SEC. 8021. Funds appropriated by this Act for the
7 Defense Media Activity shall not be used for any national
8 or international political or psychological activities.

9 SEC. 8022. During the current fiscal year, the De-
10 partment of Defense is authorized to incur obligations of
11 not to exceed \$350,000,000 for purposes specified in sec-
12 tion 2350j(c) of title 10, United States Code, in anticipa-
13 tion of receipt of contributions, only from the Government
14 of Kuwait, under that section: *Provided*, That, upon re-
15 ceipt, such contributions from the Government of Kuwait
16 shall be credited to the appropriations or fund which in-
17 curred such obligations.

18 SEC. 8023. (a) Of the funds made available in this
19 Act, not less than \$51,800,000 shall be available for the
20 Civil Air Patrol Corporation, of which—

21 (1) \$37,233,000 shall be available from “Oper-
22 ation and Maintenance, Air Force” to support Civil
23 Air Patrol Corporation operation and maintenance,
24 readiness, counter-drug activities, and drug demand
25 reduction activities involving youth programs;

1 (2) \$11,000,000 shall be available from “Air-
2 craft Procurement, Air Force”; and

3 (3) \$3,567,000 shall be available from “Other
4 Procurement, Air Force” for vehicle and commu-
5 nication equipment procurement.

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

10 SEC. 8024. (a) None of the funds appropriated in this
11 Act are available to establish a new Department of De-
12 fense (department) federally funded research and develop-
13 ment center (FFRDC), either as a new entity, or as a
14 separate entity administrated by an organization man-
15 aging another FFRDC, or as a nonprofit membership cor-
16 poration consisting of a consortium of other FFRDCs and
17 other nonprofit entities.

18 (b) No member of a Board of Directors, Trustees,
19 Overseers, Advisory Group, Special Issues Panel, Visiting
20 Committee, or any similar entity of a defense FFRDC,
21 and no paid consultant to any defense FFRDC, except
22 when acting in a technical advisory capacity, may be com-
23 pensated for his or her services as a member of such enti-
24 ty, or as a paid consultant by more than one FFRDC in
25 a fiscal year: *Provided*, That a member of any such entity

1 referred to previously in this subsection shall be allowed
2 travel expenses and per diem as authorized under the Fed-
3 eral Joint Travel Regulations, when engaged in the per-
4 formance of membership duties.

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

15 (d) Notwithstanding any other provision of law, of
16 the funds available to the department during fiscal year
17 2020, not more than 6,100 staff years of technical effort
18 (staff years) may be funded for defense FFRDCs: *Pro-*
19 *vided*, That this subsection shall not apply to staff years
20 funded in the National Intelligence Program (NIP) and
21 the Military Intelligence Program (MIP).

22 (e) The Secretary of Defense shall, with the submis-
23 sion of the Department's fiscal year 2021 budget request,
24 submit a report presenting the specific amounts of staff
25 years of technical effort to be allocated for each defense

1 FFRDC during that fiscal year and the associated budget
2 estimates.

3 (f) Notwithstanding any other provision of this Act,
4 the total amount appropriated in this Act for FFRDCs
5 is hereby increased by \$26,800,000: *Provided*, That this
6 subsection shall not apply to appropriations for the Na-
7 tional Intelligence Program (NIP) and the Military Intel-
8 ligence Program (MIP).

9 SEC. 8025. None of the funds appropriated or made
10 available in this Act shall be used to procure carbon, alloy,
11 or armor steel plate for use in any Government-owned fa-
12 cility or property under the control of the Department of
13 Defense which were not melted and rolled in the United
14 States or Canada: *Provided*, That these procurement re-
15 strictions shall apply to any and all Federal Supply Class
16 9515, American Society of Testing and Materials (ASTM)
17 or American Iron and Steel Institute (AISI) specifications
18 of carbon, alloy or armor steel plate: *Provided further*,
19 That the Secretary of the military department responsible
20 for the procurement may waive this restriction on a case-
21 by-case basis by certifying in writing to the Committees
22 on Appropriations of the House of Representatives and the
23 Senate that adequate domestic supplies are not available
24 to meet Department of Defense requirements on a timely
25 basis and that such an acquisition must be made in order

1 to acquire capability for national security purposes: *Pro-*
2 *vided further*, That these restrictions shall not apply to
3 contracts which are in being as of the date of the enact-
4 ment of this Act.

5 SEC. 8026. For the purposes of this Act, the term
6 “congressional defense committees” means the Armed
7 Services Committee of the House of Representatives, the
8 Armed Services Committee of the Senate, the Sub-
9 committee on Defense of the Committee on Appropriations
10 of the Senate, and the Subcommittee on Defense of the
11 Committee on Appropriations of the House of Representa-
12 tives.

13 SEC. 8027. During the current fiscal year, the De-
14 partment of Defense may acquire the modification, depot
15 maintenance and repair of aircraft, vehicles and vessels
16 as well as the production of components and other De-
17 fense-related articles, through competition between De-
18 partment of Defense depot maintenance activities and pri-
19 vate firms: *Provided*, That the Senior Acquisition Execu-
20 tive of the military department or Defense Agency con-
21 cerned, with power of delegation, shall certify that success-
22 ful bids include comparable estimates of all direct and in-
23 direct costs for both public and private bids: *Provided fur-*
24 *ther*, That Office of Management and Budget Circular A-

1 76 shall not apply to competitions conducted under this
2 section.

3 SEC. 8028. (a)(1) If the Secretary of Defense, after
4 consultation with the United States Trade Representative,
5 determines that a foreign country which is party to an
6 agreement described in paragraph (2) has violated the
7 terms of the agreement by discriminating against certain
8 types of products produced in the United States that are
9 covered by the agreement, the Secretary of Defense shall
10 rescind the Secretary's blanket waiver of the Buy Amer-
11 ican Act with respect to such types of products produced
12 in that foreign country.

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

19 (b) The Secretary of Defense shall submit to the Con-
20 gress a report on the amount of Department of Defense
21 purchases from foreign entities in fiscal year 2020. Such
22 report shall separately indicate the dollar value of items
23 for which the Buy American Act was waived pursuant to
24 any agreement described in subsection (a)(2), the Trade
25 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any

1 international agreement to which the United States is a
2 party.

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

6 SEC. 8029. During the current fiscal year, amounts
7 contained in the Department of Defense Overseas Military
8 Facility Investment Recovery Account established by sec-
9 tion 2921(c)(1) of the National Defense Authorization Act
10 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
11 be available until expended for the payments specified by
12 section 2921(c)(2) of that Act.

13 SEC. 8030. (a) Notwithstanding any other provision
14 of law, the Secretary of the Air Force may convey at no
15 cost to the Air Force, without consideration, to Indian
16 tribes located in the States of Nevada, Idaho, North Da-
17 kota, South Dakota, Montana, Oregon, Minnesota, and
18 Washington relocatable military housing units located at
19 Grand Forks Air Force Base, Malmstrom Air Force Base,
20 Mountain Home Air Force Base, Ellsworth Air Force
21 Base, and Minot Air Force Base that are excess to the
22 needs of the Air Force.

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

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

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

13 (d) In this section, the term “Indian tribe” means
14 any recognized Indian tribe included on the current list
15 published by the Secretary of the Interior under section
16 104 of the Federally Recognized Indian Tribe Act of 1994
17 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

18 SEC. 8031. During the current fiscal year, appropria-
19 tions which are available to the Department of Defense
20 for operation and maintenance may be used to purchase
21 items having an investment item unit cost of not more
22 than \$250,000.

23 SEC. 8032. None of the funds made available by this
24 Act may be used to—

1 (1) disestablish, or prepare to disestablish, a
2 Senior Reserve Officers' Training Corps program in
3 accordance with Department of Defense Instruction
4 Number 1215.08, dated June 26, 2006; or

5 (2) close, downgrade from host to extension
6 center, or place on probation a Senior Reserve Offi-
7 cers' Training Corps program in accordance with the
8 information paper of the Department of the Army
9 titled "Army Senior Reserve Officer's Training
10 Corps (SROTC) Program Review and Criteria",
11 dated January 27, 2014.

12 SEC. 8033. Up to \$14,000,000 of the funds appro-
13 priated under the heading "Operation and Maintenance,
14 Navy" may be made available for the Asia Pacific Re-
15 gional Initiative Program for the purpose of enabling the
16 Pacific Command to execute Theater Security Cooperation
17 activities such as humanitarian assistance, and payment
18 of incremental and personnel costs of training and exer-
19 cising with foreign security forces: *Provided*, That funds
20 made available for this purpose may be used, notwith-
21 standing any other funding authorities for humanitarian
22 assistance, security assistance or combined exercise ex-
23 penses: *Provided further*, That funds may not be obligated
24 to provide assistance to any foreign country that is other-

1 wise prohibited from receiving such type of assistance
2 under any other provision of law.

3 SEC. 8034. The Secretary of Defense shall issue reg-
4 ulations to prohibit the sale of any tobacco or tobacco-
5 related products in military resale outlets in the United
6 States, its territories and possessions at a price below the
7 most competitive price in the local community: *Provided,*
8 That such regulations shall direct that the prices of to-
9 bacco or tobacco-related products in overseas military re-
10 tail outlets shall be within the range of prices established
11 for military retail system stores located in the United
12 States.

13 SEC. 8035. (a) During the current fiscal year, none
14 of the appropriations or funds available to the Department
15 of Defense Working Capital Funds shall be used for the
16 purchase of an investment item for the purpose of acquir-
17 ing a new inventory item for sale or anticipated sale dur-
18 ing the current fiscal year or a subsequent fiscal year to
19 customers of the Department of Defense Working Capital
20 Funds if such an item would not have been chargeable
21 to the Department of Defense Business Operations Fund
22 during fiscal year 1994 and if the purchase of such an
23 investment item would be chargeable during the current
24 fiscal year to appropriations made to the Department of
25 Defense for procurement.

1 (b) The fiscal year 2021 budget request for the De-
2 partment of Defense as well as all justification material
3 and other documentation supporting the fiscal year 2021
4 Department of Defense budget shall be prepared and sub-
5 mitted to the Congress on the basis that any equipment
6 which was classified as an end item and funded in a pro-
7 curement appropriation contained in this Act shall be
8 budgeted for in a proposed fiscal year 2021 procurement
9 appropriation and not in the supply management business
10 area or any other area or category of the Department of
11 Defense Working Capital Funds.

12 SEC. 8036. None of the funds appropriated by this
13 Act for programs of the Central Intelligence Agency shall
14 remain available for obligation beyond the current fiscal
15 year, except for funds appropriated for the Reserve for
16 Contingencies, which shall remain available until Sep-
17 tember 30, 2021: *Provided*, That funds appropriated,
18 transferred, or otherwise credited to the Central Intel-
19 ligence Agency Central Services Working Capital Fund
20 during this or any prior or subsequent fiscal year shall
21 remain available until expended: *Provided further*, That
22 any funds appropriated or transferred to the Central Intel-
23 ligence Agency for advanced research and development ac-
24 quisition, for agent operations, and for covert action pro-
25 grams authorized by the President under section 503 of

1 the National Security Act of 1947 (50 U.S.C. 3093) shall
2 remain available until September 30, 2021.

3 SEC. 8037. Of the funds appropriated to the Depart-
4 ment of Defense under the heading “Operation and Main-
5 tenance, Defense-Wide”, not less than \$12,000,000 shall
6 be made available only for the mitigation of environmental
7 impacts, including training and technical assistance to
8 tribes, related administrative support, the gathering of in-
9 formation, documenting of environmental damage, and de-
10 veloping a system for prioritization of mitigation and cost
11 to complete estimates for mitigation, on Indian lands re-
12 sulting from Department of Defense activities.

13 SEC. 8038. (a) None of the funds appropriated in this
14 Act may be expended by an entity of the Department of
15 Defense unless the entity, in expending the funds, com-
16 plies with the Buy American Act. For purposes of this
17 subsection, the term “Buy American Act” means chapter
18 83 of title 41, United States Code.

19 (b) If the Secretary of Defense determines that a per-
20 son has been convicted of intentionally affixing a label
21 bearing a “Made in America” inscription to any product
22 sold in or shipped to the United States that is not made
23 in America, the Secretary shall determine, in accordance
24 with section 2410f of title 10, United States Code, wheth-

1 er the person should be debarred from contracting with
2 the Department of Defense.

3 (c) In the case of any equipment or products pur-
4 chased with appropriations provided under this Act, it is
5 the sense of the Congress that any entity of the Depart-
6 ment of Defense, in expending the appropriation, purchase
7 only American-made equipment and products, provided
8 that American-made equipment and products are cost-
9 competitive, quality competitive, and available in a timely
10 fashion.

11 SEC. 8039. (a) Except as provided in subsections (b)
12 and (c), none of the funds made available by this Act may
13 be used—

14 (1) to establish a field operating agency; or

15 (2) to pay the basic pay of a member of the
16 Armed Forces or civilian employee of the depart-
17 ment who is transferred or reassigned from a head-
18 quarters activity if the member or employee's place
19 of duty remains at the location of that headquarters.

20 (b) The Secretary of Defense or Secretary of a mili-
21 tary department may waive the limitations in subsection
22 (a), on a case-by-case basis, if the Secretary determines,
23 and certifies to the Committees on Appropriations of the
24 House of Representatives and the Senate that the grant-

1 ing of the waiver will reduce the personnel requirements
2 or the financial requirements of the department.

3 (c) This section does not apply to—

4 (1) field operating agencies funded within the
5 National Intelligence Program;

6 (2) an Army field operating agency established
7 to eliminate, mitigate, or counter the effects of im-
8 proved explosive devices, and, as determined by the
9 Secretary of the Army, other similar threats;

10 (3) an Army field operating agency established
11 to improve the effectiveness and efficiencies of bio-
12 metric activities and to integrate common biometric
13 technologies throughout the Department of Defense;
14 or

15 (4) an Air Force field operating agency estab-
16 lished to administer the Air Force Mortuary Affairs
17 Program and Mortuary Operations for the Depart-
18 ment of Defense and authorized Federal entities.

19 SEC. 8040. (a) None of the funds appropriated by
20 this Act shall be available to convert to contractor per-
21 formance an activity or function of the Department of De-
22 fense that, on or after the date of the enactment of this
23 Act, is performed by Department of Defense civilian em-
24 ployees unless—

1 (1) the conversion is based on the result of a
2 public-private competition that includes a most effi-
3 cient and cost effective organization plan developed
4 by such activity or function;

5 (2) the Competitive Sourcing Official deter-
6 mines that, over all performance periods stated in
7 the solicitation of offers for performance of the ac-
8 tivity or function, the cost of performance of the ac-
9 tivity or function by a contractor would be less costly
10 to the Department of Defense by an amount that
11 equals or exceeds the lesser of—

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

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

17 (3) the contractor does not receive an advan-
18 tage for a proposal that would reduce costs for the
19 Department of Defense by—

20 (A) not making an employer-sponsored
21 health insurance plan available to the workers
22 who are to be employed in the performance of
23 that activity or function under the contract; or

24 (B) offering to such workers an employer-
25 sponsored health benefits plan that requires the

1 employer to contribute less towards the pre-
2 mium or subscription share than the amount
3 that is paid by the Department of Defense for
4 health benefits for civilian employees under
5 chapter 89 of title 5, United States Code.

6 (b)(1) The Department of Defense, without regard
7 to subsection (a) of this section or subsection (a), (b), or
8 (c) of section 2461 of title 10, United States Code, and
9 notwithstanding any administrative regulation, require-
10 ment, or policy to the contrary shall have full authority
11 to enter into a contract for the performance of any com-
12 mercial or industrial type function of the Department of
13 Defense that—

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

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

22 (C) is planned to be converted to performance
23 by a qualified firm under at least 51 percent owner-
24 ship by an Indian tribe, as defined in section 4(e)
25 of the Indian Self-Determination and Education As-

1 assistance Act (25 U.S.C. 450b(e)), or a Native Ha-
2 waiian Organization, as defined in section 8(a)(15)
3 of the Small Business Act (15 U.S.C. 637(a)(15)).

4 (2) This section shall not apply to depot contracts
5 or contracts for depot maintenance as provided in sections
6 2469 and 2474 of title 10, United States Code.

7 (c) The conversion of any activity or function of the
8 Department of Defense under the authority provided by
9 this section shall be credited toward any competitive or
10 outsourcing goal, target, or measurement that may be es-
11 tablished by statute, regulation, or policy and is deemed
12 to be awarded under the authority of, and in compliance
13 with, subsection (h) of section 2304 of title 10, United
14 States Code, for the competition or outsourcing of com-
15 mercial activities.

16 (RESCISSIONS)

17 SEC. 8041. Of the funds appropriated in Department
18 of Defense Appropriations Acts, the following funds are
19 hereby rescinded from the following accounts and pro-
20 grams in the specified amounts: *Provided*, That no
21 amounts may be rescinded from amounts that were des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism or as an emergency re-
24 quirement pursuant to the Concurrent Resolution on the

1 Budget or the Balanced Budget and Emergency Deficit
2 Control Act of 1985, as amended:
3 “Shipbuilding and Conversion, Navy: DDG–51 De-
4 stroyer”, 2012/2020, \$86,000,000;
5 “Shipbuilding and Conversion, Navy: LCAC SLEP”,
6 2013/2020, \$2,000,000;
7 “Missile Procurement, Army”, 2018/2020,
8 \$14,056,000;
9 “Procurement of Weapons and Tracked Combat Ve-
10 hicles, Army”, 2018/2020, \$97,000,000;
11 “Other Procurement, Army”, 2018/2020,
12 \$10,685,000;
13 “Aircraft Procurement, Navy”, 2018/2020,
14 \$126,079,000;
15 “Other Procurement, Navy”, 2018/2020,
16 \$34,087,000;
17 “Procurement, Marine Corps”, 2018/2020,
18 \$9,046,000;
19 “Aircraft Procurement, Air Force”, 2018/2020,
20 \$160,200,000;
21 “Other Procurement, Air Force”, 2018/2020,
22 \$26,000,000;
23 “Operation and Maintenance, Defense-Wide: DSCA
24 Security Cooperation Account”, 2019/2020, \$21,314,000;

1 “Aircraft Procurement, Army”, 2019/2021,
2 \$58,600,000;
3 “Procurement of Weapons and Tracked Combat Ve-
4 hicles”, 2019/2021, \$87,567,000;
5 “Other Procurement, Army”, 2019/2021,
6 \$75,173,000;
7 “Aircraft Procurement, Navy”, 2019/2021,
8 \$501,616,000;
9 “Procurement of Ammunition, Navy and Marine
10 Corps”, 2019/2021, \$22,000,000;
11 “Other Procurement, Navy”, 2019/2021,
12 \$44,964,000;
13 “Procurement, Marine Corps”, 2019/2021,
14 \$74,456,000;
15 “Aircraft Procurement, Air Force”, 2019/2021,
16 \$629,300,000;
17 “Missile Procurement, Air Force”, 2019/2021,
18 \$76,000,000;
19 “Space Procurement, Air Force”, 2019/2021,
20 \$214,509,000;
21 “Procurement of Ammunition, Air Force”, 2019/
22 2021, \$236,100,000;
23 “Research, Development, Test and Evaluation,
24 Army”, 2019/2020, \$65,933,000;

1 “Research, Development, Test and Evaluation,
2 Navy”, 2019/2020, \$240,088,000; and

3 “Research, Development, Test and Evaluation, Air
4 Force”, 2019/2020, \$131,200,000.

5 SEC. 8042. None of the funds available in this Act
6 may be used to reduce the authorized positions for mili-
7 tary technicians (dual status) of the Army National
8 Guard, Air National Guard, Army Reserve and Air Force
9 Reserve for the purpose of applying any administratively
10 imposed civilian personnel ceiling, freeze, or reduction on
11 military technicians (dual status), unless such reductions
12 are a direct result of a reduction in military force struc-
13 ture.

14 SEC. 8043. None of the funds appropriated or other-
15 wise made available in this Act may be obligated or ex-
16 pended for assistance to the Democratic People’s Republic
17 of Korea unless specifically appropriated for that purpose.

18 SEC. 8044. Funds appropriated in this Act for oper-
19 ation and maintenance of the Military Departments, Com-
20 batant Commands and Defense Agencies shall be available
21 for reimbursement of pay, allowances and other expenses
22 which would otherwise be incurred against appropriations
23 for the National Guard and Reserve when members of the
24 National Guard and Reserve provide intelligence or coun-
25 terintelligence support to Combatant Commands, Defense

1 Agencies and Joint Intelligence Activities, including the
2 activities and programs included within the National Intel-
3 ligence Program and the Military Intelligence Program:
4 *Provided*, That nothing in this section authorizes deviation
5 from established Reserve and National Guard personnel
6 and training procedures.

7 SEC. 8045. (a) None of the funds available to the
8 Department of Defense for any fiscal year for drug inter-
9 diction or counter-drug activities may be transferred to
10 any other department or agency of the United States.

11 (b) None of the funds available to the Central Intel-
12 ligence Agency for any fiscal year for drug interdiction or
13 counter-drug activities may be transferred to any other de-
14 partment or agency of the United States.

15 SEC. 8046. None of the funds appropriated by this
16 Act may be used for the procurement of ball and roller
17 bearings other than those produced by a domestic source
18 and of domestic origin: *Provided*, That the Secretary of
19 the military department responsible for such procurement
20 may waive this restriction on a case-by-case basis by certi-
21 fying in writing to the Committees on Appropriations of
22 the House of Representatives and the Senate, that ade-
23 quate domestic supplies are not available to meet Depart-
24 ment of Defense requirements on a timely basis and that
25 such an acquisition must be made in order to acquire ca-

1 pability for national security purposes: *Provided further*,
2 That this restriction shall not apply to the purchase of
3 “commercial items”, as defined by section 103 of title 41,
4 United States Code, except that the restriction shall apply
5 to ball or roller bearings purchased as end items.

6 SEC. 8047. In addition to the amounts appropriated
7 or otherwise made available elsewhere in this Act,
8 \$44,000,000 is hereby appropriated to the Department of
9 Defense: *Provided*, That upon the determination of the
10 Secretary of Defense that it shall serve the national inter-
11 est, the Secretary shall make grants in the amounts speci-
12 fied as follows: \$20,000,000 to the United Service Organi-
13 zations and \$24,000,000 to the Red Cross.

14 SEC. 8048. None of the funds in this Act may be
15 used to purchase any supercomputer which is not manu-
16 factured in the United States, unless the Secretary of De-
17 fense certifies to the congressional defense committees
18 that such an acquisition must be made in order to acquire
19 capability for national security purposes that is not avail-
20 able from United States manufacturers.

21 SEC. 8049. Notwithstanding any other provision in
22 this Act, the Small Business Innovation Research program
23 and the Small Business Technology Transfer program set-
24 asides shall be taken proportionally from all programs,

1 projects, or activities to the extent they contribute to the
2 extramural budget.

3 SEC. 8050. None of the funds available to the De-
4 partment of Defense under this Act shall be obligated or
5 expended to pay a contractor under a contract with the
6 Department of Defense for costs of any amount paid by
7 the contractor to an employee when—

8 (1) such costs are for a bonus or otherwise in
9 excess of the normal salary paid by the contractor
10 to the employee; and

11 (2) such bonus is part of restructuring costs as-
12 sociated with a business combination.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8051. During the current fiscal year, no more
15 than \$30,000,000 of appropriations made in this Act
16 under the heading “Operation and Maintenance, Defense-
17 Wide” may be transferred to appropriations available for
18 the pay of military personnel, to be merged with, and to
19 be available for the same time period as the appropriations
20 to which transferred, to be used in support of such per-
21 sonnel in connection with support and services for eligible
22 organizations and activities outside the Department of De-
23 fense pursuant to section 2012 of title 10, United States
24 Code.

1 SEC. 8052. During the current fiscal year, in the case
2 of an appropriation account of the Department of Defense
3 for which the period of availability for obligation has ex-
4 pired or which has closed under the provisions of section
5 1552 of title 31, United States Code, and which has a
6 negative unliquidated or unexpended balance, an obliga-
7 tion or an adjustment of an obligation may be charged
8 to any current appropriation account for the same purpose
9 as the expired or closed account if—

10 (1) the obligation would have been properly
11 chargeable (except as to amount) to the expired or
12 closed account before the end of the period of avail-
13 ability or closing of that account;

14 (2) the obligation is not otherwise properly
15 chargeable to any current appropriation account of
16 the Department of Defense; and

17 (3) in the case of an expired account, the obli-
18 gation is not chargeable to a current appropriation
19 of the Department of Defense under the provisions
20 of section 1405(b)(8) of the National Defense Au-
21 thorization Act for Fiscal Year 1991, Public Law
22 101–510, as amended (31 U.S.C. 1551 note): *Pro-*
23 *vided*, That in the case of an expired account, if sub-
24 sequent review or investigation discloses that there
25 was not in fact a negative unliquidated or unex-

1 Counsel Program: *Provided*, That the funds are made
2 available for transfer to the Department of the Army, the
3 Department of the Navy, and the Department of the Air
4 Force: *Provided further*, That funds transferred shall be
5 merged with and available for the same purposes and for
6 the same time period as the appropriations to which the
7 funds are transferred: *Provided further*, That this transfer
8 authority is in addition to any other transfer authority
9 provided in this Act.

10 SEC. 8055. None of the funds appropriated in title
11 IV of this Act may be used to procure end-items for deliv-
12 ery to military forces for operational training, operational
13 use or inventory requirements: *Provided*, That this restric-
14 tion does not apply to end-items used in development,
15 prototyping, and test activities preceding and leading to
16 acceptance for operational use: *Provided further*, That the
17 Secretary of Defense shall, with submission of the Depart-
18 ment's fiscal year 2021 budget request, submit a report
19 detailing the use of funds requested in research, develop-
20 ment, test and evaluation accounts for end-items used in
21 development, prototyping and test activities preceding and
22 leading to acceptance for operational use: *Provided further*,
23 That this restriction does not apply to programs funded
24 within the National Intelligence Program: *Provided fur-*
25 *ther*, That the Secretary of Defense may waive this restric-

1 tion on a case-by-case basis by certifying in writing to the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate that it is in the national security
4 interest to do so.

5 SEC. 8056. (a) The Secretary of Defense may, on a
6 case-by-case basis, waive with respect to a foreign country
7 each limitation on the procurement of defense items from
8 foreign sources provided in law if the Secretary determines
9 that the application of the limitation with respect to that
10 country would invalidate cooperative programs entered
11 into between the Department of Defense and the foreign
12 country, or would invalidate reciprocal trade agreements
13 for the procurement of defense items entered into under
14 section 2531 of title 10, United States Code, and the
15 country does not discriminate against the same or similar
16 defense items produced in the United States for that coun-
17 try.

18 (b) Subsection (a) applies with respect to—

19 (1) contracts and subcontracts entered into on
20 or after the date of the enactment of this Act; and

21 (2) options for the procurement of items that
22 are exercised after such date under contracts that
23 are entered into before such date if the option prices
24 are adjusted for any reason other than the applica-
25 tion of a waiver granted under subsection (a).

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

10 SEC. 8057. None of the funds appropriated or other-
11 wise made available by this or other Department of De-
12 fense Appropriations Acts may be obligated or expended
13 for the purpose of performing repairs or maintenance to
14 military family housing units of the Department of De-
15 fense, including areas in such military family housing
16 units that may be used for the purpose of conducting offi-
17 cial Department of Defense business.

18 SEC. 8058. Notwithstanding any other provision of
19 law, funds appropriated in this Act under the heading
20 “Research, Development, Test and Evaluation, Defense-
21 Wide” for any new start advanced concept technology
22 demonstration project or joint capability demonstration
23 project may only be obligated 45 days after a report, in-
24 cluding a description of the project, the planned acquisi-
25 tion and transition strategy and its estimated annual and

1 total cost, has been provided in writing to the congres-
2 sional defense committees.

3 SEC. 8059. The Secretary of Defense shall continue
4 to provide a classified quarterly report to the House and
5 Senate Appropriations Committees, Subcommittees on
6 Defense on certain matters as directed in the classified
7 annex accompanying this Act.

8 SEC. 8060. Notwithstanding section 12310(b) of title
9 10, United States Code, a Reserve who is a member of
10 the National Guard serving on full-time National Guard
11 duty under section 502(f) of title 32, United States Code,
12 may perform duties in support of the ground-based ele-
13 ments of the National Ballistic Missile Defense System.

14 SEC. 8061. None of the funds provided in this Act
15 may be used to transfer to any nongovernmental entity
16 ammunition held by the Department of Defense that has
17 a center-fire cartridge and a United States military no-
18 menclature designation of “armor penetrator”, “armor
19 piercing (AP)”, “armor piercing incendiary (API)”, or
20 “armor-piercing incendiary tracer (API-T)”, except to an
21 entity performing demilitarization services for the Depart-
22 ment of Defense under a contract that requires the entity
23 to demonstrate to the satisfaction of the Department of
24 Defense that armor piercing projectiles are either: (1) ren-
25 dered incapable of reuse by the demilitarization process;

1 or (2) used to manufacture ammunition pursuant to a con-
2 tract with the Department of Defense or the manufacture
3 of ammunition for export pursuant to a License for Per-
4 manent Export of Unclassified Military Articles issued by
5 the Department of State.

6 SEC. 8062. Notwithstanding any other provision of
7 law, the Chief of the National Guard Bureau, or his des-
8 ignee, may waive payment of all or part of the consider-
9 ation that otherwise would be required under section 2667
10 of title 10, United States Code, in the case of a lease of
11 personal property for a period not in excess of 1 year to
12 any organization specified in section 508(d) of title 32,
13 United States Code, or any other youth, social, or fra-
14 ternal nonprofit organization as may be approved by the
15 Chief of the National Guard Bureau, or his designee, on
16 a case-by-case basis.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8063. Of the amounts appropriated in this Act
19 under the heading “Operation and Maintenance, Army”,
20 \$138,103,000 shall remain available until expended: *Pro-*
21 *vided*, That, notwithstanding any other provision of law,
22 the Secretary of Defense is authorized to transfer such
23 funds to other activities of the Federal Government: *Pro-*
24 *vided further*, That the Secretary of Defense is authorized
25 to enter into and carry out contracts for the acquisition

1 of real property, construction, personal services, and oper-
2 ations related to projects carrying out the purposes of this
3 section: *Provided further*, That contracts entered into
4 under the authority of this section may provide for such
5 indemnification as the Secretary determines to be nec-
6 essary: *Provided further*, That projects authorized by this
7 section shall comply with applicable Federal, State, and
8 local law to the maximum extent consistent with the na-
9 tional security, as determined by the Secretary of Defense.

10 SEC. 8064. (a) None of the funds appropriated in this
11 or any other Act may be used to take any action to mod-
12 ify—

13 (1) the appropriations account structure for the
14 National Intelligence Program budget, including
15 through the creation of a new appropriation or new
16 appropriation account;

17 (2) how the National Intelligence Program
18 budget request is presented in the unclassified P–1,
19 R–1, and O–1 documents supporting the Depart-
20 ment of Defense budget request;

21 (3) the process by which the National Intel-
22 ligence Program appropriations are apportioned to
23 the executing agencies; or

1 (4) the process by which the National Intel-
2 ligence Program appropriations are allotted, obli-
3 gated and disbursed.

4 (b) Nothing in section (a) shall be construed to pro-
5 hibit the merger of programs or changes to the National
6 Intelligence Program budget at or below the Expenditure
7 Center level, provided such change is otherwise in accord-
8 ance with paragraphs (a)(1)–(3).

9 (c) The Director of National Intelligence and the Sec-
10 retary of Defense may jointly, only for the purposes of
11 achieving auditable financial statements and improving
12 fiscal reporting, study and develop detailed proposals for
13 alternative financial management processes. Such study
14 shall include a comprehensive counterintelligence risk as-
15 sessment to ensure that none of the alternative processes
16 will adversely affect counterintelligence.

17 (d) Upon development of the detailed proposals de-
18 fined under subsection (c), the Director of National Intel-
19 ligence and the Secretary of Defense shall—

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

22 (2) receive certification from all affected agen-
23 cies attesting that the proposed alternatives will help
24 achieve auditability, improve fiscal reporting, and
25 will not adversely affect counterintelligence; and

1 (3) not later than 30 days after receiving all
2 necessary certifications under paragraph (2), present
3 the proposed alternatives and certifications to the
4 congressional defense and intelligence committees.

5 SEC. 8065. In addition to amounts provided else-
6 where in this Act, \$5,000,000 is hereby appropriated to
7 the Department of Defense, to remain available for obliga-
8 tion until expended: *Provided*, That notwithstanding any
9 other provision of law, that upon the determination of the
10 Secretary of Defense that it shall serve the national inter-
11 est, these funds shall be available only for a grant to the
12 Fisher House Foundation, Inc., only for the construction
13 and furnishing of additional Fisher Houses to meet the
14 needs of military family members when confronted with
15 the illness or hospitalization of an eligible military bene-
16 ficiary.

17 SEC. 8066. None of the funds available to the De-
18 partment of Defense may be obligated to modify command
19 and control relationships to give Fleet Forces Command
20 operational and administrative control of United States
21 Navy forces assigned to the Pacific fleet: *Provided*, That
22 the command and control relationships which existed on
23 October 1, 2004, shall remain in force until a written
24 modification has been proposed to the House and Senate
25 Appropriations Committees: *Provided further*, That the

1 ment, as amended; \$191,000,000 shall be for the Short
2 Range Ballistic Missile Defense (SRBMD) program, in-
3 cluding cruise missile defense research and development
4 under the SRBMD program, of which \$50,000,000 shall
5 be for co-production activities of SRBMD systems in the
6 United States and in Israel to meet Israel's defense re-
7 quirements consistent with each nation's laws, regulations,
8 and procedures, subject to the U.S.-Israeli co-production
9 agreement for SRBMD, as amended; \$55,000,000 shall
10 be for an upper-tier component to the Israeli Missile De-
11 fense Architecture, of which \$55,000,000 shall be for co-
12 production activities of Arrow 3 Upper Tier systems in
13 the United States and in Israel to meet Israel's defense
14 requirements consistent with each nation's laws, regula-
15 tions, and procedures, subject to the U.S.-Israeli co-pro-
16 duction agreement for Arrow 3 Upper Tier, as amended;
17 and \$159,000,000 shall be for the Arrow System Improve-
18 ment Program including development of a long range,
19 ground and airborne, detection suite: *Provided further,*
20 That the transfer authority provided under this provision
21 is in addition to any other transfer authority contained
22 in this Act.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 8069. Of the amounts appropriated in this Act
25 under the heading "Shipbuilding and Conversion, Navy",

1 \$55,700,000 shall be available until September 30, 2020,
2 to fund prior year shipbuilding cost increases: *Provided*,
3 That upon enactment of this Act, the Secretary of the
4 Navy shall transfer funds to the following appropriations
5 in the amounts specified: *Provided further*, That the
6 amounts transferred shall be merged with and be available
7 for the same purposes as the appropriations to which
8 transferred to:

9 (1) Under the heading “Shipbuilding and Con-
10 version, Navy”, 2016/2020: Littoral Combat Ship
11 \$14,000,000;

12 (2) Under the heading “Shipbuilding and Con-
13 version, Navy”, 2016/2020: Expeditionary Sea Base
14 \$38,000,000; and

15 (3) Under the heading “Shipbuilding and Con-
16 version, Navy”, 2018/2020: TAO Fleet Oiler
17 \$3,700,000.

18 SEC. 8070. Funds appropriated by this Act, or made
19 available by the transfer of funds in this Act, for intel-
20 ligence activities are deemed to be specifically authorized
21 by the Congress for purposes of section 504 of the Na-
22 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
23 year 2020 until the enactment of the Intelligence Author-
24 ization Act for Fiscal Year 2020.

1 SEC. 8071. None of the funds provided in this Act
2 shall be available for obligation or expenditure through a
3 reprogramming of funds that creates or initiates a new
4 program, project, or activity, unless the Secretary of De-
5 fense notifies the congressional defense committees not
6 less than 30 days in advance (or in an emergency, as far
7 in advance as is practicable) that such program, project,
8 or activity must be undertaken immediately to address a
9 documented requirement in ongoing or anticipated contin-
10 ugency operations that if left unfulfilled could potentially
11 result in loss of life.

12 SEC. 8072. The budget of the President for fiscal
13 year 2021 submitted to the Congress pursuant to section
14 1105 of title 31, United States Code, shall include sepa-
15 rate budget justification documents for costs of United
16 States Armed Forces' participation in contingency oper-
17 ations for the Military Personnel accounts, the Operation
18 and Maintenance accounts, the Procurement accounts,
19 and the Research, Development, Test and Evaluation ac-
20 counts: *Provided*, That these documents shall include a de-
21 scription of the funding requested for each contingency op-
22 eration, for each military service, to include all Active and
23 Reserve components, and for each appropriations account:
24 *Provided further*, That these documents shall include esti-
25 mated costs for each element of expense or object class,

1 a reconciliation of increases and decreases for each contin-
2 gency operation, and programmatic data including, but
3 not limited to, troop strength for each Active and Reserve
4 component, and estimates of the major weapons systems
5 deployed in support of each contingency: *Provided further*,
6 That these documents shall include budget exhibits OP-
7 5 and OP-32 (as defined in the Department of Defense
8 Financial Management Regulation) for all contingency op-
9 erations for the budget year and the two preceding fiscal
10 years.

11 SEC. 8073. None of the funds in this Act may be
12 used for research, development, test, evaluation, procure-
13 ment or deployment of nuclear armed interceptors of a
14 missile defense system.

15 SEC. 8074. The Secretary of Defense may use up to
16 \$500,000,000 of the amounts appropriated or otherwise
17 made available in this Act to the Department of Defense
18 for the rapid acquisition and deployment of supplies and
19 associated support services pursuant to section 806 of the
20 Bob Stump National Defense Authorization Act for Fiscal
21 Year 2003 (Public Law 107-314; 10 U.S.C. 2302 note):
22 *Provided*, That the Secretary of Defense shall notify the
23 congressional defense committees promptly of all uses of
24 this authority.

1 SEC. 8075. None of the funds appropriated or made
2 available in this Act shall be used to reduce or disestablish
3 the operation of the 53rd Weather Reconnaissance Squad-
4 ron of the Air Force Reserve, if such action would reduce
5 the WC-130 Weather Reconnaissance mission below the
6 levels funded in this Act: *Provided*, That the Air Force
7 shall allow the 53rd Weather Reconnaissance Squadron to
8 perform other missions in support of national defense re-
9 quirements during the non-hurricane season.

10 SEC. 8076. None of the funds provided in this Act
11 shall be available for integration of foreign intelligence in-
12 formation unless the information has been lawfully col-
13 lected and processed during the conduct of authorized for-
14 eign intelligence activities: *Provided*, That information
15 pertaining to United States persons shall only be handled
16 in accordance with protections provided in the Fourth
17 Amendment of the United States Constitution as imple-
18 mented through Executive Order No. 12333.

19 SEC. 8077. (a) None of the funds appropriated by
20 this Act may be used to transfer research and develop-
21 ment, acquisition, or other program authority relating to
22 current tactical unmanned aerial vehicles (TUAVs) from
23 the Army.

24 (b) The Army shall retain responsibility for and oper-
25 ational control of the MQ-1C Gray Eagle Unmanned Aer-

1 ial Vehicle (UAV) in order to support the Secretary of De-
2 fense in matters relating to the employment of unmanned
3 aerial vehicles.

4 SEC. 8078. None of the funds appropriated by this
5 Act for programs of the Office of the Director of National
6 Intelligence shall remain available for obligation beyond
7 the current fiscal year, except for funds appropriated for
8 research and technology, which shall remain available until
9 September 30, 2021.

10 SEC. 8079. For purposes of section 1553(b) of title
11 31, United States Code, any subdivision of appropriations
12 made in this Act under the heading “Shipbuilding and
13 Conversion, Navy” shall be considered to be for the same
14 purpose as any subdivision under the heading “Ship-
15 building and Conversion, Navy” appropriations in any
16 prior fiscal year, and the 1 percent limitation shall apply
17 to the total amount of the appropriation.

18 SEC. 8080. (a) Not later than 60 days after the date
19 of enactment of this Act, the Director of National Intel-
20 ligence shall submit a report to the congressional intel-
21 ligence committees to establish the baseline for application
22 of reprogramming and transfer authorities for fiscal year
23 2020: *Provided*, That the report shall include—

24 (1) a table for each appropriation with a sepa-
25 rate column to display the President’s budget re-

1 quest, adjustments made by Congress, adjustments
2 due to enacted rescissions, if appropriate, and the
3 fiscal year enacted level;

4 (2) a delineation in the table for each appro-
5 priation by Expenditure Center and project; and

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

8 (b) None of the funds provided for the National Intel-
9 ligence Program in this Act shall be available for re-
10 programming or transfer until the report identified in sub-
11 section (a) is submitted to the congressional intelligence
12 committees, unless the Director of National Intelligence
13 certifies in writing to the congressional intelligence com-
14 mittees that such reprogramming or transfer is necessary
15 as an emergency requirement.

16 SEC. 8081. Notwithstanding any other provision of
17 law, any transfer of funds, appropriated or otherwise made
18 available by this Act, for support to friendly foreign coun-
19 tries in connection with the conduct of operations in which
20 the United States is not participating, pursuant to section
21 331(d) of title 10, United States Code, shall be made in
22 accordance with sections 8005 or 9002 of this Act, as ap-
23 plicable.

24 SEC. 8082. Any transfer of amounts appropriated to,
25 credited to, or deposited in the Department of Defense Ac-

1 acquisition Workforce Development Fund in or for fiscal
2 year 2020 to a military department or Defense Agency
3 pursuant to section 1705(e)(1) of title 10, United States
4 Code, shall be covered by and subject to sections 8005 or
5 9002 of this Act, as applicable.

6 SEC. 8083. None of the funds made available by this
7 Act for excess defense articles, assistance under section
8 333 of title 10, United States Code, or peacekeeping oper-
9 ations for the countries designated annually to be in viola-
10 tion of the standards of the Child Soldiers Prevention Act
11 of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may
12 be used to support any military training or operation that
13 includes child soldiers, as defined by the Child Soldiers
14 Prevention Act of 2008, unless such assistance is other-
15 wise permitted under section 404 of the Child Soldiers
16 Prevention Act of 2008.

17 SEC. 8084. (a) None of the funds provided for the
18 National Intelligence Program in this or any prior appro-
19 priations Act shall be available for obligation or expendi-
20 ture through a reprogramming or transfer of funds in ac-
21 cordance with section 102A(d) of the National Security
22 Act of 1947 (50 U.S.C. 3024(d)) that—

- 23 (1) creates a new start effort;
- 24 (2) terminates a program with appropriated
25 funding of \$10,000,000 or more;

1 (3) transfers funding into or out of the Na-
2 tional Intelligence Program; or

3 (4) transfers funding between appropriations,
4 unless the congressional intelligence committees are noti-
5 fied 30 days in advance of such reprogramming of funds;
6 this notification period may be reduced for urgent national
7 security requirements.

8 (b) None of the funds provided for the National Intel-
9 ligence Program in this or any prior appropriations Act
10 shall be available for obligation or expenditure through a
11 reprogramming or transfer of funds in accordance with
12 section 102A(d) of the National Security Act of 1947 (50
13 U.S.C. 3024(d)) that results in a cumulative increase or
14 decrease of the levels specified in the classified annex ac-
15 companying the Act unless the congressional intelligence
16 committees are notified 30 days in advance of such re-
17 programming of funds; this notification period may be re-
18 duced for urgent national security requirements.

19 SEC. 8085. The Director of National Intelligence
20 shall submit to Congress each year, at or about the time
21 that the President's budget is submitted to Congress that
22 year under section 1105(a) of title 31, United States
23 Code, a future-years intelligence program (including asso-
24 ciated annexes) reflecting the estimated expenditures and
25 proposed appropriations included in that budget. Any such

1 future-years intelligence program shall cover the fiscal
2 year with respect to which the budget is submitted and
3 at least the four succeeding fiscal years.

4 SEC. 8086. For the purposes of this Act, the term
5 “congressional intelligence committees” means the Perma-
6 nent Select Committee on Intelligence of the House of
7 Representatives, the Select Committee on Intelligence of
8 the Senate, the Subcommittee on Defense of the Com-
9 mittee on Appropriations of the House of Representatives,
10 and the Subcommittee on Defense of the Committee on
11 Appropriations of the Senate.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8087. During the current fiscal year, not to ex-
14 ceed \$11,000,000 from each of the appropriations made
15 in title II of this Act for “Operation and Maintenance,
16 Army”, “Operation and Maintenance, Navy”, and “Oper-
17 ation and Maintenance, Air Force” may be transferred by
18 the military department concerned to its central fund es-
19 tablished for Fisher Houses and Suites pursuant to sec-
20 tion 2493(d) of title 10, United States Code.

21 SEC. 8088. None of the funds appropriated by this
22 Act may be available for the purpose of making remit-
23 tances to the Department of Defense Acquisition Work-
24 force Development Fund in accordance with section 1705
25 of title 10, United States Code.

1 SEC. 8089. (a) Any agency receiving funds made
2 available in this Act, shall, subject to subsections (b) and
3 (c), post on the public Web site of that agency any report
4 required to be submitted by the Congress in this or any
5 other Act, upon the determination by the head of the agen-
6 cy that it shall serve the national interest.

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

8 (1) the public posting of the report com-
9 promises national security; or

10 (2) the report contains proprietary information.

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

15 SEC. 8090. (a) None of the funds appropriated or
16 otherwise made available by this Act may be expended for
17 any Federal contract for an amount in excess of
18 \$1,000,000, unless the contractor agrees not to—

19 (1) enter into any agreement with any of its
20 employees or independent contractors that requires,
21 as a condition of employment, that the employee or
22 independent contractor agree to resolve through ar-
23 bitration any claim under title VII of the Civil
24 Rights Act of 1964 or any tort related to or arising
25 out of sexual assault or harassment, including as-

1 sault and battery, intentional infliction of emotional
2 distress, false imprisonment, or negligent hiring, su-
3 pervision, or retention; or

4 (2) take any action to enforce any provision of
5 an existing agreement with an employee or inde-
6 pendent contractor that mandates that the employee
7 or independent contractor resolve through arbitra-
8 tion any claim under title VII of the Civil Rights Act
9 of 1964 or any tort related to or arising out of sex-
10 ual assault or harassment, including assault and
11 battery, intentional infliction of emotional distress,
12 false imprisonment, or negligent hiring, supervision,
13 or retention.

14 (b) None of the funds appropriated or otherwise
15 made available by this Act may be expended for any Fed-
16 eral contract unless the contractor certifies that it requires
17 each covered subcontractor to agree not to enter into, and
18 not to take any action to enforce any provision of, any
19 agreement as described in paragraphs (1) and (2) of sub-
20 section (a), with respect to any employee or independent
21 contractor performing work related to such subcontract.
22 For purposes of this subsection, a “covered subcon-
23 tractor” is an entity that has a subcontract in excess of
24 \$1,000,000 on a contract subject to subsection (a).

1 (c) The prohibitions in this section do not apply with
2 respect to a contractor's or subcontractor's agreements
3 with employees or independent contractors that may not
4 be enforced in a court of the United States.

5 (d) The Secretary of Defense may waive the applica-
6 tion of subsection (a) or (b) to a particular contractor or
7 subcontractor for the purposes of a particular contract or
8 subcontract if the Secretary or the Deputy Secretary per-
9 sonally determines that the waiver is necessary to avoid
10 harm to national security interests of the United States,
11 and that the term of the contract or subcontract is not
12 longer than necessary to avoid such harm. The determina-
13 tion shall set forth with specificity the grounds for the
14 waiver and for the contract or subcontract term selected,
15 and shall state any alternatives considered in lieu of a
16 waiver and the reasons each such alternative would not
17 avoid harm to national security interests of the United
18 States. The Secretary of Defense shall transmit to Con-
19 gress, and simultaneously make public, any determination
20 under this subsection not less than 15 business days be-
21 fore the contract or subcontract addressed in the deter-
22 mination may be awarded.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 8091. From within the funds appropriated for
25 operation and maintenance for the Defense Health Pro-

1 gram in this Act, up to \$129,000,000, shall be available
2 for transfer to the Joint Department of Defense-Depart-
3 ment of Veterans Affairs Medical Facility Demonstration
4 Fund in accordance with the provisions of section 1704
5 of the National Defense Authorization Act for Fiscal Year
6 2010, Public Law 111–84: *Provided*, That for purposes
7 of section 1704(b), the facility operations funded are oper-
8 ations of the integrated Captain James A. Lovell Federal
9 Health Care Center, consisting of the North Chicago Vet-
10 erans Affairs Medical Center, the Navy Ambulatory Care
11 Center, and supporting facilities designated as a combined
12 Federal medical facility as described by section 706 of
13 Public Law 110–417: *Provided further*, That additional
14 funds may be transferred from funds appropriated for op-
15 eration and maintenance for the Defense Health Program
16 to the Joint Department of Defense-Department of Vet-
17 erans Affairs Medical Facility Demonstration Fund upon
18 written notification by the Secretary of Defense to the
19 Committees on Appropriations of the House of Represent-
20 atives and the Senate.

21 SEC. 8092. None of the funds appropriated or other-
22 wise made available by this Act may be used by the De-
23 partment of Defense or a component thereof in contraven-
24 tion of the provisions of section 130h of title 10, United
25 States Code.

1 SEC. 8093. Appropriations available to the Depart-
2 ment of Defense may be used for the purchase of heavy
3 and light armored vehicles for the physical security of per-
4 sonnel or for force protection purposes up to a limit of
5 \$450,000 per vehicle, notwithstanding price or other limi-
6 tations applicable to the purchase of passenger carrying
7 vehicles.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8094. Upon a determination by the Director of
10 National Intelligence that such action is necessary and in
11 the national interest, the Director may, with the approval
12 of the Office of Management and Budget, transfer not to
13 exceed \$1,000,000,000 of the funds made available in this
14 Act for the National Intelligence Program: *Provided*, That
15 such authority to transfer may not be used unless for
16 higher priority items, based on unforeseen intelligence re-
17 quirements, than those for which originally appropriated
18 and in no case where the item for which funds are re-
19 quested has been denied by the Congress: *Provided further*,
20 That a request for multiple reprogrammings of funds
21 using authority provided in this section shall be made
22 prior to June 30, 2020.

23 SEC. 8095. None of the funds appropriated or other-
24 wise made available in this or any other Act may be used
25 to transfer, release, or assist in the transfer or release to

1 or within the United States, its territories, or possessions
2 Khalid Sheikh Mohammed or any other detainee who—

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

5 (2) is or was held on or after June 24, 2009,
6 at United States Naval Station, Guantanamo Bay,
7 Cuba, by the Department of Defense.

8 SEC. 8096. None of the funds appropriated or other-
9 wise made available in this Act may be used to transfer
10 any individual detained at United States Naval Station
11 Guantánamo Bay, Cuba, to the custody or control of the
12 individual's country of origin, any other foreign country,
13 or any other foreign entity except in accordance with sec-
14 tion 1034 of the National Defense Authorization Act for
15 Fiscal Year 2016 (Public Law 114–92) and section 1035
16 of the National Defense Authorization Act for Fiscal Year
17 2019 (Public Law 115–232).

18 SEC. 8097. None of the funds made available by this
19 Act may be used in contravention of the War Powers Res-
20 olution (50 U.S.C. 1541 et seq.).

21 SEC. 8098. (a) None of the funds appropriated or
22 otherwise made available by this or any other Act may
23 be used by the Secretary of Defense, or any other official
24 or officer of the Department of Defense, to enter into a
25 contract, memorandum of understanding, or cooperative

1 agreement with, or make a grant to, or provide a loan
2 or loan guarantee to Rosoboronexport or any subsidiary
3 of Rosoboronexport.

4 (b) The Secretary of Defense may waive the limita-
5 tion in subsection (a) if the Secretary, in consultation with
6 the Secretary of State and the Director of National Intel-
7 ligence, determines that it is in the vital national security
8 interest of the United States to do so, and certifies in writ-
9 ing to the congressional defense committees that, to the
10 best of the Secretary's knowledge:

11 (1) Rosoboronexport has ceased the transfer of
12 lethal military equipment to, and the maintenance of
13 existing lethal military equipment for, the Govern-
14 ment of the Syrian Arab Republic;

15 (2) The armed forces of the Russian Federation
16 have withdrawn from Crimea, other than armed
17 forces present on military bases subject to agree-
18 ments in force between the Government of the Rus-
19 sian Federation and the Government of Ukraine;
20 and

21 (3) Agents of the Russian Federation have
22 ceased taking active measures to destabilize the con-
23 trol of the Government of Ukraine over eastern
24 Ukraine.

1 (c) The Inspector General of the Department of De-
2 fense shall conduct a review of any action involving
3 Rosoboronexport with respect to a waiver issued by the
4 Secretary of Defense pursuant to subsection (b), and not
5 later than 90 days after the date on which such a waiver
6 is issued by the Secretary of Defense, the Inspector Gen-
7 eral shall submit to the congressional defense committees
8 a report containing the results of the review conducted
9 with respect to such waiver.

10 SEC. 8099. None of the funds made available in this
11 Act may be used for the purchase or manufacture of a
12 flag of the United States unless such flags are treated as
13 covered items under section 2533a(b) of title 10, United
14 States Code.

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

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

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

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

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

12 (c) Any payments provided under a program under
13 subsection (a) shall not be considered an admission or ac-
14 knowledgement of any legal obligation to compensate for
15 any damage, personal injury, or death.

16 (d) If the Secretary of Defense determines a program
17 under subsection (a) to be appropriate in a particular set-
18 ting, the amounts of payments, if any, to be provided to
19 civilians determined to have suffered harm incident to
20 combat operations of the Armed Forces under the pro-
21 gram should be determined pursuant to regulations pre-
22 scribed by the Secretary and based on an assessment,
23 which should include such factors as cultural appropriate-
24 ness and prevailing economic conditions.

1 (e) Local military commanders shall receive legal ad-
2 vice before making ex gratia payments under this sub-
3 section. The legal advisor, under regulations of the De-
4 partment of Defense, shall advise on whether an ex gratia
5 payment is proper under this section and applicable De-
6 partment of Defense regulations.

7 (f) A written record of any ex gratia payment offered
8 or denied shall be kept by the local commander and on
9 a timely basis submitted to the appropriate office in the
10 Department of Defense as determined by the Secretary
11 of Defense.

12 (g) The Secretary of Defense shall report to the con-
13 gressional defense committees on an annual basis the effi-
14 cacy of the ex gratia payment program including the num-
15 ber of types of cases considered, amounts offered, the re-
16 sponse from ex gratia payment recipients, and any rec-
17 ommended modifications to the program.

18 SEC. 8101. The Secretary of Defense shall post grant
19 awards on a public website in a searchable format.

20 SEC. 8102. The Secretary of each military depart-
21 ment, in reducing each research, development, test and
22 evaluation and procurement account of the military de-
23 partment as required under paragraph (1) of section
24 828(d) of the National Defense Authorization Act for Fis-
25 cal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note),

1 as amended by section 825(a)(3) of the National Defense
2 Authorization Act for Fiscal Year 2018, shall allocate the
3 percentage reduction determined under paragraph (2) of
4 such section 828(d) proportionally from all programs,
5 projects, or activities under such account: *Provided*, That
6 the authority under section 804(d)(2) of the National De-
7 fense Authorization Act for Fiscal Year 2016 (Public Law
8 114–92; 10 U.S.C. 2302 note) to transfer amounts avail-
9 able in the Rapid Prototyping Fund shall be subject to
10 section 8005 or 9002 of this Act, as applicable.

11 SEC. 8103. None of the funds made available by this
12 Act may be used by the National Security Agency to—

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

17 (2) acquire, monitor, or store the contents (as
18 such term is defined in section 2510(8) of title 18,
19 United States Code) of any electronic communica-
20 tion of a United States person from a provider of
21 electronic communication services to the public pur-
22 suant to section 501 of the Foreign Intelligence Sur-
23 veillance Act of 1978.

24 SEC. 8104. None of the funds made available in this
25 or any other Act may be used to pay the salary of any

1 officer or employee of any agency funded by this Act who
2 approves or implements the transfer of administrative re-
3 sponsibilities or budgetary resources of any program,
4 project, or activity financed by this Act to the jurisdiction
5 of another Federal agency not financed by this Act with-
6 out the express authorization of Congress: *Provided*, That
7 this limitation shall not apply to transfers of funds ex-
8 pressly provided for in Defense Appropriations Acts, or
9 provisions of Acts providing supplemental appropriations
10 for the Department of Defense.

11 SEC. 8105. Of the amounts appropriated in this Act
12 for “Operation and Maintenance, Navy”, \$352,044,000,
13 to remain available until expended, may be used for any
14 purposes related to the National Defense Reserve Fleet
15 established under section 11 of the Merchant Ship Sales
16 Act of 1946 (46 U.S.C. 57100): *Provided*, That such
17 amounts are available for reimbursements to the Ready
18 Reserve Force, Maritime Administration account of the
19 United States Department of Transportation for pro-
20 grams, projects, activities, and expenses related to the Na-
21 tional Defense Reserve Fleet.

22 SEC. 8106. None of the funds made available in this
23 Act may be obligated for activities authorized under sec-
24 tion 1208 of the Ronald W. Reagan National Defense Au-
25 thorization Act for Fiscal Year 2005 (Public Law 112–

1 81; 125 Stat. 1621) to initiate support for, or expand sup-
2 port to, foreign forces, irregular forces, groups, or individ-
3 uals unless the congressional defense committees are noti-
4 fied in accordance with the direction contained in the clas-
5 sified annex accompanying this Act, not less than 15 days
6 before initiating such support: *Provided*, That none of the
7 funds made available in this Act may be used under sec-
8 tion 1208 for any activity that is not in support of an
9 ongoing military operation being conducted by United
10 States Special Operations Forces to combat terrorism:
11 *Provided further*, That the Secretary of Defense may waive
12 the prohibitions in this section if the Secretary determines
13 that such waiver is required by extraordinary cir-
14 cumstances and, by not later than 72 hours after making
15 such waiver, notifies the congressional defense committees
16 of such waiver.

17 SEC. 8107. None of the funds made available by this
18 Act may be used with respect to Iraq in contravention of
19 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-
20 cluding for the introduction of United States armed forces
21 into hostilities in Iraq, into situations in Iraq where immi-
22 nent involvement in hostilities is clearly indicated by the
23 circumstances, or into Iraqi territory, airspace, or waters
24 while equipped for combat, in contravention of the con-
25 gressional consultation and reporting requirements of sec-

1 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and
2 1543).

3 SEC. 8108. None of the funds provided in this Act
4 for the TAO Fleet Oiler program or the FFG-Frigate pro-
5 gram shall be used to award a new contract that provides
6 for the acquisition of the following components unless
7 those components are manufactured in the United States:
8 Auxiliary equipment (including pumps) for shipboard serv-
9 ices; propulsion equipment (including engines, reduction
10 gears, and propellers); shipboard cranes; and spreaders for
11 shipboard cranes.

12 SEC. 8109. No amounts credited or otherwise made
13 available in this or any other Act to the Department of
14 Defense Acquisition Workforce Development Fund may be
15 transferred to:

16 (1) the Rapid Prototyping Fund established
17 under section 804(d) of the National Defense Au-
18 thorization Act for Fiscal Year 2016 (10 U.S.C.
19 2302 note); or

20 (2) credited to a military-department specific
21 fund established under section 804(d)(2) of the Na-
22 tional Defense Authorization Act for Fiscal Year
23 2016 (as amended by section 897 of the National
24 Defense Authorization Act for Fiscal Year 2017).

1 SEC. 8110. None of the funds made available by this
2 Act may be used for Government Travel Charge Card ex-
3 penses by military or civilian personnel of the Department
4 of Defense for gaming, or for entertainment that includes
5 topless or nude entertainers or participants, as prohibited
6 by Department of Defense FMR, Volume 9, Chapter 3
7 and Department of Defense Instruction 1015.10 (enclo-
8 sure 3, 14a and 14b).

9 SEC. 8111. None of the funds appropriated by this
10 or any other Act may be made available to deliver F-35
11 air vehicles or any other F-35 weapon system equipment
12 to the Republic of Turkey.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8112. Of the amounts appropriated in this Act,
15 the Secretary of Defense may use up to \$82,046,000
16 under the heading “Operation and Maintenance, Defense-
17 Wide”, and up to \$44,001,000 under the heading “Re-
18 search, Development, Test and Evaluation, Defense-
19 Wide” to develop, replace, and sustain Federal Govern-
20 ment security and suitability background investigation in-
21 formation technology systems of the Office of Personnel
22 Management or other Federal agency responsible for con-
23 ducting such investigations: *Provided*, That the Secretary
24 may transfer additional amounts into these headings or
25 into “Procurement, Defense-Wide” using established re-

1 programming procedures prescribed in the Department of
2 Defense Financial Management Regulation 7000.14, Vol-
3 ume 3, Chapter 6, dated September 2015: *Provided fur-*
4 *ther*, That such funds shall supplement, not supplant any
5 other amounts made available to other Federal agencies
6 for such purposes.

7 SEC. 8113. (a) None of the funds made available in
8 this Act may be used to maintain or establish a computer
9 network unless such network is designed to block access
10 to pornography websites.

11 (b) Nothing in subsection (a) shall limit the use of
12 funds necessary for any Federal, State, tribal, or local law
13 enforcement agency or any other entity carrying out crimi-
14 nal investigations, prosecution, or adjudication activities,
15 or for any activity necessary for the national defense, in-
16 cluding intelligence activities.

17 SEC. 8114. Notwithstanding any other provision of
18 law, any transfer of funds appropriated or otherwise made
19 available by this Act to the Global Engagement Center es-
20 tablished by section 1287 of the National Defense Author-
21 ization Act for Fiscal Year 2017 (Public Law 114–328;
22 130 Stat. 22 U.S.C. 2656 note) shall be made in accord-
23 ance with section 8005 or 9002 of this Act, as applicable.

24 SEC. 8115. In addition to amounts provided else-
25 where in this Act, there is appropriated \$270,000,000, for

1 an additional amount for “Operation and Maintenance,
2 Defense-Wide”, to remain available until expended: *Pro-*
3 *vided*, That such funds shall only be available to the Sec-
4 retary of Defense, acting through the Office of Economic
5 Adjustment of the Department of Defense, or for transfer
6 to the Secretary of Education, notwithstanding any other
7 provision of law, to make grants, conclude cooperative
8 agreements, or supplement other Federal funds to con-
9 struct, renovate, repair, or expand elementary and sec-
10 ondary public schools on military installations in order to
11 address capacity or facility condition deficiencies at such
12 schools: *Provided further*, That in making such funds
13 available, the Office of Economic Adjustment or the Sec-
14 retary of Education shall give priority consideration to
15 those military installations with schools having the most
16 serious capacity or facility condition deficiencies as deter-
17 mined by the Secretary of Defense: *Provided further*, That
18 as a condition of receiving funds under this section a local
19 educational agency or State shall provide a matching share
20 as described in the notice titled “Department of Defense
21 Program for Construction, Renovation, Repair or Expan-
22 sion of Public Schools Located on Military Installations”
23 published by the Department of Defense in the Federal
24 Register on September 9, 2011 (76 Fed. Reg. 55883 et
25 seq.): *Provided further*, That these provisions apply to

1 funds provided under this section, and to funds previously
2 provided by Congress to construct, renovate, repair, or ex-
3 pand elementary and secondary public schools on military
4 installations in order to address capacity or facility condi-
5 tion deficiencies at such schools to the extent such funds
6 remain unobligated on the date of enactment of this sec-
7 tion.

8 SEC. 8116. In carrying out the program described in
9 the memorandum on the subject of “Policy for Assisted
10 Reproductive Services for the Benefit of Seriously or Se-
11 verely Ill/Injured (Category II or III) Active Duty Service
12 Members” issued by the Assistant Secretary of Defense
13 for Health Affairs on April 3, 2012, and the guidance
14 issued to implement such memorandum, the Secretary of
15 Defense shall apply such policy and guidance, except
16 that—

17 (1) the limitation on periods regarding embryo
18 cryopreservation and storage set forth in part III(G)
19 and in part IV(H) of such memorandum shall not
20 apply; and

21 (2) the term “assisted reproductive technology”
22 shall include embryo cryopreservation and storage
23 without limitation on the duration of such
24 cryopreservation and storage.

1 SEC. 8117. None of the funds made available by this
2 Act may be used to provide arms, training, or other assist-
3 ance to the Azov Battalion.

4 SEC. 8118. None of the funds provided for, or other-
5 wise made available, in this or any other Act, may be obli-
6 gated or expended by the Secretary of Defense to provide
7 motorized vehicles, aviation platforms, munitions other
8 than small arms and munitions appropriate for customary
9 ceremonial honors, operational military units, or oper-
10 ational military platforms if the Secretary determines that
11 providing such units, platforms, or equipment would un-
12 dermine the readiness of such units, platforms, or equip-
13 ment.

14 SEC. 8119. The Secretary of Defense may obligate
15 and expend funds made available under this Act for pro-
16 curement or for research, development, test and evaluation
17 for the F-35 Joint Strike Fighter to modify up to six F-
18 35 aircraft, including up to two F-35 aircraft of each vari-
19 ant, to a test configuration: *Provided*, That the Secretary
20 of Defense shall, with the concurrence of the Secretary
21 of the Air Force and the Secretary of the Navy, notify
22 the congressional defense committees not fewer than 30
23 days prior to obligating and expending funds under this
24 section: *Provided further*, That any transfer of funds pur-
25 suant to the authority provided in this section shall be

1 made in accordance with sections 8005 or 9002 of this
2 Act, as appropriate, if applicable: *Provided further*, That
3 aircraft referred to previously in this section are not addi-
4 tional to aircraft referred to in section 8135 of the Depart-
5 ment of Defense Appropriations Act, 2019.

6 SEC. 8120. Amounts appropriated for “Defense
7 Health Program” in this Act and hereafter may be obli-
8 gated to make death gratuity payments, as authorized in
9 subchapter II of chapter 75 of title 10, United States
10 Code, if no appropriation for “Military Personnel” is avail-
11 able for obligation for such payments: *Provided*, That such
12 obligations may subsequently be recorded against appro-
13 priations available for “Military Personnel”.

14 SEC. 8121. (a) None of the funds made available by
15 this or any other Act may be used to enter into a contract,
16 memorandum of understanding, or cooperative agreement
17 with, make a grant to, or provide a loan or loan guarantee
18 to any corporation that has any unpaid Federal tax liabil-
19 ity that has been assessed, for which all judicial and ad-
20 ministrative remedies have been exhausted or have lapsed,
21 and that is not being paid in a timely manner pursuant
22 to an agreement with the authority responsible for col-
23 lecting such tax liability, provided that the applicable Fed-
24 eral agency is aware of the unpaid Federal tax liability.

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

7 SEC. 8122. None of the funds made available by this
8 Act may be used in contravention of—

9 (1) Executive Order No. 13175 (65 Fed. Reg.
10 67249; relating to consultation and coordination
11 with Indian Tribal governments); or

12 (2) section 1501.2(d)(2) of title 40, Code of
13 Federal Regulations.

14 SEC. 8123. Funds appropriated for the Next Genera-
15 tion Aerial Refueling Aircraft (KC-46), Missile Segment
16 Enhancement (MSE) Missile, and Trident missile pro-
17 grams by the Department of Defense Appropriations Act,
18 2014 (division C of Public Law 113-76) and the Depart-
19 ment of Defense Appropriations Act, 2015 (division C of
20 Public Law 113-235) are to remain available through fis-
21 cal year 2024 for the liquidation of valid obligations in-
22 curred for the programs specified in this section as of Sep-
23 tember 30, 2016.

24 SEC. 8124. During fiscal year 2020, any advance bill-
25 ing for background investigation services and related serv-

1 ices purchased from activities financed using Defense
2 Working Capital Funds shall be excluded from the calcula-
3 tion of cumulative advance billings under section
4 2208(l)(3) of title 10, United States Code.

5 SEC. 8125. None of the funds appropriated or other-
6 wise made available by this Act may be obligated or ex-
7 pended by the Department of Defense for the Space De-
8 velopment Agency (SDA), and not more than 50 percent
9 of the funds appropriated or otherwise made available by
10 this Act may be obligated or expended by the Department
11 of Defense for the Next Generation Overhead Persistent
12 Infrared program (PE 1206442F) until a period of 90
13 days has elapsed following the date on which the Secretary
14 of Defense, in consultation with the Secretary of the Air
15 Force and the Under Secretary of Defense for Research
16 and Engineering, submits to the congressional defense
17 committees—

18 (1) the proposed plan to establish the SDA, and
19 a description of the programs and projects the SDA
20 plans to carry out over the next three years, includ-
21 ing associated funding requirements;

22 (2) a description of how the Air Force and the
23 SDA will coordinate and cooperate to develop an
24 agreed-upon integrated space architecture that will
25 guide both SDA and Air Force investments;

1 (3) the process by which the SDA and the Air
2 Force will cooperate in demonstrating and proto-
3 typing new capabilities, and transition to programs
4 of record;

5 (4) the proposed physical location of the SDA
6 and the proposed number of government and con-
7 tractor personnel expected to comprise the SDA in
8 the first three years; and

9 (5) a plan to transition the SDA into the Air
10 Force not later than fiscal year 2022, or into a
11 Space Force.

12 SEC. 8126. None of the funds appropriated or other-
13 wise made available by this or any other Act may be used
14 to transfer any element, personnel, property, or resources
15 of the intelligence community, as defined in section 3 of
16 the National Security Act of 1947 (50 U.S.C. 3003), to
17 the Space Force.

18 SEC. 8127. None of the funds appropriated or other-
19 wise made available by this Act or any prior appropria-
20 tions Acts may be used to construct a wall, fence, border
21 barriers, or border security infrastructure along the south-
22 ern land border of the United States.

1 TITLE IX
2 OVERSEAS CONTINGENCY OPERATIONS
3 MILITARY PERSONNEL

4 MILITARY PERSONNEL, ARMY

5 For an additional amount for “Military Personnel,
6 Army”, \$2,743,132,000: *Provided*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 MILITARY PERSONNEL, NAVY

12 For an additional amount for “Military Personnel,
13 Navy”, \$356,392,000: *Provided*, That such amount is des-
14 ignated by the Congress for Overseas Contingency Oper-
15 ations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 MILITARY PERSONNEL, MARINE CORPS

19 For an additional amount for “Military Personnel,
20 Marine Corps”, \$104,213,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$1,007,594,000: *Provided*, That such amount
4 is designated by the Congress for Overseas Contingency
5 Operations/Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 RESERVE PERSONNEL, ARMY

9 For an additional amount for “Reserve Personnel,
10 Army”, \$34,812,000: *Provided*, That such amount is des-
11 ignated by the Congress for Overseas Contingency Oper-
12 ations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 RESERVE PERSONNEL, NAVY

16 For an additional amount for “Reserve Personnel,
17 Navy”, \$11,370,000: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 RESERVE PERSONNEL, MARINE CORPS

23 For an additional amount for “Reserve Personnel,
24 Marine Corps”, \$3,599,000: *Provided*, That such amount
25 is designated by the Congress for Overseas Contingency

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

4 RESERVE PERSONNEL, AIR FORCE

5 For an additional amount for “Reserve Personnel,
6 Air Force”, \$16,428,000: *Provided*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 NATIONAL GUARD PERSONNEL, ARMY

12 For an additional amount for “National Guard Per-
13 sonnel, Army”, \$202,644,000: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, AIR FORCE

19 For an additional amount for “National Guard Per-
20 sonnel, Air Force”, \$5,624,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-
4 tenance, Army”, \$18,507,827,000: *Provided*, That such
5 amount is designated by the Congress for Overseas Con-
6 tingency Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 OPERATION AND MAINTENANCE, NAVY

10 For an additional amount for “Operation and Main-
11 tenance, Navy”, \$6,561,650,000, of which up to
12 \$190,000,000 may be transferred to the Coast Guard
13 “Operating Expenses” account: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 OPERATION AND MAINTENANCE, MARINE CORPS

19 For an additional amount for “Operation and Main-
20 tenance, Marine Corps”, \$1,124,791,000: *Provided*, That
21 such amount is designated by the Congress for Overseas
22 Contingency Operations/Global War on Terrorism pursu-
23 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
24 and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, AIR FORCE

2 For an additional amount for “Operation and Main-
3 tenance, Air Force”, \$9,314,379,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, DEFENSE-WIDE

9 For an additional amount for “Operation and Main-
10 tenance, Defense-Wide”, \$8,105,206,000: *Provided*, That
11 of the funds provided under this heading, not to exceed
12 \$450,000,000, to remain available until September 30,
13 2021, shall be for payments to reimburse key cooperating
14 nations for logistical, military, and other support, includ-
15 ing access, provided to United States military and stability
16 operations in Afghanistan and to counter the Islamic
17 State of Iraq and Syria: *Provided further*, That such reim-
18 bursement payments may be made in such amounts as the
19 Secretary of Defense, with the concurrence of the Sec-
20 retary of State, and in consultation with the Director of
21 the Office of Management and Budget, may determine,
22 based on documentation determined by the Secretary of
23 Defense to adequately account for the support provided,
24 and such determination is final and conclusive upon the
25 accounting officers of the United States, and 15 days fol-

1 lowing written notification to the appropriate congres-
2 sional committees: *Provided further*, That these funds may
3 be used for the purpose of providing specialized training
4 and procuring supplies and specialized equipment and pro-
5 viding such supplies and loaning such equipment on a non-
6 reimbursable basis to coalition forces supporting United
7 States military and stability operations in Afghanistan
8 and to counter the Islamic State of Iraq and Syria, and
9 15 days following written notification to the appropriate
10 congressional committees: *Provided further*, That these
11 funds may be used to support the Government of Jordan
12 in such amounts as the Secretary of Defense may deter-
13 mine, to enhance the ability of the armed forces of Jordan
14 to increase or sustain security along its borders, upon 15
15 days prior written notification to the congressional defense
16 committees outlining the amounts intended to be provided
17 and the nature of the expenses incurred: *Provided further*,
18 That of the funds provided under this heading, not to ex-
19 ceed \$749,178,000 to remain available until September
20 30, 2021, shall be available to provide support and assist-
21 ance to foreign security forces or other groups or individ-
22 uals to conduct, support or facilitate counterterrorism, cri-
23 sis response, or other Department of Defense security co-
24 operation programs: *Provided further*, That the Secretary
25 of Defense shall provide quarterly reports to the congres-

1 sional defense committees on the use of funds provided
2 in this paragraph: *Provided further*, That such amount is
3 designated by the Congress for Overseas Contingency Op-
4 erations/Global War on Terrorism pursuant to section
5 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985.

7 OPERATION AND MAINTENANCE, ARMY RESERVE

8 For an additional amount for “Operation and Main-
9 tenance, Army Reserve”, \$37,592,000: *Provided*, That
10 such amount is designated by the Congress for Overseas
11 Contingency Operations/Global War on Terrorism pursu-
12 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985.

14 OPERATION AND MAINTENANCE, NAVY RESERVE

15 For an additional amount for “Operation and Main-
16 tenance, Navy Reserve”, \$23,036,000: *Provided*, That
17 such amount is designated by the Congress for Overseas
18 Contingency Operations/Global War on Terrorism pursu-
19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
20 and Emergency Deficit Control Act of 1985.

21 OPERATION AND MAINTENANCE, MARINE CORPS

22 RESERVE

23 For an additional amount for “Operation and Main-
24 tenance, Marine Corps Reserve”, \$8,707,000: *Provided*,
25 That such amount is designated by the Congress for Over-

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

4 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

5 For an additional amount for “Operation and Main-
6 tenance, Air Force Reserve”, \$29,758,000: *Provided*, That
7 such amount is designated by the Congress for Overseas
8 Contingency Operations/Global War on Terrorism pursu-
9 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
10 and Emergency Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE, ARMY NATIONAL

12 GUARD

13 For an additional amount for “Operation and Main-
14 tenance, Army National Guard”, \$83,291,000: *Provided*,
15 That such amount is designated by the Congress for Over-
16 seas Contingency Operations/Global War on Terrorism
17 pursuant to section 251(b)(2)(A)(ii) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

20 For an additional amount for “Operation and Main-
21 tenance, Air National Guard”, \$176,909,000: *Provided*,
22 That such amount is designated by the Congress for Over-
23 seas Contingency Operations/Global War on Terrorism
24 pursuant to section 251(b)(2)(A)(ii) of the Balanced
25 Budget and Emergency Deficit Control Act of 1985.

1 AFGHANISTAN SECURITY FORCES FUND

2 For the “Afghanistan Security Forces Fund”,
3 \$4,503,978,000, to remain available until September 30,
4 2021: *Provided*, That such funds shall be available to the
5 Secretary of Defense for the purpose of allowing the Com-
6 mander, Combined Security Transition Command—Af-
7 ghanistan, or the Secretary’s designee, to provide assist-
8 ance, with the concurrence of the Secretary of State, to
9 the security forces of Afghanistan, including the provision
10 of equipment, supplies, services, training, facility and in-
11 frastructure repair, renovation, construction, and funding:
12 *Provided further*, That the Secretary of Defense may obli-
13 gate and expend funds made available to the Department
14 of Defense in this title for additional costs associated with
15 existing projects previously funded with amounts provided
16 under the heading “Afghanistan Infrastructure Fund” in
17 prior Acts: *Provided further*, That such costs shall be lim-
18 ited to contract changes resulting from inflation, market
19 fluctuation, rate adjustments, and other necessary con-
20 tract actions to complete existing projects, and associated
21 supervision and administration costs and costs for design
22 during construction: *Provided further*, That the Secretary
23 may not use more than \$50,000,000 under the authority
24 provided in this section: *Provided further*, That the Sec-
25 retary shall notify in advance such contract changes and

1 adjustments in annual reports to the congressional defense
2 committees: *Provided further*, That the authority to pro-
3 vide assistance under this heading is in addition to any
4 other authority to provide assistance to foreign nations:
5 *Provided further*, That contributions of funds for the pur-
6 poses provided herein from any person, foreign govern-
7 ment, or international organization may be credited to this
8 Fund, to remain available until expended, and used for
9 such purposes: *Provided further*, That the Secretary of De-
10 fense shall notify the congressional defense committees in
11 writing upon the receipt and upon the obligation of any
12 contribution, delineating the sources and amounts of the
13 funds received and the specific use of such contributions:
14 *Provided further*, That the Secretary of Defense shall, not
15 fewer than 15 days prior to obligating from this appro-
16 priation account, notify the congressional defense commit-
17 tees in writing of the details of any such obligation: *Pro-*
18 *vided further*, That the Secretary of Defense shall notify
19 the congressional defense committees in writing and not
20 fewer than 15 days prior to obligating funds for any pro-
21 posed new projects or transfer of funds between budget
22 sub-activity groups in excess of \$20,000,000: *Provided fur-*
23 *ther*, That the United States may accept equipment pro-
24 cured using funds provided under this heading in this or
25 prior Acts that was transferred to the security forces of

1 Afghanistan and returned by such forces to the United
2 States: *Provided further*, That equipment procured using
3 funds provided under this heading in this or prior Acts,
4 and not yet transferred to the security forces of Afghani-
5 stan or transferred to the security forces of Afghanistan
6 and returned by such forces to the United States, may
7 be treated as stocks of the Department of Defense upon
8 written notification to the congressional defense commit-
9 tees: *Provided further*, That of the funds provided under
10 this heading, not less than \$10,000,000 shall be for re-
11 cruitment and retention of women in the Afghanistan Na-
12 tional Security Forces, and the recruitment and training
13 of female security personnel: *Provided further*, That funds
14 appropriated under this heading and made available for
15 the salaries and benefits of personnel of the Afghanistan
16 Security Forces may only be used for personnel who are
17 enrolled in the Afghanistan Personnel and Pay System:
18 *Provided further*, That such amount is designated by the
19 Congress for Overseas Contingency Operations/Global
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
21 the Balanced Budget and Emergency Deficit Control Act
22 of 1985.

23 COUNTER-ISIS TRAIN AND EQUIP FUND

24 For the “Counter-Islamic State of Iraq and Syria
25 Train and Equip Fund”, \$1,295,000,000, to remain avail-

1 able until September 30, 2021: *Provided*, That such funds
2 shall be available to the Secretary of Defense in coordina-
3 tion with the Secretary of State, to provide assistance, in-
4 cluding training; equipment; logistics support, supplies,
5 and services; stipends; infrastructure repair and renova-
6 tion; and sustainment, to foreign security forces, irregular
7 forces, groups, or individuals participating, or preparing
8 to participate in activities to counter the Islamic State of
9 Iraq and Syria, and their affiliated or associated groups:
10 *Provided further*, That these funds may be used in such
11 amounts as the Secretary of Defense may determine to
12 enhance the border security of nations adjacent to conflict
13 areas including Jordan, Lebanon, Egypt, and Tunisia re-
14 sulting from actions of the Islamic State of Iraq and
15 Syria: *Provided further*, That amounts made available
16 under this heading shall be available to provide assistance
17 only for activities in a country designated by the Secretary
18 of Defense, in coordination with the Secretary of State,
19 as having a security mission to counter the Islamic State
20 of Iraq and Syria, and following written notification to the
21 congressional defense committees of such designation:
22 *Provided further*, That the Secretary of Defense shall en-
23 sure that prior to providing assistance to elements of any
24 forces or individuals, such elements or individuals are ap-
25 propriately vetted, including at a minimum, assessing such

1 elements for associations with terrorist groups or groups
2 associated with the Government of Iran; and receiving
3 commitments from such elements to promote respect for
4 human rights and the rule of law: *Provided further*, That
5 the Secretary of Defense shall, not fewer than 15 days
6 prior to obligating from this appropriation account, notify
7 the congressional defense committees in writing of the de-
8 tails of any such obligation: *Provided further*, That the
9 Secretary of Defense may accept and retain contributions,
10 including assistance in-kind, from foreign governments,
11 including the Government of Iraq and other entities, to
12 carry out assistance authorized under this heading: *Pro-*
13 *vided further*, That contributions of funds for the purposes
14 provided herein from any foreign government or other en-
15 tity may be credited to this Fund, to remain available until
16 expended, and used for such purposes: *Provided further*,
17 That the Secretary of Defense may waive a provision of
18 law relating to the acquisition of items and support serv-
19 ices or sections 40 and 40A of the Arms Export Control
20 Act (22 U.S.C. 2780 and 2785) if the Secretary deter-
21 mines that such provision of law would prohibit, restrict,
22 delay or otherwise limit the provision of such assistance
23 and a notice of and justification for such waiver is sub-
24 mitted to the congressional defense committees, the Com-
25 mittees on Appropriations and Foreign Relations of the

1 Senate and the Committees on Appropriations and For-
2 eign Affairs of the House of Representatives: *Provided fur-*
3 *ther*, That the United States may accept equipment pro-
4 cured using funds provided under this heading, or under
5 the heading, “Iraq Train and Equip Fund” in prior Acts,
6 that was transferred to security forces, irregular forces,
7 or groups participating, or preparing to participate in ac-
8 tivities to counter the Islamic State of Iraq and Syria and
9 returned by such forces or groups to the United States,
10 and such equipment may be treated as stocks of the De-
11 partment of Defense upon written notification to the con-
12 gressional defense committees: *Provided further*, That
13 equipment procured using funds provided under this head-
14 ing, or under the heading, “Iraq Train and Equip Fund”
15 in prior Acts, and not yet transferred to security forces,
16 irregular forces, or groups participating, or preparing to
17 participate in activities to counter the Islamic State of
18 Iraq and Syria may be treated as stocks of the Depart-
19 ment of Defense when determined by the Secretary to no
20 longer be required for transfer to such forces or groups
21 and upon written notification to the congressional defense
22 committees: *Provided further*, That the Secretary of De-
23 fense shall provide quarterly reports to the congressional
24 defense committees on the use of funds provided under
25 this heading, including, but not limited to, the number of

1 individuals trained, the nature and scope of support and
2 sustainment provided to each group or individual, the area
3 of operations for each group, and the contributions of
4 other countries, groups, or individuals: *Provided further*,
5 That such amount is designated by the Congress for Over-
6 seas Contingency Operations/Global War on Terrorism
7 pursuant to section 251(b)(2)(A)(ii) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985.

9 PROCUREMENT

10 AIRCRAFT PROCUREMENT, ARMY

11 For an additional amount for “Aircraft Procurement,
12 Army”, \$482,091,000, to remain available until Sep-
13 tember 30, 2022: *Provided*, That such amount is des-
14 ignated by the Congress for Overseas Contingency Oper-
15 ations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 MISSILE PROCUREMENT, ARMY

19 For an additional amount for “Missile Procurement,
20 Army”, \$1,414,218,000, to remain available until Sep-
21 tember 30, 2022: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 AIRCRAFT PROCUREMENT, NAVY

2 For an additional amount for “Aircraft Procurement,
3 Navy”, \$119,045,000, to remain available until September
4 30, 2022: *Provided*, That such amount is designated by
5 the Congress for Overseas Contingency Operations/Global
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
7 the Balanced Budget and Emergency Deficit Control Act
8 of 1985.

9 WEAPONS PROCUREMENT, NAVY

10 For an additional amount for “Weapons Procure-
11 ment, Navy”, \$116,429,000, to remain available until
12 September 30, 2022: *Provided*, That such amount is des-
13 ignated by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
18 CORPS

19 For an additional amount for “Procurement of Am-
20 muniton, Navy and Marine Corps”, \$204,814,000, to re-
21 main available until September 30, 2022: *Provided*, That
22 such amount is designated by the Congress for Overseas
23 Contingency Operations/Global War on Terrorism pursu-
24 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
25 and Emergency Deficit Control Act of 1985.

1 OTHER PROCUREMENT, NAVY

2 For an additional amount for “Other Procurement,
3 Navy”, \$351,300,000, to remain available until September
4 30, 2022: *Provided*, That such amount is designated by
5 the Congress for Overseas Contingency Operations/Global
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
7 the Balanced Budget and Emergency Deficit Control Act
8 of 1985.

9 PROCUREMENT, MARINE CORPS

10 For an additional amount for “Procurement, Marine
11 Corps”, \$20,589,000, to remain available until September
12 30, 2022: *Provided*, That such amount is designated by
13 the Congress for Overseas Contingency Operations/Global
14 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
15 the Balanced Budget and Emergency Deficit Control Act
16 of 1985.

17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For an additional amount for “Aircraft Procurement,
19 Air Force”, \$513,310,000, to remain available until Sep-
20 tember 30, 2022: *Provided*, That such amount is des-
21 ignated by the Congress for Overseas Contingency Oper-
22 ations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 MISSILE PROCUREMENT, AIR FORCE

2 For an additional amount for “Missile Procurement,
3 Air Force”, \$201,671,000, to remain available until Sep-
4 tember 30, 2022: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 PROCUREMENT OF AMMUNITION, AIR FORCE

10 For an additional amount for “Procurement of Am-
11 munition, Air Force”, \$939,433,000 to remain available
12 until September 30, 2022: *Provided*, That such amount
13 is designated by the Congress for Overseas Contingency
14 Operations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 OTHER PROCUREMENT, AIR FORCE

18 For an additional amount for “Other Procurement,
19 Air Force”, \$4,011,201,000, to remain available until
20 September 30, 2022: *Provided*, That such amount is des-
21 ignated by the Congress for Overseas Contingency Oper-
22 ations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 PROCUREMENT, DEFENSE-WIDE

2 For an additional amount for “Procurement, De-
3 fense-Wide”, \$465,987,000, to remain available until Sep-
4 tember 30, 2022: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

10 For procurement of rotary-wing aircraft; combat, tac-
11 tical and support vehicles; other weapons; and other pro-
12 curement items for the reserve components of the Armed
13 Forces, \$1,300,000,000, to remain available for obligation
14 until September 30, 2022: *Provided*, That the Chiefs of
15 National Guard and Reserve components shall, not later
16 than 30 days after enactment of this Act, individually sub-
17 mit to the congressional defense committees the mod-
18 ernization priority assessment for their respective Na-
19 tional Guard or Reserve component: *Provided further*,
20 That none of the funds made available by this paragraph
21 may be used to procure manned fixed wing aircraft, or
22 procure or modify missiles, munitions, or ammunition:
23 *Provided further*, That such amount is designated by the
24 Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

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

3 RESEARCH, DEVELOPMENT, TEST AND
4 EVALUATION

5 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
6 ARMY

7 For an additional amount for “Research, Develop-
8 ment, Test and Evaluation, Army”, \$169,074,000, to re-
9 main available until September 30, 2021: *Provided*, That
10 such amount is designated by the Congress for Overseas
11 Contingency Operations/Global War on Terrorism pursu-
12 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985.

14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
15 NAVY

16 For an additional amount for “Research, Develop-
17 ment, Test and Evaluation, Navy”, \$164,410,000, to re-
18 main available until September 30, 2021: *Provided*, That
19 such amount is designated by the Congress for Overseas
20 Contingency Operations/Global War on Terrorism pursu-
21 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
22 and Emergency Deficit Control Act of 1985.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 AIR FORCE

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Air Force”, \$128,248,000, to
5 remain available until September 30, 2021: *Provided*,
6 That such amount is designated by the Congress for Over-
7 seas Contingency Operations/Global War on Terrorism
8 pursuant to section 251(b)(2)(A)(ii) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985.

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
11 DEFENSE-WIDE

12 For an additional amount for “Research, Develop-
13 ment, Test and Evaluation, Defense-Wide”, \$382,636,000
14 , to remain available until September 30, 2021: *Provided*,
15 That such amount is designated by the Congress for Over-
16 seas Contingency Operations/Global War on Terrorism
17 pursuant to section 251(b)(2)(A)(ii) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 REVOLVING AND MANAGEMENT FUNDS
20 DEFENSE WORKING CAPITAL FUNDS

21 For an additional amount for “Defense Working
22 Capital Funds”, \$20,100,000: *Provided*, That such
23 amount is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to

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

3 OTHER DEPARTMENT OF DEFENSE PROGRAMS

4 DEFENSE HEALTH PROGRAM

5 For an additional amount for “Defense Health Pro-
6 gram”, \$347,746,000, which shall be for operation and
7 maintenance: *Provided*, That such amount is designated
8 by the Congress for Overseas Contingency Operations/
9 Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

13 DEFENSE

14 For an additional amount for “Drug Interdiction and
15 Counter-Drug Activities, Defense”, \$153,100,000: *Pro-*
16 *vided*, That the transfer authority contained in section
17 9002 in title IX of this Act shall not apply to amounts
18 made available under this heading: *Provided further*, That
19 such amount is designated by the Congress for Overseas
20 Contingency Operations/Global War on Terrorism pursu-
21 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
22 and Emergency Deficit Control Act of 1985.

23 OFFICE OF THE INSPECTOR GENERAL

24 For an additional amount for the “Office of the In-
25 spector General”, \$24,254,000: *Provided*, That such

1 construction project funded with appropriations available for
2 operation and maintenance or the “Afghanistan Security
3 Forces Fund” provided in this Act and executed in direct
4 support of overseas contingency operations in Afghani-
5 stan, may be obligated at the time a construction contract
6 is awarded: *Provided*, That, for the purpose of this section,
7 supervision and administration costs and costs for design
8 during construction include all in-house Government costs.

9 SEC. 9004. From funds made available in this title,
10 the Secretary of Defense may purchase for use by military
11 and civilian employees of the Department of Defense in
12 the United States Central Command area of responsi-
13 bility: (1) passenger motor vehicles up to a limit of
14 \$75,000 per vehicle; and (2) heavy and light armored vehi-
15 cles for the physical security of personnel or for force pro-
16 tection purposes up to a limit of \$450,000 per vehicle, not-
17 withstanding price or other limitations applicable to the
18 purchase of passenger carrying vehicles.

19 SEC. 9005. Not to exceed \$5,000,000 of the amounts
20 appropriated by this title under the heading “Operation
21 and Maintenance, Army” may be used, notwithstanding
22 any other provision of law, to fund the Commanders’
23 Emergency Response Program (CERP), for the purpose
24 of enabling military commanders in Afghanistan to re-
25 spond to urgent, small-scale, humanitarian relief and re-

1 construction requirements within their areas of responsi-
2 bility: *Provided*, That each project (including any ancillary
3 or related elements in connection with such project) exe-
4 cuted under this authority shall not exceed \$2,000,000:
5 *Provided further*, That not later than 45 days after the
6 end of each 6 months of the fiscal year, the Secretary of
7 Defense shall submit to the congressional defense commit-
8 tees a report regarding the source of funds and the alloca-
9 tion and use of funds during that 6-month period that
10 were made available pursuant to the authority provided
11 in this section or under any other provision of law for the
12 purposes described herein: *Provided further*, That, not
13 later than 30 days after the end of each fiscal year quar-
14 ter, the Army shall submit to the congressional defense
15 committees quarterly commitment, obligation, and expend-
16 iture data for the CERP in Afghanistan: *Provided further*,
17 That, not less than 15 days before making funds available
18 pursuant to the authority provided in this section or under
19 any other provision of law for the purposes described here-
20 in for a project with a total anticipated cost for completion
21 of \$500,000 or more, the Secretary shall submit to the
22 congressional defense committees a written notice con-
23 taining each of the following:

- 24 (1) The location, nature and purpose of the
25 proposed project, including how the project is in-

1 tended to advance the military campaign plan for
2 the country in which it is to be carried out.

3 (2) The budget, implementation timeline with
4 milestones, and completion date for the proposed
5 project, including any other CERP funding that has
6 been or is anticipated to be contributed to the com-
7 pletion of the project.

8 (3) A plan for the sustainment of the proposed
9 project, including the agreement with either the host
10 nation, a non-Department of Defense agency of the
11 United States Government or a third-party contrib-
12 utor to finance the sustainment of the activities and
13 maintenance of any equipment or facilities to be pro-
14 vided through the proposed project.

15 SEC. 9006. Funds available to the Department of De-
16 fense for operation and maintenance may be used, not-
17 withstanding any other provision of law, to provide sup-
18 plies, services, transportation, including airlift and sealift,
19 and other logistical support to allied forces participating
20 in a combined operation with the armed forces of the
21 United States and coalition forces supporting military and
22 stability operations in Afghanistan and to counter the Is-
23 lamic State of Iraq and Syria: *Provided*, That the Sec-
24 retary of Defense shall provide quarterly reports to the

1 congressional defense committees regarding support pro-
2 vided under this section.

3 SEC. 9007. None of the funds appropriated or other-
4 wise made available by this or any other Act shall be obli-
5 gated or expended by the United States Government for
6 a purpose as follows:

7 (1) To establish any military installation or
8 base for the purpose of providing for the permanent
9 stationing of United States Armed Forces in Iraq.

10 (2) To exercise United States control over any
11 oil resource of Iraq.

12 (3) To establish any military installation or
13 base for the purpose of providing for the permanent
14 stationing of United States Armed Forces in Af-
15 ghanistan.

16 SEC. 9008. None of the funds made available in this
17 Act may be used in contravention of the following laws
18 enacted or regulations promulgated to implement the
19 United Nations Convention Against Torture and Other
20 Cruel, Inhuman or Degrading Treatment or Punishment
21 (done at New York on December 10, 1984):

22 (1) Section 2340A of title 18, United States
23 Code.

24 (2) Section 2242 of the Foreign Affairs Reform
25 and Restructuring Act of 1998 (division G of Public

1 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
2 note) and regulations prescribed thereto, including
3 regulations under part 208 of title 8, Code of Fed-
4 eral Regulations, and part 95 of title 22, Code of
5 Federal Regulations.

6 (3) Sections 1002 and 1003 of the Department
7 of Defense, Emergency Supplemental Appropriations
8 to Address Hurricanes in the Gulf of Mexico, and
9 Pandemic Influenza Act, 2006 (Public Law 109–
10 148).

11 SEC. 9009. None of the funds provided for the “Af-
12 ghanistan Security Forces Fund” (ASFF) may be obli-
13 gated prior to the approval of a financial and activity plan
14 by the Afghanistan Resources Oversight Council (AROC)
15 of the Department of Defense: *Provided*, That the AROC
16 must approve the requirement and acquisition plan for any
17 service requirements in excess of \$50,000,000 annually
18 and any non-standard equipment requirements in excess
19 of \$100,000,000 using ASFF: *Provided further*, That the
20 Department of Defense must certify to the congressional
21 defense committees that the AROC has convened and ap-
22 proved a process for ensuring compliance with the require-
23 ments in the preceding proviso and accompanying report
24 language for the ASFF.

1 SEC. 9010. Funds made available in this title to the
2 Department of Defense for operation and maintenance
3 may be used to purchase items having an investment unit
4 cost of not more than \$250,000: *Provided*, That, upon de-
5 termination by the Secretary of Defense that such action
6 is necessary to meet the operational requirements of a
7 Commander of a Combatant Command engaged in contin-
8 gency operations overseas, such funds may be used to pur-
9 chase items having an investment item unit cost of not
10 more than \$500,000.

11 SEC. 9011. Up to \$500,000,000 of funds appro-
12 priated by this Act for the Defense Security Cooperation
13 Agency in “Operation and Maintenance, Defense-Wide”
14 may be used to provide assistance to the Government of
15 Jordan to support the armed forces of Jordan and to en-
16 hance security along its borders.

17 SEC. 9012. None of the funds made available by this
18 Act under the heading “Counter-ISIS Train and Equip
19 Fund” may be used to procure or transfer man-portable
20 air defense systems.

21 SEC. 9013. For the “Ukraine Security Assistance Ini-
22 tiative”, \$250,000,000 is hereby appropriated, to remain
23 available until September 30, 2020: *Provided*, That such
24 funds shall be available to the Secretary of Defense, in
25 coordination with the Secretary of State, to provide assist-

1 ance, including training; equipment; lethal assistance; lo-
2 gistics support, supplies and services; sustainment; and in-
3 telligence support to the military and national security
4 forces of Ukraine, and for replacement of any weapons
5 or articles provided to the Government of Ukraine from
6 the inventory of the United States: *Provided further*, That
7 of the amounts made available in this section,
8 \$50,000,000 shall be available only for lethal assistance
9 described in paragraphs (2) and (3) of section 1250(b)
10 of the National Defense Authorization Act for Fiscal Year
11 2016 (Public Law 114–92; 129 Stat. 1068): *Provided fur-*
12 *ther*, That the Secretary of Defense shall, not less than
13 15 days prior to obligating funds provided under this
14 heading, notify the congressional defense committees in
15 writing of the details of any such obligation: *Provided fur-*
16 *ther*, That the United States may accept equipment pro-
17 cured using funds provided under this heading in this or
18 prior Acts that was transferred to the security forces of
19 Ukraine and returned by such forces to the United States:
20 *Provided further*, That equipment procured using funds
21 provided under this heading in this or prior Acts, and not
22 yet transferred to the military or National Security Forces
23 of Ukraine or returned by such forces to the United
24 States, may be treated as stocks of the Department of De-
25 fense upon written notification to the congressional de-

1 fense committees: *Provided further*, That amounts made
2 available by this section are designated by the Congress
3 for Overseas Contingency Operations/Global War on Ter-
4 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
5 anced Budget and Emergency Deficit Control Act of 1985.

6 SEC. 9014. Funds appropriated in this title shall be
7 available for replacement of funds for items provided to
8 the Government of Ukraine from the inventory of the
9 United States to the extent specifically provided for in sec-
10 tion 9013 of this Act.

11 SEC. 9015. None of the funds made available by this
12 Act under section 9013 may be used to procure or transfer
13 man-portable air defense systems.

14 SEC. 9016. Equipment procured using funds provided
15 in prior Acts under the heading “Counterterrorism Part-
16 nerships Fund” for the program authorized by section
17 1209 of the Carl Levin and Howard P. “Buck” McKeon
18 National Defense Authorization Act for Fiscal Year 2015
19 (Public Law 113–291), and not yet transferred to author-
20 ized recipients may be transferred to foreign security
21 forces, irregular forces, groups, or individuals, authorized
22 to receive assistance using amounts provided under the
23 heading “Counter-ISIS Train and Equip Fund” in this
24 Act: *Provided*, That such equipment may be transferred

1 15 days following written notification to the congressional
2 defense committees.

3 SEC. 9017. (a) None of the funds appropriated or
4 otherwise made available by this Act under the heading
5 “Operation and Maintenance, Defense-Wide” for pay-
6 ments under section 1233 of Public Law 110–181 for re-
7 imbursement to the Government of Pakistan may be made
8 available unless the Secretary of Defense, in coordination
9 with the Secretary of State, certifies to the congressional
10 defense committees that the Government of Pakistan is—

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

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

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

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

6 (5) implementing policies to protect judicial
7 independence and due process of law;

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

11 (7) providing humanitarian organizations access
12 to detainees, internally displaced persons, and other
13 Pakistani civilians affected by the conflict.

14 (b) The Secretary of Defense, in coordination with
15 the Secretary of State, may waive the restriction in sub-
16 section (a) on a case-by-case basis by certifying in writing
17 to the congressional defense committees that it is in the
18 national security interest to do so: *Provided*, That if the
19 Secretary of Defense, in coordination with the Secretary
20 of State, exercises such waiver authority, the Secretaries
21 shall report to the congressional defense committees on
22 both the justification for the waiver and on the require-
23 ments of this section that the Government of Pakistan was
24 not able to meet: *Provided further*, That such report may
25 be submitted in classified form if necessary.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 9018. In addition to amounts otherwise made
3 available in this Act, \$500,000,000 is hereby appropriated
4 to the Department of Defense and made available for
5 transfer only to the operation and maintenance, military
6 personnel, and procurement accounts, to improve near-
7 term intelligence, surveillance, and reconnaissance capa-
8 bilities and related processing, exploitation, and dissemi-
9 nation functions of the Department of Defense: *Provided*,
10 That the transfer authority provided in this section is in
11 addition to any other transfer authority provided else-
12 where in this Act: *Provided further*, That not later than
13 30 days prior to exercising the transfer authority provided
14 in this section, the Secretary of Defense shall submit a
15 report to the congressional defense committees on the pro-
16 posed uses of these funds: *Provided further*, That the
17 funds provided in this section may not be transferred to
18 any program, project, or activity specifically limited or de-
19 nied by this Act: *Provided further*, That such funds may
20 not be obligated for new start efforts: *Provided further*,
21 That amounts made available by this section are des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985: *Provided further*, That the

1 authority to provide funding under this section shall termi-
2 nate on September 30, 2020.

3 SEC. 9019. None of the funds made available by this
4 Act may be used with respect to Syria in contravention
5 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
6 including for the introduction of United States armed or
7 military forces into hostilities in Syria, into situations in
8 Syria where imminent involvement in hostilities is clearly
9 indicated by the circumstances, or into Syrian territory,
10 airspace, or waters while equipped for combat, in con-
11 travention of the congressional consultation and reporting
12 requirements of sections 3 and 4 of that law (50 U.S.C.
13 1542 and 1543).

14 SEC. 9020. None of the funds in this Act may be
15 made available for the transfer of additional C-130 cargo
16 aircraft to the Afghanistan National Security Forces or
17 the Afghanistan Air Force until the Department of De-
18 fense provides a report to the congressional defense com-
19 mittees of the Afghanistan Air Force's medium airlift re-
20 quirements. The report should identify Afghanistan's abil-
21 ity to utilize and maintain existing medium lift aircraft
22 in the inventory and the best alternative platform, if nec-
23 essary, to provide additional support to the Afghanistan
24 Air Force's current medium airlift capacity.

1 SEC. 9021. Funds available for the Afghanistan Se-
2 curity Forces Fund may be used to provide limited train-
3 ing, equipment, and other assistance that would otherwise
4 be prohibited by 10 U.S.C. 362 to a unit of the security
5 forces of Afghanistan only if the Secretary certifies to the
6 congressional defense committees, within 30 days of a de-
7 cision to provide such assistance, that (1) a denial of such
8 assistance would present significant risk to U.S. or coal-
9 ition forces or significantly undermine United States na-
10 tional security objectives in Afghanistan; and (2) the Sec-
11 retary has sought a commitment by the Government of
12 Afghanistan to take all necessary corrective steps: *Pro-*
13 *vided*, That such certification shall be accompanied by a
14 report describing: (1) the information relating to the gross
15 violation of human rights; (2) the circumstances that ne-
16 cessitated the provision of such assistance; (3) the Afghan
17 security force unit involved; (4) the assistance provided
18 and the assistance withheld; and (5) the corrective steps
19 to be taken by the Government of Afghanistan: *Provided*
20 *further*, That every 120 days after the initial report an
21 additional report shall be submitted detailing the status
22 of any corrective steps taken by the Government of Af-
23 ghanistan: *Provided further*, That if the Government of Af-
24 ghanistan has not initiated necessary corrective steps
25 within one year of the certification, the authority under

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

5 SEC. 9022. None of the funds made available by this
6 Act may be used to pay the expenses of any member of
7 the Taliban to participate in any meeting that does not
8 include the participation of members of the Government
9 of Afghanistan or that restricts the participation of
10 women.

11 (RESCISSIONS)

12 SEC. 9023. Of the funds appropriated in Department
13 of Defense Appropriations Acts, the following funds are
14 hereby rescinded from the following accounts and pro-
15 grams in the specified amounts: *Provided*, That such
16 amounts are designated by the Congress for Overseas
17 Contingency Operations/Global War on Terrorism pursu-
18 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
19 and Emergency Deficit Control Act of 1985:

20 “Operation and Maintenance, Defense-Wide: Defense
21 Security Cooperation Account”, 2019/2020, \$7,000,000;

22 “Afghanistan Security Forces Fund”, 2019/2020,
23 \$30,000,000;

24 “Counter-ISIS Train and Equip Fund”, 2019/2020,
25 \$13,000,000; and

1 “Procurement of Ammunition, Navy and Marine
2 Corps”, 2019/2021, \$16,574,000.

3 SEC. 9024. Each amount designated in this Act by
4 the Congress for Overseas Contingency Operations/Global
5 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
6 the Balanced Budget and Emergency Deficit Control Act
7 of 1985 shall be available (or rescinded, if applicable) only
8 if the President subsequently so designates all such
9 amounts and transmits such designations to the Congress.

10 SEC. 9025. (a) The Authorization for Use of Military
11 Force (Public Law 107–40; 50 U.S.C. 1541 note) is here-
12 by repealed.

13 (b) The repeal contained in subsection (a)—

14 (1) takes effect on the date that is 240 days
15 after the date of the enactment of this Act; and

16 (2) applies with respect to each operation or
17 other action that is being carried out pursuant to
18 the Authorization for Use of Military Force initiated
19 before such effective date.

20 SEC. 9026. Nothing in this Act may be construed as
21 authorizing the use of force against Iran.

1 **TITLE X—TO DIRECT THE RE-**
2 **MOVAL OF UNITED STATES**
3 **ARMED FORCES FROM HOS-**
4 **TILITIES IN THE REPUBLIC**
5 **OF YEMEN THAT HAVE NOT**
6 **BEEN AUTHORIZED BY CON-**
7 **GRESS**

8 **SEC. 10001. FINDINGS.**

9 Congress makes the following findings:

10 (1) Congress has the sole power to declare war
11 under article I, section 8, clause 11 of the United
12 States Constitution.

13 (2) Congress has not declared war with respect
14 to, or provided a specific statutory authorization for,
15 the conflict between military forces led by Saudi
16 Arabia, including forces from the United Arab Emir-
17 ates, Bahrain, Kuwait, Egypt, Jordan, Morocco,
18 Senegal, and Sudan (the Saudi-led coalition),
19 against the Houthis, also known as Ansar Allah, in
20 the Republic of Yemen.

21 (3) Since March 2015, members of the United
22 States Armed Forces have been introduced into hos-
23 tilities between the Saudi-led coalition and the
24 Houthis, including providing to the Saudi-led coali-

1 tion aerial targeting assistance, intelligence sharing,
2 and mid-flight aerial refueling.

3 (4) The United States has established a Joint
4 Combined Planning Cell with Saudi Arabia, in which
5 members of the United States Armed Forces assist
6 in aerial targeting and help to coordinate military
7 and intelligence activities.

8 (5) In December 2017, Secretary of Defense
9 James N. Mattis stated, “We have gone in to be
10 very—to be helpful where we can in identifying how
11 you do target analysis and how you make certain
12 you hit the right thing.”.

13 (6) The conflict between the Saudi-led coalition
14 and the Houthis constitutes, within the meaning of
15 section 4(a) of the War Powers Resolution (50
16 U.S.C. 1543(a)), either hostilities or a situation
17 where imminent involvement in hostilities is clearly
18 indicated by the circumstances into which United
19 States Armed Forces have been introduced.

20 (7) Section 5(c) of the War Powers Resolution
21 (50 U.S.C. 1544(c)) states that “at any time that
22 United States Armed Forces are engaged in hos-
23 tilities outside the territory of the United States, its
24 possessions and territories without a declaration of
25 war or specific statutory authorization, such forces

1 shall be removed by the President if the Congress so
2 directs”.

3 (8) Section 8(c) of the War Powers Resolution
4 (50 U.S.C. 1547(c)) defines the introduction of
5 United States Armed Forces to include “the assign-
6 ment of members of such armed forces to command,
7 coordinate, participate in the movement of, or ac-
8 company the regular or irregular military forces of
9 any foreign country or government when such mili-
10 tary forces are engaged, or there exists an imminent
11 threat that such forces will become engaged, in hos-
12 tilities,” and activities that the United States is con-
13 ducting in support of the Saudi-led coalition, includ-
14 ing aerial refueling and targeting assistance, fall
15 within this definition.

16 (9) Section 1013 of the Department of State
17 Authorization Act, Fiscal Years 1984 and 1985 (50
18 U.S.C. 1546a) provides that any joint resolution or
19 bill to require the removal of United States Armed
20 Forces engaged in hostilities without a declaration of
21 war or specific statutory authorization shall be con-
22 sidered in accordance with the expedited procedures
23 of section 601(b) of the International Security and
24 Arms Export Control Act of 1976 (Public Law 94–
25 329; 90 Stat. 765).

1 (10) No specific statutory authorization for the
2 use of United States Armed Forces with respect to
3 the conflict between the Saudi-led coalition and the
4 Houthis in Yemen has been enacted, and no provi-
5 sion of law explicitly authorizes the provision of tar-
6 geting assistance or of midair refueling services to
7 warplanes of Saudi Arabia or the United Arab Emir-
8 ates that are engaged in such conflict.

9 **SEC. 10002. REMOVAL OF UNITED STATES ARMED FORCES**
10 **FROM HOSTILITIES IN THE REPUBLIC OF**
11 **YEMEN THAT HAVE NOT BEEN AUTHORIZED**
12 **BY CONGRESS.**

13 Pursuant to section 1013 of the Department of State
14 Authorization Act, Fiscal Years 1984 and 1985 (50
15 U.S.C. 1546a) and in accordance with the provisions of
16 section 601(b) of the International Security Assistance
17 and Arms Export Control Act of 1976 (Public Law 94–
18 329; 90 Stat. 765), Congress hereby directs the President
19 to remove United States Armed Forces from hostilities in
20 or affecting the Republic of Yemen, except United States
21 Armed Forces engaged in operations directed at al Qaeda
22 or associated forces, by not later than the date that is
23 30 days after the date of the enactment of this Act (unless
24 the President requests and Congress authorizes a later
25 date), and unless and until a declaration of war or specific

1 authorization for such use of United States Armed Forces
2 has been enacted. For purposes of this title, in this sec-
3 tion, the term “hostilities” includes in-flight refueling of
4 non-United States aircraft conducting missions as part of
5 the ongoing civil war in Yemen.

6 **SEC. 10003. RULE OF CONSTRUCTION REGARDING CONTIN-**
7 **UED MILITARY OPERATIONS AND COOPERA-**
8 **TION WITH ISRAEL.**

9 Nothing in this title shall be construed to influence
10 or disrupt any military operations and cooperation with
11 Israel.

12 **SEC. 10004. RULE OF CONSTRUCTION REGARDING INTEL-**
13 **LIGENCE SHARING.**

14 Nothing in this title may be construed to influence
15 or disrupt any intelligence, counterintelligence, or inves-
16 tigative activities relating to threats in or emanating from
17 Yemen conducted by, or in conjunction with, the United
18 States Government involving—

- 19 (1) the collection of intelligence;
20 (2) the analysis of intelligence; or
21 (3) the sharing of intelligence between the
22 United States and any coalition partner if the Presi-
23 dent determines such sharing is appropriate and in
24 the national security interests of the United States.

1 **SEC. 10005. REPORT ON RISKS POSED BY CEASING SAUDI**
2 **ARABIA SUPPORT OPERATIONS.**

3 Not later than 90 days after the date of the enact-
4 ment of this Act, the President shall submit to Congress
5 a report assessing the risks posed to United States citizens
6 and the civilian population of Saudi Arabia and the risk
7 of regional humanitarian crises if the United States were
8 to cease support operations with respect to the conflict be-
9 tween the Saudi-led coalition and the Houthis in Yemen.

10 **SEC. 10006. REPORT ON INCREASED RISK OF TERRORIST**
11 **ATTACKS TO UNITED STATES ARMED FORCES**
12 **ABROAD, ALLIES, AND THE CONTINENTAL**
13 **UNITED STATES IF SAUDI ARABIA CEASES**
14 **YEMEN-RELATED INTELLIGENCE SHARING**
15 **WITH THE UNITED STATES.**

16 Not later than 90 days after the date of the enact-
17 ment of this Act, the President shall submit to Congress
18 a report assessing the increased risk of terrorist attacks
19 on United States Armed Forces abroad, allies, and to the
20 continental United States if the Government of Saudi Ara-
21 bia were to cease Yemen-related intelligence sharing with
22 the United States.

1 **SEC. 10007. RULE OF CONSTRUCTION REGARDING NO AU-**
2 **THORIZATION FOR USE OF MILITARY FORCE.**

3 Consistent with section 8(a)(1) of the War Powers
4 Resolution (50 U.S.C. 1547(a)(1)), nothing in this title
5 may be construed as authorizing the use of military force.

6 **TITLE XI—ADDITIONAL GENERAL PROVISIONS**

7 **SEC. 11001.** 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 **SEC. 11002.** Any reference to a “report accom-
12 panying this Act” contained in this division shall be treat-
13 ed as a reference to House Report 116-84. The effect of
14 such Report shall be limited to this division and shall
15 apply for purposes of determining the allocation of funds
16 provided by, and the implementation of, this division.

17 This Act may be cited as the “Department of Defense
18 Appropriations Act, 2020”.

19 **DIVISION D—DEPARTMENT OF STATE,**
20 **FOREIGN OPERATIONS, AND RELATED**
21 **PROGRAMS APPROPRIATIONS ACT,**
22 **2020**

23 The following sums are appropriated, out of any
24 money in the Treasury not otherwise appropriated, for the
25 Department of State, foreign operations, and related pro-

1 grams for the fiscal year ending September 30, 2020, and
2 for other purposes, namely:

3 TITLE I
4 DEPARTMENT OF STATE AND RELATED
5 AGENCY
6 DEPARTMENT OF STATE
7 ADMINISTRATION OF FOREIGN AFFAIRS
8 DIPLOMATIC PROGRAMS

9 For necessary expenses of the Department of State
10 and the Foreign Service not otherwise provided for,
11 \$9,245,766,000, of which up to \$772,480,000 may remain
12 available until September 30, 2021, and of which up to
13 \$4,095,899,000 may remain available until expended for
14 Worldwide Security Protection: *Provided*, That of the
15 amount made available under this heading for Worldwide
16 Security Protection, \$2,626,122,000 is designated by the
17 Congress for Overseas Contingency Operations/Global
18 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
19 the Balanced Budget and Emergency Deficit Control Act
20 of 1985: *Provide further*, That designated funds made
21 available under this heading shall be allocated in accord-
22 ance with paragraphs (1) through (4) as follows:

23 (1) HUMAN RESOURCES.—For necessary ex-
24 penses for training, human resources management,
25 and salaries, including employment without regard

1 to civil service and classification laws of persons on
2 a temporary basis (not to exceed \$700,000), as au-
3 thorized by section 801 of the United States Infor-
4 mation and Educational Exchange Act of 1948,
5 \$2,900,417,000, of which up to \$509,782,000 is for
6 Worldwide Security Protection.

7 (2) OVERSEAS PROGRAMS.—For necessary ex-
8 penses for the regional bureaus of the Department
9 of State and overseas activities as authorized by law,
10 \$1,955,868,000.

11 (3) DIPLOMATIC POLICY AND SUPPORT.—For
12 necessary expenses for the functional bureaus of the
13 Department of State, including representation to
14 certain international organizations in which the
15 United States participates pursuant to treaties rati-
16 fied pursuant to the advice and consent of the Sen-
17 ate or specific Acts of Congress, general administra-
18 tion, and arms control, nonproliferation and disar-
19 mament activities as authorized, \$780,057,000.

20 (4) SECURITY PROGRAMS.—For necessary ex-
21 penses for security activities, \$3,609,424,000, of
22 which up to \$3,586,117,000 is for Worldwide Secu-
23 rity Protection.

1 (5) FEES AND PAYMENTS COLLECTED.—In ad-
2 dition to amounts otherwise made available under
3 this heading—

4 (A) as authorized by section 810 of the
5 United States Information and Educational Ex-
6 change Act, not to exceed \$5,000,000, to re-
7 main available until expended, may be credited
8 to this appropriation from fees or other pay-
9 ments received from English teaching, library,
10 motion pictures, and publication programs and
11 from fees from educational advising and coun-
12 seling and exchange visitor programs; and

13 (B) not to exceed \$15,000, which shall be
14 derived from reimbursements, surcharges, and
15 fees for use of Blair House facilities.

16 (6) TRANSFER OF FUNDS, REPROGRAMMING,
17 AND OTHER MATTERS.—

18 (A) Notwithstanding any other provision of
19 this Act, funds may be reprogrammed within
20 and between paragraphs (1) through (4) under
21 this heading subject to section 7015 of this Act.

22 (B) Of the amount made available under
23 this heading, not to exceed \$10,000,000 may be
24 transferred to, and merged with, funds made
25 available by this Act under the heading “Emer-

1 agencies in the Diplomatic and Consular Serv-
2 ice”, to be available only for emergency evacu-
3 ations and rewards, as authorized.

4 (C) Funds appropriated under this heading
5 are available for acquisition by exchange or pur-
6 chase of passenger motor vehicles as authorized
7 by law and, pursuant to section 1108(g) of title
8 31, United States Code, for the field examina-
9 tion of programs and activities in the United
10 States funded from any account contained in
11 this title.

12 (7) CLARIFICATION.—References to the “Diplo-
13 matic and Consular Programs” account in any pro-
14 vision of law shall in this fiscal year, and each fiscal
15 year thereafter, be construed to include the “Diplo-
16 matic Programs” account.

17 CAPITAL INVESTMENT FUND

18 For necessary expenses of the Capital Investment
19 Fund, as authorized, \$140,000,000, to remain available
20 until expended.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General, \$90,829,000, notwithstanding section 209(a)(1)
24 of the Foreign Service Act of 1980 (22 U.S.C.
25 3929(a)(1)), as it relates to post inspections: *Provided,*

1 That of the funds appropriated by this paragraph,
2 \$13,624,000 may remain available until September 30,
3 2021.

4 In addition, for the Special Inspector General for Af-
5 ghanistan Reconstruction (SIGAR) for reconstruction
6 oversight, \$54,900,000, which is designated by the Con-
7 gress for Overseas Contingency Operations/Global War on
8 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
9 anced Budget and Emergency Deficit Control Act of 1985,
10 of which up to \$8,235,000 may remain available until Sep-
11 tember 30, 2021.

12 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

13 For expenses of educational and cultural exchange
14 programs, as authorized, \$730,000,000, to remain avail-
15 able until expended, of which not less than \$272,000,000
16 shall be for the Fulbright Program and not less than
17 \$111,961,000 shall be for Citizen Exchange Program:
18 *Provided*, That fees or other payments received from, or
19 in connection with, English teaching, educational advising
20 and counseling programs, and exchange visitor programs
21 as authorized may be credited to this account, to remain
22 available until expended: *Provided further*, That a portion
23 of the Fulbright awards from the Eurasia and Central
24 Asia regions shall be designated as Edmund S. Muskie
25 Fellowships, following consultation with the Committees

1 on Appropriations: *Provided further*, That any substantive
2 modifications from the prior fiscal year to programs fund-
3 ed by this Act under this heading shall be subject to prior
4 consultation with, and the regular notification procedures
5 of, the Committees on Appropriations.

6 REPRESENTATION EXPENSES

7 For representation expenses as authorized,
8 \$7,212,000.

9 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

10 For expenses, not otherwise provided, to enable the
11 Secretary of State to provide for extraordinary protective
12 services, as authorized, \$30,890,000, to remain available
13 until September 30, 2021.

14 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

15 For necessary expenses for carrying out the Foreign
16 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
17 preserving, maintaining, repairing, and planning for real
18 property that are owned or leased by the Department of
19 State, and renovating, in addition to funds otherwise avail-
20 able, the Harry S Truman Building, \$781,562,000, to re-
21 main available until September 30, 2024, of which not to
22 exceed \$25,000 may be used for overseas representation
23 expenses as authorized: *Provided*, That none of the funds
24 appropriated in this paragraph shall be available for acqui-

1 sition of furniture, furnishings, or generators for other de-
2 partments and agencies of the United States Government.

3 In addition, for the costs of worldwide security up-
4 grades, acquisition, and construction as authorized,
5 \$1,205,649,000, to remain available until expended, of
6 which \$424,087,000 is designated by the Congress for
7 Overseas Contingency Operations/Global War on Ter-
8 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
9 anced Budget and Emergency Deficit Control Act of 1985.

10 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
11 SERVICE

12 For necessary expenses to enable the Secretary of
13 State to meet unforeseen emergencies arising in the Diplo-
14 matic and Consular Service, as authorized, \$7,885,000, to
15 remain available until expended, of which not to exceed
16 \$1,000,000 may be transferred to, and merged with, funds
17 appropriated by this Act under the heading “Repatriation
18 Loans Program Account”.

19 REPATRIATION LOANS PROGRAM ACCOUNT

20 For the cost of direct loans, \$1,300,000, as author-
21 ized: *Provided*, That such costs, including the cost of
22 modifying such loans, shall be as defined in section 502
23 of the Congressional Budget Act of 1974: *Provided fur-*
24 *ther*, That such funds are available to subsidize gross obli-

1 gations for the principal amount of direct loans not to ex-
2 ceed \$5,563,619.

3 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

4 For necessary expenses to carry out the Taiwan Rela-
5 tions Act (Public Law 96–8), \$31,963,000.

6 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF

7 COLUMBIA

8 Not to exceed \$1,806,600 shall be derived from fees
9 collected from other executive agencies for lease or use of
10 facilities at the International Center in accordance with
11 section 4 of the International Center Act (Public Law 90–
12 553), and, in addition, as authorized by section 5 of such
13 Act, \$743,000, to be derived from the reserve authorized
14 by such section, to be used for the purposes set out in
15 that section.

16 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

17 DISABILITY FUND

18 For payment to the Foreign Service Retirement and
19 Disability Fund, as authorized, \$158,900,000.

20 INTERNATIONAL ORGANIZATIONS

21 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

22 For necessary expenses, not otherwise provided for,
23 to meet annual obligations of membership in international
24 multilateral organizations, pursuant to treaties ratified
25 pursuant to the advice and consent of the Senate, conven-

1 tions, or specific Acts of Congress, \$1,520,285,000, of
2 which \$96,240,000 is designated by the Congress for
3 Overseas Contingency Operations/Global War on Ter-
4 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
5 anced Budget and Emergency Deficit Control Act of 1985:
6 *Provided*, That the Secretary of State shall, at the time
7 of the submission of the President's budget to Congress
8 under section 1105(a) of title 31, United States Code,
9 transmit to the Committees on Appropriations the most
10 recent biennial budget prepared by the United Nations for
11 the operations of the United Nations: *Provided further*,
12 That any payment of arrearages under this heading shall
13 be directed to activities that are mutually agreed upon by
14 the United States and the respective international organi-
15 zation and shall be subject to the regular notification pro-
16 cedures of the Committees on Appropriations: *Provided*
17 *further*, That none of the funds appropriated under this
18 heading shall be available for a United States contribution
19 to an international organization for the United States
20 share of interest costs made known to the United States
21 Government by such organization for loans incurred on
22 or after October 1, 1984, through external borrowings.

1 priated under this heading may be made available for obli-
2 gation unless the Secretary of State certifies and reports
3 to the Committees on Appropriations on a peacekeeping
4 mission-by-mission basis that the United Nations is imple-
5 menting effective policies and procedures to prevent
6 United Nations employees, contractor personnel, and
7 peacekeeping troops serving in such mission from traf-
8 ficking in persons, exploiting victims of trafficking, or
9 committing acts of sexual exploitation and abuse or other
10 violations of human rights, and to hold accountable indi-
11 viduals who engage in such acts while participating in
12 such mission, including prosecution in their home coun-
13 tries and making information about such prosecutions
14 publicly available on the website of the United Nations:
15 *Provided further*, That the Secretary of State shall work
16 with the United Nations and foreign governments contrib-
17 uting peacekeeping troops to implement effective vetting
18 procedures to ensure that such troops have not violated
19 human rights: *Provided further*, That funds shall be avail-
20 able for peacekeeping expenses unless the Secretary of
21 State determines that United States manufacturers and
22 suppliers are not being given opportunities to provide
23 equipment, services, and material for United Nations
24 peacekeeping activities equal to those being given to for-
25 eign manufacturers and suppliers: *Provided further*, That

1 none of the funds appropriated or otherwise made avail-
2 able under this heading may be used for any United Na-
3 tions peacekeeping mission that will involve United States
4 Armed Forces under the command or operational control
5 of a foreign national, unless the President's military advi-
6 sors have submitted to the President a recommendation
7 that such involvement is in the national interest of the
8 United States and the President has submitted to Con-
9 gress such a recommendation: *Provided further*, That the
10 Secretary of State shall work with the United Nations and
11 members of the United Nations Security Council to evalu-
12 ate and prioritize peacekeeping missions, and to consider
13 a draw down when mission goals have been substantially
14 achieved: *Provided further*, That, of the amounts appro-
15 priated under this heading, not less than \$478,994,000
16 shall be disbursed to the United Nations not later than
17 45 days after the enactment of this Act for the remaining
18 amounts necessary to pay in full for fiscal years 2017 and
19 2018 the United States share of the cost of international
20 peacekeeping activities in accordance with section
21 404(b)(2)(B) of the Foreign Relations Authorization Act,
22 Fiscal Years 1994 and 1995, (22 U.S.C. 287e note), as
23 amended by section 7048(h) of this Act.

1 INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided for,
3 to meet obligations of the United States arising under
4 treaties, or specific Acts of Congress, as follows:

5 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
6 UNITED STATES AND MEXICO

7 For necessary expenses for the United States Section
8 of the International Boundary and Water Commission,
9 United States and Mexico, and to comply with laws appli-
10 cable to the United States Section, including not to exceed
11 \$6,000 for representation expenses; as follows:

12 SALARIES AND EXPENSES

13 For salaries and expenses, not otherwise provided for,
14 \$48,170,000.

15 CONSTRUCTION

16 For detailed plan preparation and construction of au-
17 thorized projects, \$29,400,000, to remain available until
18 expended, as authorized.

19 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

20 For necessary expenses, not otherwise provided, for
21 the International Joint Commission and the International
22 Boundary Commission, United States and Canada, as au-
23 thorized by treaties between the United States and Can-
24 ada or Great Britain, and the Border Environment Co-
25 operation Commission as authorized by the North Amer-

1 ican Free Trade Agreement Implementation Act (Public
2 Law 103–182), \$12,732,000: *Provided*, That of the
3 amount provided under this heading for the International
4 Joint Commission, up to \$500,000 may remain available
5 until September 30, 2021, and \$9,000 may be made avail-
6 able for representation expenses: *Provided further*, That
7 of the amount provided under this heading for the Inter-
8 national Boundary Commission, \$1,000 may be made
9 available for representation expenses.

10 INTERNATIONAL FISHERIES COMMISSIONS

11 For necessary expenses for international fisheries
12 commissions, not otherwise provided for, as authorized by
13 law, \$51,058,000: *Provided*, That the United States share
14 of such expenses may be advanced to the respective com-
15 missions pursuant to section 3324 of title 31, United
16 States Code.

17 RELATED AGENCY

18 UNITED STATES AGENCY FOR GLOBAL MEDIA

19 INTERNATIONAL BROADCASTING OPERATIONS

20 For necessary expenses to enable the United States
21 Agency for Global Media (USAGM), as authorized, to
22 carry out international communication activities, and to
23 make and supervise grants for radio, Internet, and tele-
24 vision broadcasting to the Middle East, \$798,196,000:
25 *Provided*, That in addition to amounts otherwise available

1 for such purposes, up to \$34,508,000 of the amount ap-
2 propriated under this heading may remain available until
3 expended for satellite transmissions and Internet freedom
4 programs, of which not less than \$13,800,000 shall be for
5 Internet freedom programs: *Provided further*, That of the
6 total amount appropriated under this heading, not to ex-
7 ceed \$35,000 may be used for representation expenses, of
8 which \$10,000 may be used for such expenses within the
9 United States as authorized, and not to exceed \$30,000
10 may be used for representation expenses of Radio Free
11 Europe/Radio Liberty: *Provided further*, That the USAGM
12 shall notify the Committees on Appropriations within 15
13 days of any determination by the USAGM that any of its
14 broadcast entities, including its grantee organizations,
15 provides an open platform for international terrorists or
16 those who support international terrorism, or is in viola-
17 tion of the principles and standards set forth in sub-
18 sections (a) and (b) of section 303 of the United States
19 International Broadcasting Act of 1994 (22 U.S.C. 6202)
20 or the entity's journalistic code of ethics: *Provided further*,
21 That in addition to funds made available under this head-
22 ing, and notwithstanding any other provision of law, up
23 to \$5,000,000 in receipts from advertising and revenue
24 from business ventures, up to \$500,000 in receipts from
25 cooperating international organizations, and up to

1 \$1,000,000 in receipts from privatization efforts of the
2 Voice of America and the International Broadcasting Bu-
3 reau, shall remain available until expended for carrying
4 out authorized purposes: *Provided further*, That any ref-
5 erence to the “Broadcasting Board of Governors” or
6 “BBG”, including in any account providing amounts to
7 the Broadcasting Board of Governors, in any Act making
8 appropriations for the Department of State, foreign oper-
9 ations, and related programs enacted before, on, or after
10 the date of the enactment of this Act shall for this fiscal
11 year, and any fiscal year thereafter, be construed to mean
12 the “United States Agency for Global Media” or
13 “USAGM”, respectively.

14 BROADCASTING CAPITAL IMPROVEMENTS

15 For the purchase, rent, construction, repair, preser-
16 vation, and improvement of facilities for radio, television,
17 and digital transmission and reception; the purchase, rent,
18 and installation of necessary equipment for radio, tele-
19 vision, and digital transmission and reception, as author-
20 ized; and physical security worldwide, in addition to
21 amounts otherwise available for such purposes,
22 \$9,700,000, to remain available until expended, as author-
23 ized.

1 RELATED PROGRAMS

2 THE ASIA FOUNDATION

3 For a grant to The Asia Foundation, as authorized
4 by The Asia Foundation Act (22 U.S.C. 4402),
5 \$19,000,000, to remain available until expended: *Pro-*
6 *vided*, That funds appropriated under this heading shall
7 be apportioned and obligated to the Foundation not later
8 than 60 days after enactment of this Act.

9 UNITED STATES INSTITUTE OF PEACE

10 For necessary expenses of the United States Institute
11 of Peace, as authorized by the United States Institute of
12 Peace Act (22 U.S.C. 4601 et seq.), \$38,634,000, to re-
13 main available until September 30, 2021, which shall not
14 be used for construction activities.

15 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

16 TRUST FUND

17 For necessary expenses of the Center for Middle
18 Eastern-Western Dialogue Trust Fund, as authorized by
19 section 633 of the Departments of Commerce, Justice, and
20 State, the Judiciary, and Related Agencies Appropriations
21 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
22 est and earnings accruing to such Fund on or before Sep-
23 tember 30, 2020, to remain available until expended.

1 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

2 For necessary expenses of Eisenhower Exchange Fel-
3 lowships, Incorporated, as authorized by sections 4 and
4 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
5 U.S.C. 5204–5205), all interest and earnings accruing to
6 the Eisenhower Exchange Fellowship Program Trust
7 Fund on or before September 30, 2020, to remain avail-
8 able until expended: *Provided*, That none of the funds ap-
9 propriated herein shall be used to pay any salary or other
10 compensation, or to enter into any contract providing for
11 the payment thereof, in excess of the rate authorized by
12 section 5376 of title 5, United States Code; or for pur-
13 poses which are not in accordance with section 200 of title
14 2 of the Code of Federal Regulations, including the re-
15 strictions on compensation for personal services.

16 ISRAELI ARAB SCHOLARSHIP PROGRAM

17 For necessary expenses of the Israeli Arab Scholar-
18 ship Program, as authorized by section 214 of the Foreign
19 Relations Authorization Act, Fiscal Years 1992 and 1993
20 (22 U.S.C. 2452 note), all interest and earnings accruing
21 to the Israeli Arab Scholarship Fund on or before Sep-
22 tember 30, 2020, to remain available until expended.

23 EAST-WEST CENTER

24 To enable the Secretary of State to provide for car-
25 rying out the provisions of the Center for Cultural and

1 Technical Interchange Between East and West Act of
2 1960, by grant to the Center for Cultural and Technical
3 Interchange Between East and West in the State of Ha-
4 waii, \$16,700,000: *Provided*, That funds appropriated
5 under this heading shall be apportioned and obligated to
6 the Center not later than 60 days after enactment of this
7 Act.

8 NATIONAL ENDOWMENT FOR DEMOCRACY

9 For grants made by the Department of State to the
10 National Endowment for Democracy, as authorized by the
11 National Endowment for Democracy Act (22 U.S.C.
12 4412), \$180,000,000, to remain available until expended,
13 of which \$117,500,000 shall be allocated in the traditional
14 and customary manner, including for the core institutes,
15 and \$62,500,000 shall be for democracy programs: *Pro-*
16 *vided*, That the requirements of section 7061(a) of this
17 Act shall not apply to funds made available under this
18 heading: *Provided further*, That funds appropriated under
19 this heading shall be apportioned and obligated to the En-
20 dowment not later than 30 days after enactment of this
21 Act.

1 OTHER COMMISSIONS
2 COMMISSION FOR THE PRESERVATION OF AMERICA'S
3 HERITAGE ABROAD
4 SALARIES AND EXPENSES

5 For necessary expenses for the Commission for the
6 Preservation of America's Heritage Abroad, \$642,000, as
7 authorized by chapter 3123 of title 54, United States
8 Code: *Provided*, That the Commission may procure tem-
9 porary, intermittent, and other services notwithstanding
10 paragraph (3) of section 312304(b) of such chapter: *Pro-*
11 *vided further*, That such authority shall terminate on Oc-
12 tober 1, 2020: *Provided further*, That the Commission
13 shall notify the Committees on Appropriations prior to ex-
14 ercising such authority.

15 UNITED STATES COMMISSION ON INTERNATIONAL
16 RELIGIOUS FREEDOM
17 SALARIES AND EXPENSES

18 For necessary expenses for the United States Com-
19 mission on International Religious Freedom (USCIRF),
20 as authorized by title II of the International Religious
21 Freedom Act of 1998 (22 U.S.C. 6431 et seq.),
22 \$4,500,000, to remain available until September 30, 2021,
23 including not more than \$4,000 for representation ex-
24 penses.

1 tation expenses, to remain available until September 30,
2 2021: *Provided*, That the authorities, requirements, limi-
3 tations, and conditions contained in the second through
4 sixth provisos under this heading in the Department of
5 State, Foreign Operations, and Related Programs Appro-
6 priations Act, 2010 (division F of Public Law 111–117)
7 shall continue in effect during fiscal year 2020 and shall
8 apply to funds appropriated under this heading as if in-
9 cluded in this Act.

10 WESTERN HEMISPHERE DRUG POLICY COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Western Hemisphere
13 Drug Policy Commission, as authorized by title VI of the
14 Department of State Authorities Act, Fiscal Year 2017
15 (Public Law 114–323), \$500,000 to remain available until
16 September 30, 2021.

17 TITLE II

18 UNITED STATES AGENCY FOR INTERNATIONAL

19 DEVELOPMENT

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 OPERATING EXPENSES

22 For necessary expenses to carry out the provisions
23 of section 667 of the Foreign Assistance Act of 1961,
24 \$1,404,756,000, of which up to \$210,713,000 may remain
25 available until September 30, 2021: *Provided*, That none

1 of the funds appropriated under this heading and under
2 the heading “Capital Investment Fund” in this title may
3 be made available to finance the construction (including
4 architect and engineering services), purchase, or long-term
5 lease of offices for use by the United States Agency for
6 International Development, unless the USAID Adminis-
7 trator has identified such proposed use of funds in a re-
8 port submitted to the Committees on Appropriations at
9 least 15 days prior to the obligation of funds for such pur-
10 poses: *Provided further*, That contracts or agreements en-
11 tered into with funds appropriated under this heading may
12 entail commitments for the expenditure of such funds
13 through the following fiscal year: *Provided further*, That
14 the authority of sections 610 and 109 of the Foreign As-
15 sistance Act of 1961 may be exercised by the Secretary
16 of State to transfer funds appropriated to carry out chap-
17 ter 1 of part I of such Act to “Operating Expenses” in
18 accordance with the provisions of those sections: *Provided*
19 *further*, That of the funds appropriated or made available
20 under this heading, not to exceed \$250,000 may be avail-
21 able for representation and entertainment expenses, of
22 which not to exceed \$5,000 may be available for entertain-
23 ment expenses, and not to exceed \$100,500 shall be for
24 official residence expenses, for USAID during the current
25 fiscal year.

1 CAPITAL INVESTMENT FUND

2 For necessary expenses for overseas construction and
3 related costs, and for the procurement and enhancement
4 of information technology and related capital investments,
5 pursuant to section 667 of the Foreign Assistance Act of
6 1961, \$210,300,000, to remain available until expended:
7 *Provided*, That this amount is in addition to funds other-
8 wise available for such purposes: *Provided further*, That
9 funds appropriated under this heading shall be available
10 subject to the regular notification procedures of the Com-
11 mittees on Appropriations.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses to carry out the provisions
14 of section 667 of the Foreign Assistance Act of 1961,
15 \$75,500,000, of which up to \$11,325,000 may remain
16 available until September 30, 2021, for the Office of In-
17 spector General of the United States Agency for Inter-
18 national Development.

19 TITLE III

20 BILATERAL ECONOMIC ASSISTANCE

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 For necessary expenses to enable the President to
23 carry out the provisions of the Foreign Assistance Act of
24 1961, and for other purposes, as follows:

1 GLOBAL HEALTH PROGRAMS

2 For necessary expenses to carry out the provisions
3 of chapters 1 and 10 of part I of the Foreign Assistance
4 Act of 1961, for global health activities, in addition to
5 funds otherwise available for such purposes,
6 \$3,366,500,000, to remain available until September 30,
7 2021, and which shall be apportioned directly to the
8 United States Agency for International Development not
9 later than 30 days after enactment of this Act: *Provided*,
10 That this amount shall be made available for training,
11 equipment, and technical assistance to build the capacity
12 of public health institutions and organizations in devel-
13 oping countries, and for such activities as: (1) child sur-
14 vival and maternal health programs; (2) immunization and
15 oral rehydration programs; (3) other health, nutrition,
16 water and sanitation programs which directly address the
17 needs of mothers and children, and related education pro-
18 grams; (4) assistance for children displaced or orphaned
19 by causes other than AIDS; (5) programs for the preven-
20 tion, treatment, control of, and research on HIV/AIDS,
21 tuberculosis, polio, malaria, and other infectious diseases
22 including neglected tropical diseases, and for assistance to
23 communities severely affected by HIV/AIDS, including
24 children infected or affected by AIDS; (6) disaster pre-
25 paredness training for health crises; (7) programs to pre-

1 vent, prepare for, and respond to, unanticipated and
2 emerging global health threats; and (8) family planning/
3 reproductive health: *Provided further*, That funds appro-
4 priated under this paragraph may be made available for
5 a United States contribution to The GAVI Alliance: *Pro-*
6 *vided further*, That none of the funds made available in
7 this Act nor any unobligated balances from prior appro-
8 priations Acts may be made available to any organization
9 or program which, as determined by the President of the
10 United States, supports or participates in the manage-
11 ment of a program of coercive abortion or involuntary
12 sterilization: *Provided further*, That any determination
13 made under the previous proviso must be made not later
14 than 6 months after the date of enactment of this Act,
15 and must be accompanied by the evidence and criteria uti-
16 lized to make the determination: *Provided further*, That
17 none of the funds made available under this Act may be
18 used to pay for the performance of abortion as a method
19 of family planning or to motivate or coerce any person
20 to practice abortions: *Provided further*, That nothing in
21 this paragraph shall be construed to alter any existing
22 statutory prohibitions against abortion under section 104
23 of the Foreign Assistance Act of 1961: *Provided further*,
24 That none of the funds made available under this Act may
25 be used to lobby for or against abortion: *Provided further*,

1 That in order to reduce reliance on abortion in developing
2 nations, funds shall be available only to voluntary family
3 planning projects which offer, either directly or through
4 referral to, or information about access to, a broad range
5 of family planning methods and services, and that any
6 such voluntary family planning project shall meet the fol-
7 lowing requirements: (1) service providers or referral
8 agents in the project shall not implement or be subject
9 to quotas, or other numerical targets, of total number of
10 births, number of family planning acceptors, or acceptors
11 of a particular method of family planning (this provision
12 shall not be construed to include the use of quantitative
13 estimates or indicators for budgeting and planning pur-
14 poses); (2) the project shall not include payment of incen-
15 tives, bribes, gratuities, or financial reward to: (A) an indi-
16 vidual in exchange for becoming a family planning accep-
17 tor; or (B) program personnel for achieving a numerical
18 target or quota of total number of births, number of fam-
19 ily planning acceptors, or acceptors of a particular method
20 of family planning; (3) the project shall not deny any right
21 or benefit, including the right of access to participate in
22 any program of general welfare or the right of access to
23 health care, as a consequence of any individual's decision
24 not to accept family planning services; (4) the project shall
25 provide family planning acceptors comprehensible infor-

1 mation on the health benefits and risks of the method cho-
2 sen, including those conditions that might render the use
3 of the method inadvisable and those adverse side effects
4 known to be consequent to the use of the method; and
5 (5) the project shall ensure that experimental contracep-
6 tive drugs and devices and medical procedures are pro-
7 vided only in the context of a scientific study in which
8 participants are advised of potential risks and benefits;
9 and, not less than 60 days after the date on which the
10 USAID Administrator determines that there has been a
11 violation of the requirements contained in paragraph (1),
12 (2), (3), or (5) of this proviso, or a pattern or practice
13 of violations of the requirements contained in paragraph
14 (4) of this proviso, the Administrator shall submit to the
15 Committees on Appropriations a report containing a de-
16 scription of such violation and the corrective action taken
17 by the Agency: *Provided further*, That in awarding grants
18 for natural family planning under section 104 of the For-
19 eign Assistance Act of 1961 no applicant shall be discrimi-
20 nated against because of such applicant's religious or con-
21 scientious commitment to offer only natural family plan-
22 ning; and, additionally, all such applicants shall comply
23 with the requirements of the previous proviso: *Provided*
24 *further*, That for purposes of this or any other Act author-
25 izing or appropriating funds for the Department of State,

1 foreign operations, and related programs, the term “moti-
2 vate”, as it relates to family planning assistance, shall not
3 be construed to prohibit the provision, consistent with
4 local law, of information or counseling about all pregnancy
5 options: *Provided further*, That information provided
6 about the use of condoms as part of projects or activities
7 that are funded from amounts appropriated by this Act
8 shall be medically accurate and shall include the public
9 health benefits and failure rates of such use.

10 In addition, for necessary expenses to carry out the
11 provisions of the Foreign Assistance Act of 1961 for the
12 prevention, treatment, and control of, and research on,
13 HIV/AIDS, \$5,930,000,000, to remain available until
14 September 30, 2024, which shall be apportioned directly
15 to the Department of State not later than 30 days after
16 enactment of this Act: *Provided*, That funds appropriated
17 under this paragraph may be made available, notwith-
18 standing any other provision of law, except for the United
19 States Leadership Against HIV/AIDS, Tuberculosis, and
20 Malaria Act of 2003 (Public Law 108–25), for a United
21 States contribution to the Global Fund to Fight AIDS,
22 Tuberculosis and Malaria (Global Fund): *Provided further*,
23 That the amount of such contribution shall be
24 \$1,560,000,000 and shall be for the first installment of
25 the sixth replenishment: *Provided further*, That up to 5

1 percent of the aggregate amount of funds made available
2 to the Global Fund in fiscal year 2020 may be made avail-
3 able to USAID for technical assistance related to the ac-
4 tivities of the Global Fund, subject to the regular notifica-
5 tion procedures of the Committees on Appropriations: *Pro-*
6 *vided further*, That of the funds appropriated under this
7 paragraph, up to \$17,000,000 may be made available, in
8 addition to amounts otherwise available for such purposes,
9 for administrative expenses of the Office of the United
10 States Global AIDS Coordinator.

11 DEVELOPMENT ASSISTANCE

12 For necessary expenses to carry out the provisions
13 of sections 103, 105, 106, 214, and sections 251 through
14 255, and chapter 10 of part I of the Foreign Assistance
15 Act of 1961, \$4,164,867,000, to remain available until
16 September 30, 2021: *Provided*, That funds made available
17 under this heading shall be apportioned directly to the
18 United States Agency for International Development not
19 later than 30 days after enactment of this Act.

20 INTERNATIONAL DISASTER ASSISTANCE

21 For necessary expenses to carry out the provisions
22 of section 491 of the Foreign Assistance Act of 1961 for
23 international disaster relief, rehabilitation, and recon-
24 struction assistance, \$4,435,312,000, to remain available
25 until expended, of which \$1,733,980,000 is designated by

1 available subject to prior consultation with the Committees
2 on Appropriations.

3 COMPLEX CRISES FUND

4 For necessary expenses to carry out the provisions
5 of the Foreign Assistance Act of 1961 to support pro-
6 grams and activities administered by the United States
7 Agency for International Development to prevent or re-
8 spond to emerging or unforeseen foreign challenges and
9 complex crises overseas, \$30,000,000, to remain available
10 until expended: *Provided*, That funds appropriated under
11 this heading may be made available on such terms and
12 conditions as are appropriate and necessary for the pur-
13 poses of preventing or responding to such challenges and
14 crises, except that no funds shall be made available for
15 lethal assistance or to respond to natural disasters: *Pro-*
16 *vided further*, That funds appropriated under this heading
17 may be made available notwithstanding any other provi-
18 sion of law, except sections 7007, 7008, and 7018 of this
19 Act and section 620M of the Foreign Assistance Act of
20 1961: *Provided further*, That funds appropriated under
21 this heading may be used for administrative expenses, in
22 addition to funds otherwise available for such purposes,
23 except that such expenses may not exceed 5 percent of
24 the funds appropriated under this heading: *Provided fur-*
25 *ther*, That funds appropriated under this heading shall be

1 apportioned to USAID not later than 30 days after enact-
2 ment of this Act: *Provided further*, That funds appro-
3 priated under this heading shall be subject to the regular
4 notification procedures of the Committees on Appropria-
5 tions, except that such notifications shall be transmitted
6 at least 5 days prior to the obligation of funds.

7
8 DEMOCRACY FUND

8 For necessary expenses to carry out the provisions
9 of the Foreign Assistance Act of 1961 for the promotion
10 of democracy globally, including to carry out the purposes
11 of section 502(b)(3) and (5) of Public Law 98–164 (22
12 U.S.C. 4411), \$172,700,000, to remain available until
13 September 30, 2021, which shall be made available for the
14 Human Rights and Democracy Fund of the Bureau of De-
15 mocracy, Human Rights, and Labor, Department of
16 State: *Provided*, That funds appropriated under this head-
17 ing that are made available to the National Endowment
18 for Democracy and its core institutes are in addition to
19 amounts otherwise available by this Act for such purposes:
20 *Provided further*, That the Assistant Secretary for Democ-
21 racy, Human Rights, and Labor, Department of State,
22 shall consult with the Committees on Appropriations prior
23 to the initial obligation of funds appropriated under this
24 paragraph.

1 For an additional amount for such purposes,
2 \$101,000,000, to remain available until September 30,
3 2021, which shall be made available for the Bureau for
4 Democracy, Conflict, and Humanitarian Assistance,
5 United States Agency for International Development.

6 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

7 For necessary expenses to carry out the provisions
8 of the Foreign Assistance Act of 1961, the FREEDOM
9 Support Act (Public Law 102–511), and the Support for
10 Eastern European Democracy (SEED) Act of 1989 (Pub-
11 lic Law 101–179), \$770,334,000, to remain available until
12 September 30, 2021, which shall be available, notwith-
13 standing any other provision of law, except section 7046
14 of this Act, for assistance and related programs for coun-
15 tries identified in section 3 of Public Law 102–511 (22
16 U.S.C. 5801) and section 3(c) of Public Law 101–179 (22
17 U.S.C. 5402), in addition to funds otherwise available for
18 such purposes: *Provided*, That funds appropriated by this
19 Act under the headings “Global Health Programs”, “De-
20 velopment Assistance”, “Economic Support Fund”, and
21 “International Narcotics Control and Law Enforcement”
22 that are made available for assistance for such countries
23 shall be administered in accordance with the responsibil-
24 ities of the coordinator designated pursuant to section 102
25 of Public Law 102–511 and section 601 of Public Law

1 101–179: *Provided further*, That funds appropriated
2 under this heading shall be considered to be economic as-
3 sistance under the Foreign Assistance Act of 1961 for
4 purposes of making available the administrative authori-
5 ties contained in that Act for the use of economic assist-
6 ance: *Provided further*, That funds appropriated under
7 this heading may be made available for contributions to
8 multilateral initiatives to counter hybrid threats: *Provided*
9 *further*, That any notification of funds made available
10 under this heading in this Act or prior Acts making appro-
11 priations for the Department of State, foreign operations,
12 and related programs shall include information (if known
13 on the date of transmittal of such notification) on the use
14 of notwithstanding authority: *Provided further*, That if
15 subsequent to the notification of assistance it becomes nec-
16 essary to rely on notwithstanding authority, the Commit-
17 tees on Appropriations should be informed at the earliest
18 opportunity and to the extent practicable.

19 DEPARTMENT OF STATE

20 MIGRATION AND REFUGEE ASSISTANCE

21 For necessary expenses not otherwise provided for,
22 to enable the Secretary of State to carry out the provisions
23 of section 2(a) and (b) of the Migration and Refugee As-
24 sistance Act of 1962, and other activities to meet refugee
25 and migration needs; salaries and expenses of personnel

1 and dependents as authorized by the Foreign Service Act
2 of 1980; allowances as authorized by sections 5921
3 through 5925 of title 5, United States Code; purchase and
4 hire of passenger motor vehicles; and services as author-
5 ized by section 3109 of title 5, United States Code,
6 \$3,532,000,000, to remain available until expended, of
7 which \$1,400,124,000 is designated by the Congress for
8 Overseas Contingency Operations/Global War on Ter-
9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985:
11 *Provided*, That not less than \$35,000,000 shall be made
12 available to respond to small-scale emergency humani-
13 tarian requirements, and \$5,000,000 shall be made avail-
14 able for refugees resettling in Israel.

15 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
16 ASSISTANCE FUND

17 For necessary expenses to carry out the provisions
18 of section 2(c) of the Migration and Refugee Assistance
19 Act of 1962, as amended (22 U.S.C. 2601(c)),
20 \$1,000,000, to remain available until expended: *Provided*,
21 That amounts in excess of the limitation contained in
22 paragraph (2) of such section shall be transferred to, and
23 merged with, funds made available by this Act under the
24 heading “Migration and Refugee Assistance”.

1 INDEPENDENT AGENCIES

2 PEACE CORPS

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the provisions
5 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
6 the purchase of not to exceed five passenger motor vehicles
7 for administrative purposes for use outside of the United
8 States, \$425,000,000, of which \$6,330,000 is for the Of-
9 fice of Inspector General, to remain available until Sep-
10 tember 30, 2021: *Provided*, That the Director of the Peace
11 Corps may transfer to the Foreign Currency Fluctuations
12 Account, as authorized by section 16 of the Peace Corps
13 Act (22 U.S.C. 2515), an amount not to exceed
14 \$5,000,000: *Provided further*, That funds transferred pur-
15 suant to the previous proviso may not be derived from
16 amounts made available for Peace Corps overseas oper-
17 ations: *Provided further*, That of the funds appropriated
18 under this heading, not to exceed \$104,000 may be avail-
19 able for representation expenses, of which not to exceed
20 \$4,000 may be made available for entertainment expenses:
21 *Provided further*, That none of the funds appropriated
22 under this heading shall be used to pay for abortions: *Pro-*
23 *vided further*, That notwithstanding the previous proviso,
24 section 614 of division E of Public Law 113-76 shall
25 apply to funds appropriated under this heading.

1 MILLENNIUM CHALLENGE CORPORATION

2 For necessary expenses to carry out the provisions
3 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
4 et seq.) (MCA), \$905,000,000, to remain available until
5 expended: *Provided*, That of the funds appropriated under
6 this heading, up to \$109,000,000 may be available for ad-
7 ministrative expenses of the Millennium Challenge Cor-
8 poration, except that such funds shall remain available for
9 obligation until September 30, 2021: *Provided further*,
10 That section 605(e) of the MCA shall apply to funds ap-
11 propriated under this heading: *Provided further*, That
12 funds appropriated under this heading may be made avail-
13 able for a Millennium Challenge Compact entered into
14 pursuant to section 609 of the MCA only if such Compact
15 obligates, or contains a commitment to obligate subject to
16 the availability of funds and the mutual agreement of the
17 parties to the Compact to proceed, the entire amount of
18 the United States Government funding anticipated for the
19 duration of the Compact: *Provided further*, That no coun-
20 try should be eligible for a threshold program after such
21 country has completed a country compact: *Provided fur-*
22 *ther*, That any funds that are deobligated from a Millen-
23 nium Challenge Compact shall be subject to the regular
24 notification procedures of the Committees on Appropria-
25 tions prior to re-obligation: *Provided further*, That of the

1 funds appropriated under this heading, not to exceed
2 \$100,000 may be available for representation and enter-
3 tainment expenses, of which not to exceed \$5,000 may be
4 available for entertainment expenses.

5 INTER-AMERICAN FOUNDATION

6 For necessary expenses to carry out the functions of
7 the Inter-American Foundation in accordance with the
8 provisions of section 401 of the Foreign Assistance Act
9 of 1969, \$32,500,000, to remain available until September
10 30, 2021: *Provided*, That of the funds appropriated under
11 this heading, not to exceed \$2,000 may be available for
12 representation expenses.

13 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

14 For necessary expenses to carry out the African De-
15 velopment Foundation Act (title V of Public Law 96-533;
16 22 U.S.C. 290h et seq.), \$30,000,000, to remain available
17 until September 30, 2021, of which not to exceed \$2,000
18 may be available for representation expenses: *Provided*,
19 That funds made available to grantees may be invested
20 pending expenditure for project purposes when authorized
21 by the Board of Directors of the United States African
22 Development Foundation (USADF): *Provided further*,
23 That interest earned shall be used only for the purposes
24 for which the grant was made: *Provided further*, That not-
25 withstanding section 505(a)(2) of the African Develop-

1 ment Foundation Act (22 U.S.C. 290h-3(a)(2)), in excep-
2 tional circumstances the Board of Directors of the
3 USADF may waive the \$250,000 limitation contained in
4 that section with respect to a project and a project may
5 exceed the limitation by up to 10 percent if the increase
6 is due solely to foreign currency fluctuation: *Provided fur-*
7 *ther*, That the USADF shall submit a report to the appro-
8 priate congressional committees after each time such waiv-
9 er authority is exercised: *Provided further*, That the
10 USADF may make rent or lease payments in advance
11 from appropriations available for such purpose for offices,
12 buildings, grounds, and quarters in Africa as may be nec-
13 essary to carry out its functions: *Provided further*, That
14 the USADF may maintain bank accounts outside the
15 United States Treasury and retain any interest earned on
16 such accounts, in furtherance of the purposes of the Afri-
17 can Development Foundation Act: *Provided further*, That
18 the USADF may not withdraw any appropriation from the
19 Treasury prior to the need of spending such funds for pro-
20 gram purposes.

21 DEPARTMENT OF THE TREASURY

22 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

23 For necessary expenses to carry out the provisions
24 of section 129 of the Foreign Assistance Act of 1961,
25 \$30,000,000, to remain available until expended, of which

1 not more than \$6,000,000 may be used for administrative
2 expenses: *Provided*, That amounts made available under
3 this heading may be made available to contract for services
4 as described in section 129(d)(3)(A) of the Foreign Assist-
5 ance Act of 1961, without regard to the location in which
6 such services are performed.

7 TITLE IV

8 INTERNATIONAL SECURITY ASSISTANCE

9 DEPARTMENT OF STATE

10 ECONOMIC SUPPORT FUND

11 For necessary expenses to carry out the provisions
12 of chapter 4 of part II of the Foreign Assistance Act of
13 1961, \$2,153,763,000, to remain available until Sep-
14 tember 30, 2021: *Provided*, That funds designated for a
15 Diplomatic Progress Fund in the table under this heading
16 in the report accompanying this Act shall be subject to
17 prior consultation with, and the regular notification proce-
18 dures of, the Committees on Appropriations: *Provided fur-*
19 *ther*, That funds made available under this heading shall
20 be apportioned not later than 30 days after enactment of
21 this Act.

22 INTERNATIONAL NARCOTICS CONTROL AND LAW

23 ENFORCEMENT

24 For necessary expenses to carry out section 481 of
25 the Foreign Assistance Act of 1961, \$1,410,665,000, to

1 remain available until September 30, 2021: *Provided*,
2 That the Department of State may use the authority of
3 section 608 of the Foreign Assistance Act of 1961, with-
4 out regard to its restrictions, to receive excess property
5 from an agency of the United States Government for the
6 purpose of providing such property to a foreign country
7 or international organization under chapter 8 of part I of
8 such Act, subject to the regular notification procedures of
9 the Committees on Appropriations: *Provided further*, That
10 section 482(b) of the Foreign Assistance Act of 1961 shall
11 not apply to funds appropriated under this heading, except
12 that any funds made available notwithstanding such sec-
13 tion shall be subject to the regular notification procedures
14 of the Committees on Appropriations: *Provided further*,
15 That funds appropriated under this heading shall be made
16 available to support training and technical assistance for
17 foreign law enforcement, corrections, judges, and other ju-
18 dicial authorities, utilizing regional partners: *Provided fur-*
19 *ther*, That of the funds provided under this heading, not
20 less than \$8,000,000 shall be made available for DNA fo-
21 rensic technology programs to combat human trafficking
22 in Central America and Mexico: *Provided further*, That
23 funds made available under this heading that are trans-
24 ferred to another department, agency, or instrumentality
25 of the United States Government pursuant to section

1 632(b) of the Foreign Assistance Act of 1961 valued in
2 excess of \$5,000,000, and any agreement made pursuant
3 to section 632(a) of such Act, shall be subject to the reg-
4 ular notification procedures of the Committees on Appro-
5 priations.

6 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
7 RELATED PROGRAMS

8 For necessary expenses for nonproliferation, anti-ter-
9 rorism, demining and related programs and activities,
10 \$886,850,000, to remain available until September 30,
11 2021, to carry out the provisions of chapter 8 of part II
12 of the Foreign Assistance Act of 1961 for anti-terrorism
13 assistance, chapter 9 of part II of the Foreign Assistance
14 Act of 1961, section 504 of the FREEDOM Support Act,
15 section 23 of the Arms Export Control Act, or the Foreign
16 Assistance Act of 1961 for demining activities, the clear-
17 ance of unexploded ordnance, the destruction of small
18 arms, and related activities, notwithstanding any other
19 provision of law, including activities implemented through
20 nongovernmental and international organizations, and sec-
21 tion 301 of the Foreign Assistance Act of 1961 for a
22 United States contribution to the Comprehensive Nuclear
23 Test Ban Treaty Preparatory Commission, and for a vol-
24 untary contribution to the International Atomic Energy
25 Agency (IAEA): *Provided*, That funds made available

1 under this heading for the Nonproliferation and Disar-
2 mament Fund shall be made available, notwithstanding
3 any other provision of law and subject to prior consulta-
4 tion with, and the regular notification procedures of, the
5 Committees on Appropriations, to promote bilateral and
6 multilateral activities relating to nonproliferation, disar-
7 mament, and weapons destruction, and shall remain avail-
8 able until expended: *Provided further*, That such funds
9 may also be used for such countries other than the Inde-
10 pendent States of the former Soviet Union and inter-
11 national organizations when it is in the national security
12 interest of the United States to do so: *Provided further*,
13 That funds appropriated under this heading may be made
14 available for the IAEA unless the Secretary of State deter-
15 mines that Israel is being denied its right to participate
16 in the activities of that Agency: *Provided further*, That
17 funds made available for conventional weapons destruction
18 programs, including demining and related activities, in ad-
19 dition to funds otherwise available for such purposes, may
20 be used for administrative expenses related to the oper-
21 ation and management of such programs and activities,
22 subject to the regular notification procedures of the Com-
23 mittees on Appropriations.

1 PEACEKEEPING OPERATIONS

2 For necessary expenses to carry out the provisions
3 of section 551 of the Foreign Assistance Act of 1961,
4 \$516,348,000, to remain available until September 30,
5 2021, and of which \$325,213,000 is designated by the
6 Congress for Overseas Contingency Operations/Global
7 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
8 the Balanced Budget and Emergency Deficit Control Act
9 of 1985: *Provided*, That funds appropriated under this
10 heading may be used, notwithstanding section 660 of such
11 Act, to provide assistance to enhance the capacity of for-
12 eign civilian security forces, including gendarmes, to par-
13 ticipate in peacekeeping operations: *Provided further*, That
14 of the funds appropriated under this heading, not less
15 than \$31,000,000 shall be made available for a United
16 States contribution to the Multinational Force and Ob-
17 servers mission in the Sinai and not less than \$71,000,000
18 shall be made available for the Global Peace Operations
19 Initiative: *Provided further*, That funds made available
20 under this heading and designated for Overseas Contin-
21 gency Operations/Global War on Terrorism, may be used
22 to pay assessed expenses of international peacekeeping ac-
23 tivities in Somalia under the same terms and conditions,
24 as applicable, as funds appropriated by this Act under the
25 heading “Contributions for International Peacekeeping

1 Activities’’: *Provided further*, That of the funds appro-
2 priated under this heading, not less than \$42,120,000
3 shall be disbursed to the United Nations not later than
4 45 days after the enactment of this Act for the remaining
5 amounts necessary to pay in full for fiscal years 2017 and
6 2018 the United States share of the costs of peacekeeping
7 activities in Somalia in accordance with section
8 404(b)(2)(B) of the Foreign Relations Authorization Act,
9 Fiscal Years 1994 and 1995, (22 U.S.C. 287e note), as
10 amended by section 7048(h) of this Act: *Provided further*,
11 That none of the funds appropriated under this heading
12 shall be obligated except as provided through the regular
13 notification procedures of the Committees on Appropria-
14 tions.

15 FUNDS APPROPRIATED TO THE PRESIDENT

16 INTERNATIONAL MILITARY EDUCATION AND TRAINING

17 For necessary expenses to carry out the provisions
18 of section 541 of the Foreign Assistance Act of 1961,
19 \$110,875,000, of which up to \$11,000,000 may remain
20 available until September 30, 2021: *Provided*, That the
21 civilian personnel for whom military education and train-
22 ing may be provided under this heading may include civil-
23 ians who are not members of a government whose partici-
24 pation would contribute to improved civil-military rela-
25 tions, civilian control of the military, or respect for human

1 rights: *Provided further*, That of the funds appropriated
2 under this heading, not to exceed \$50,000 may be avail-
3 able for entertainment expenses.

4 FOREIGN MILITARY FINANCING PROGRAM

5 For necessary expenses for grants to enable the
6 President to carry out the provisions of section 23 of the
7 Arms Export Control Act, \$6,109,121,000, of which
8 \$350,678,000 is designated by the Congress for Overseas
9 Contingency Operations/Global War on Terrorism pursu-
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985 and shall re-
12 main available until September 30, 2021: *Provided*, That
13 to expedite the provision of assistance to foreign countries
14 and international organizations, the Secretary of State,
15 following consultation with the Committees on Appropria-
16 tions and subject to the regular notification procedures of
17 such Committees, may use the funds appropriated under
18 this heading to procure defense articles and services to en-
19 hance the capacity of foreign security forces: *Provided fur-*
20 *ther*, That of the funds appropriated under this heading,
21 not less than \$3,300,000,000 shall be available for grants
22 only for Israel which shall be disbursed within 30 days
23 of enactment of this Act: *Provided further*, That to the
24 extent that the Government of Israel requests that funds
25 be used for such purposes, grants made available for Israel

1 under this heading shall, as agreed by the United States
2 and Israel, be available for advanced weapons systems, of
3 which not less than \$805,300,000 shall be available for
4 the procurement in Israel of defense articles and defense
5 services, including research and development: *Provided*
6 *further*, That funds appropriated or otherwise made avail-
7 able under this heading shall be nonrepayable notwith-
8 standing any requirement in section 23 of the Arms Ex-
9 port Control Act: *Provided further*, That funds made avail-
10 able under this heading shall be obligated upon apportion-
11 ment in accordance with paragraph (5)(C) of section
12 1501(a) of title 31, United States Code.

13 None of the funds made available under this heading
14 shall be available to finance the procurement of defense
15 articles, defense services, or design and construction serv-
16 ices that are not sold by the United States Government
17 under the Arms Export Control Act unless the foreign
18 country proposing to make such procurement has first
19 signed an agreement with the United States Government
20 specifying the conditions under which such procurement
21 may be financed with such funds: *Provided*, That all coun-
22 try and funding level increases in allocations shall be sub-
23 mitted through the regular notification procedures of sec-
24 tion 7015 of this Act: *Provided further*, That funds made
25 available under this heading may be used, notwithstanding

1 any other provision of law, for demining, the clearance of
2 unexploded ordnance, and related activities, and may in-
3 clude activities implemented through nongovernmental
4 and international organizations: *Provided further*, That
5 funds appropriated under this heading shall be expended
6 at the minimum rate necessary to make timely payment
7 for defense articles and services: *Provided further*, That
8 not more than \$70,000,000 of the funds appropriated
9 under this heading may be obligated for necessary ex-
10 penses, including the purchase of passenger motor vehicles
11 for replacement only for use outside of the United States,
12 for the general costs of administering military assistance
13 and sales, except that this limitation may be exceeded only
14 through the regular notification procedures of the Com-
15 mittees on Appropriations: *Provided further*, That of the
16 funds made available under this heading for general costs
17 of administering military assistance and sales, not to ex-
18 ceed \$4,000 may be available for entertainment expenses
19 and not to exceed \$130,000 may be available for represen-
20 tation expenses: *Provided further*, That not more than
21 \$1,009,700,000 of funds realized pursuant to section
22 21(e)(1)(A) of the Arms Export Control Act may be obli-
23 gated for expenses incurred by the Department of Defense
24 during fiscal year 2020 pursuant to section 43(b) of the
25 Arms Export Control Act, except that this limitation may

1 be exceeded only through the regular notification proce-
2 dures of the Committees on Appropriations: *Provided fur-*
3 *ther*, That funds made available under this heading shall
4 be apportioned not later than 30 days after enactment of
5 this Act.

6

TITLE V

7

MULTILATERAL ASSISTANCE

8

FUNDS APPROPRIATED TO THE PRESIDENT

9

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

10 For necessary expenses to carry out the provisions
11 of section 301 of the Foreign Assistance Act of 1961,
12 \$646,500,000: *Provided*, That section 307(a) of the For-
13 eign Assistance Act of 1961 shall not apply to contribu-
14 tions to the United Nations Democracy Fund.

15

INTERNATIONAL FINANCIAL INSTITUTIONS

16

GLOBAL ENVIRONMENT FACILITY

17 For payment to the International Bank for Recon-
18 struction and Development as trustee for the Global Envi-
19 ronment Facility by the Secretary of the Treasury,
20 \$139,575,000, to remain available until, and to be fully
21 disbursed no later than, September 30, 2021: *Provided*,
22 That of such amount, \$136,563,000, which shall remain
23 available until September 30, 2020, is only available for
24 the second installment of the seventh replenishment of the
25 Global Environment Facility, and shall be obligated and

1 disbursed not later than 90 days after enactment of this
2 Act: *Provided further*, That the Secretary shall report to
3 the Committees on Appropriations on the status of funds
4 provided under this heading not less than quarterly until
5 fully disbursed: *Provided further*, That in such report the
6 Secretary shall provide a timeline for the obligation and
7 disbursement of any funds that have not yet been obli-
8 gated or disbursed.

9 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
10 RECONSTRUCTION AND DEVELOPMENT

11 For payment to the International Bank for Recon-
12 struction and Development by the Secretary of the Treas-
13 ury for the United States share of the paid-in portion of
14 the increases in capital stock, \$206,500,000, to remain
15 available until expended.

16 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

17 The United States Governor of the International
18 Bank for Reconstruction and Development may subscribe
19 without fiscal year limitation to the callable capital portion
20 of the United States share of increases in capital stock
21 in an amount not to exceed \$1,421,275,728.70.

1 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
2 ASSOCIATION

3 For payment to the International Development Asso-
4 ciation by the Secretary of the Treasury, \$1,097,010,000,
5 to remain available until expended.

6 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

7 For payment to the Asian Development Bank's Asian
8 Development Fund by the Secretary of the Treasury,
9 \$47,395,000, to remain available until expended.

10 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

11 For payment to the African Development Fund by
12 the Secretary of the Treasury, \$171,300,000, to remain
13 available until expended.

14 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
15 AGRICULTURAL DEVELOPMENT

16 For payment to the International Fund for Agricul-
17 tural Development by the Secretary of the Treasury,
18 \$30,000,000, to remain available until, and to be fully dis-
19 bursed no later than, September 30, 2021, for the second
20 installment of the eleventh replenishment of the Inter-
21 national Fund for Agricultural Development: *Provided*,
22 That the Secretary of the Treasury shall report to the
23 Committees on Appropriations on the status of such pay-
24 ment not less than quarterly until fully disbursed: *Pro-*
25 *vided further*, That in such report the Secretary shall pro-

1 vide a timeline for the obligation and disbursement of any
2 funds that have not yet been obligated or disbursed.

3

TITLE VI

4

EXPORT AND INVESTMENT ASSISTANCE

5

EXPORT-IMPORT BANK OF THE UNITED STATES

6

INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, as amended, \$5,700,000, of which
10 up to \$855,000 may remain available until September 30,
11 2021.

12

PROGRAM ACCOUNT

13 The Export-Import Bank of the United States is au-
14 thorized to make such expenditures within the limits of
15 funds and borrowing authority available to such corpora-
16 tion, and in accordance with law, and to make such con-
17 tracts and commitments without regard to fiscal year limi-
18 tations, as provided by section 9104 of title 31, United
19 States Code, as may be necessary in carrying out the pro-
20 gram for the current fiscal year for such corporation: *Pro-*
21 *vided*, That none of the funds available during the current
22 fiscal year may be used to make expenditures, contracts,
23 or commitments for the export of nuclear equipment, fuel,
24 or technology to any country, other than a nuclear-weapon
25 state as defined in Article IX of the Treaty on the Non-

1 Proliferation of Nuclear Weapons eligible to receive eco-
2 nomic or military assistance under this Act, that has deto-
3 nated a nuclear explosive after the date of enactment of
4 this Act.

5 ADMINISTRATIVE EXPENSES

6 For administrative expenses to carry out the direct
7 and guaranteed loan and insurance programs, including
8 hire of passenger motor vehicles and services as authorized
9 by section 3109 of title 5, United States Code, and not
10 to exceed \$30,000 for official reception and representation
11 expenses for members of the Board of Directors, not to
12 exceed \$110,000,000, of which up to \$16,500,000 may re-
13 main available until September 30, 2021: *Provided*, That
14 the Export-Import Bank (the Bank) may accept, and use,
15 payment or services provided by transaction participants
16 for legal, financial, or technical services in connection with
17 any transaction for which an application for a loan, guar-
18 antee or insurance commitment has been made: *Provided*
19 *further*, That the Bank shall charge fees for necessary ex-
20 penses (including special services performed on a contract
21 or fee basis, but not including other personal services) in
22 connection with the collection of moneys owed the Bank,
23 repossession or sale of pledged collateral or other assets
24 acquired by the Bank in satisfaction of moneys owed the
25 Bank, or the investigation or appraisal of any property,

1 or the evaluation of the legal, financial, or technical as-
2 pects of any transaction for which an application for a
3 loan, guarantee or insurance commitment has been made,
4 or systems infrastructure directly supporting transactions:
5 *Provided further*, That in addition to other funds appro-
6 priated for administrative expenses, such fees shall be
7 credited to this account for such purposes, to remain avail-
8 able until expended.

9 RECEIPTS COLLECTED

10 Receipts collected pursuant to the Export-Import
11 Bank Act of 1945 (Public Law 79–173) and the Federal
12 Credit Reform Act of 1990, in an amount not to exceed
13 the amount appropriated herein, shall be credited as off-
14 setting collections to this account: *Provided*, That the
15 sums herein appropriated from the General Fund shall be
16 reduced on a dollar-for-dollar basis by such offsetting col-
17 lections so as to result in a final fiscal year appropriation
18 from the General Fund estimated at \$0.

19 UNITED STATES INTERNATIONAL DEVELOPMENT

20 FINANCE CORPORATION

21 INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, as amended, \$2,000,000, to remain
25 available until September 30, 2021.

1 CORPORATE CAPITAL ACCOUNT

2 The United States International Development Fi-
3 nance Corporation (the Corporation) is authorized to
4 make such expenditures and commitments within the lim-
5 its of funds and borrowing authority available to the Cor-
6 poration, and in accordance with the law, and to make
7 such expenditures and commitments without regard to fis-
8 cal year limitations, as provided by section 9104 of title
9 31, United States Code, as may be necessary in carrying
10 out the programs for the current fiscal year for the Cor-
11 poration: *Provided*, That for necessary expenses of the ac-
12 tivities described in subsections (b), (c), (e), (f), and (g)
13 of section 1421 of the BUILD Act of 2018 (division F
14 of Public Law 115–254), \$189,000,000: *Provided further*,
15 That of the amount provided—(1) \$101,000,000 shall re-
16 main available until September 30, 2021 for administra-
17 tive expenses to carry out authorized activities (including
18 an amount for official reception and representation ex-
19 penses which shall not exceed \$25,000); (2) \$8,000,000
20 shall remain available until September 30, 2021 for
21 project-specific transaction costs as described in section
22 1434(k) of such Act; (3) \$50,000,000 shall remain avail-
23 able until September 30, 2021 for the activities described
24 in section 1421(c) of such Act; and (4) \$30,000,000 shall
25 be paid to the “United States International Development

1 Finance Corporation—Program Account” for programs as
2 authorized by section 1421(b), (e), and (f) of the BUILD
3 Act of 2018: *Provided further*, That in this fiscal year,
4 the Corporation shall collect the amounts described in sec-
5 tion 1434(h) of the BUILD Act of 2018: *Provided further*,
6 That in fiscal year 2020 such collections shall be credited
7 as offsetting collections to this appropriation: *Provided*
8 *further*, such collections collected in fiscal year 2020 in
9 excess of \$189,000,000 shall be credited to this account
10 and shall be available in future fiscal years only to the
11 extent provided in advance in appropriations Acts: *Pro-*
12 *vided further*, That in fiscal year 2020, if such collections
13 are less than \$189,000,000, receipts collected pursuant to
14 the BUILD Act of 2018 and the Federal Credit Reform
15 Act of 1990, in an amount equal to such shortfall, shall
16 be credited as offsetting collections to this appropriation:
17 *Provided further*, That funds appropriated or otherwise
18 made available under this heading may not be used to pro-
19 vide any type of assistance that is otherwise prohibited
20 by any other provision of law or to provide assistance to
21 any foreign country that is otherwise prohibited by any
22 other provision of law: *Provided further*, That the sums
23 herein appropriated from the General Fund shall be re-
24 duced on a dollar-for-dollar basis by the offsetting collec-
25 tions described under this heading so as to result in a final

1 fiscal year appropriation from the General Fund estimated
2 at \$0.

3 PROGRAM ACCOUNT

4 Amounts paid from “United States International De-
5 velopment Finance Corporation—Corporate Capital Ac-
6 count” (CCA) shall remain available until September 30,
7 2021: *Provided*, That not to exceed \$80,000,000 of
8 amounts paid to this account from CCA or transferred
9 pursuant to section 1434(j) of the BUILD Act of 2018
10 (division F of Public Law 115–254) shall be available for
11 the cost of direct and guaranteed loans provided by the
12 Corporation pursuant to section 1421(b) of such Act: *Pro-*
13 *vided further*, That such costs, including the cost of modi-
14 fying such loans, shall be as defined in section 502 of the
15 Congressional Budget Act of 1974: *Provided further*, That
16 such amounts obligated in a fiscal year shall remain avail-
17 able for disbursement for the following eight fiscal years:
18 *Provided further*, That funds transferred to carry out the
19 Foreign Assistance Act of 1961 pursuant to section
20 1434(j) of the BUILD Act of 2018 may remain available
21 for obligation for one additional fiscal year: *Provided fur-*
22 *ther*, That the total loan principal or guaranteed principal
23 amount shall not exceed \$8,000,000,000.

1 TRADE AND DEVELOPMENT AGENCY

2 For necessary expenses to carry out the provisions
3 of section 661 of the Foreign Assistance Act of 1961,
4 \$75,000,000, to remain available until September 30,
5 2021, of which no more than \$19,000,000 may be used
6 for administrative expenses: *Provided*, That of the funds
7 appropriated under this heading, not more than \$5,000
8 may be available for representation and entertainment ex-
9 penses.

10 TITLE VII

11 GENERAL PROVISIONS

12 ALLOWANCES AND DIFFERENTIALS

13 SEC. 7001. Funds appropriated under title I of this
14 Act shall be available, except as otherwise provided, for
15 allowances and differentials as authorized by subchapter
16 59 of title 5, United States Code; for services as author-
17 ized by section 3109 of such title and for hire of passenger
18 transportation pursuant to section 1343(b) of title 31,
19 United States Code.

20 UNOBLIGATED BALANCES REPORT

21 SEC. 7002. Any department or agency of the United
22 States Government to which funds are appropriated or
23 otherwise made available by this Act shall provide to the
24 Committees on Appropriations a quarterly accounting of
25 cumulative unobligated balances and obligated, but unex-

1 pending, balances by program, project, and activity, and
2 Treasury Account Fund Symbol of all funds received by
3 such department or agency in fiscal year 2020 or any pre-
4 vious fiscal year, disaggregated by fiscal year: *Provided*,
5 That the report required by this section shall be submitted
6 not later than 30 days after the end of each fiscal quarter
7 and should specify by account the amount of funds obli-
8 gated pursuant to bilateral agreements which have not
9 been further sub-obligated.

10 CONSULTING SERVICES

11 SEC. 7003. The expenditure of any appropriation
12 under title I of this Act for any consulting service through
13 procurement contract, pursuant to section 3109 of title
14 5, United States Code, shall be limited to those contracts
15 where such expenditures are a matter of public record and
16 available for public inspection, except where otherwise pro-
17 vided under existing law, or under existing Executive order
18 issued pursuant to existing law.

19 DIPLOMATIC FACILITIES

20 SEC. 7004. (a) EXCEPTION.—Notwithstanding para-
21 graph (2) of section 604(e) of the Secure Embassy Con-
22 struction and Counterterrorism Act of 1999 (title VI of
23 division A of H.R. 3427, as enacted into law by section
24 1000(a)(7) of Public Law 106–113 and contained in ap-
25 pendix G of that Act), as amended by section 111 of the

1 Department of State Authorities Act, Fiscal Year 2017
2 (Public Law 114–323), a project to construct a facility
3 of the United States may include office space or other ac-
4 commodations for members of the United States Marine
5 Corps.

6 (b) NEW DIPLOMATIC FACILITIES.—For the pur-
7 poses of calculating the fiscal year 2020 costs of providing
8 new United States diplomatic facilities in accordance with
9 section 604(e) of the Secure Embassy Construction and
10 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
11 Secretary of State, in consultation with the Director of
12 the Office of Management and Budget, shall determine the
13 annual program level and agency shares in a manner that
14 is proportional to the contribution of the Department of
15 State for this purpose.

16 (c) CONSULTATION AND NOTIFICATION.—Funds ap-
17 propriated by this Act and prior Acts making appropria-
18 tions for the Department of State, foreign operations, and
19 related programs, which may be made available for the
20 acquisition of property or award of construction contracts
21 for overseas United States diplomatic facilities during fis-
22 cal year 2020, shall be subject to prior consultation with,
23 and the regular notification procedures of, the Committees
24 on Appropriations: *Provided*, That notifications pursuant
25 to this subsection shall include the information enumer-

1 ated under the heading “Embassy Security, Construction,
2 and Maintenance” in the report accompanying this Act.

3 (d) INTERIM AND TEMPORARY FACILITIES
4 ABROAD.—Notwithstanding any other provision of law,
5 the opening, closure, or any significant modification to an
6 interim or temporary United States diplomatic facility
7 shall be subject to prior consultation with the appropriate
8 congressional committees and the regular notification pro-
9 cedures of the Committees on Appropriations, except that
10 such consultation and notification may be waived if there
11 is a security risk to personnel.

12 PERSONNEL ACTIONS

13 SEC. 7005. Any costs incurred by a department or
14 agency funded under title I of this Act resulting from per-
15 sonnel actions taken in response to funding reductions in-
16 cluded in this Act shall be absorbed within the total budg-
17 etary resources available under title I to such department
18 or agency: *Provided*, That the authority to transfer funds
19 between appropriations accounts as may be necessary to
20 carry out this section is provided in addition to authorities
21 included elsewhere in this Act: *Provided further*, That use
22 of funds to carry out this section shall be treated as a
23 reprogramming of funds under section 7015 of this Act.

24 DEPARTMENT AND AGENCY MANAGEMENT

25 SEC. 7006. (a) DEPARTMENT OF STATE.—

1 (1) WORKING CAPITAL FUND.—Funds appropriated
2 by this Act or otherwise made available to the Department
3 of State for payments to the Working Capital Fund may
4 only be used for the service centers included in the Con-
5 gressional Budget Justification, Department of State,
6 Foreign Operations, and Related Programs, Fiscal Year
7 2020: *Provided*, That the amounts for such service centers
8 shall be the amounts included in such budget justification,
9 except as provided in section 7015(b) of this Act: *Provided*
10 *further*, That Federal agency components shall be charged
11 only for their direct usage of each Working Capital Fund
12 service: *Provided further*, That prior to increasing the per-
13 centage charged to Department of State bureaus and of-
14 fices for procurement-related activities, the Secretary of
15 State shall include the proposed increase in the Depart-
16 ment of State budget justification or, at least 60 days
17 prior to the increase, provide the Committees on Appro-
18 priations a justification for such increase, including a de-
19 tailed assessment of the cost and benefit of the services
20 provided by the procurement fee: *Provided further*, That
21 Federal agency components may only pay for Working
22 Capital Fund services that are consistent with the purpose
23 and authorities of such components: *Provided further*,
24 That the Working Capital Fund shall be paid in advance

1 or reimbursed at rates which will return the full cost of
2 each service.

3 (2) STATE DEPARTMENT PERSONNEL LEVELS.—

4 (A) Funds made available by this Act are made
5 available to support the permanent Foreign Service
6 and Civil Service staff levels of the Department of
7 State at not less than the on-board levels in fiscal
8 year 2016.

9 (B) The use of funds appropriated by this Act
10 to implement any plan to expand or reduce the size
11 of the permanent Civil Service or Foreign Service
12 workforce at the Department of State from on-board
13 levels in fiscal year 2016 shall be subject to prior
14 consultation with, and the regular notification proce-
15 dures of, the Committees on Appropriations: *Pro-*
16 *vided*, That such notification shall include the re-
17 quirements enumerated in section 7062(b) of this
18 Act.

19 (C) Not later than 60 days after enactment of
20 this Act, and every 60 days thereafter until Sep-
21 tember 30, 2021, the Secretary of State shall report
22 to the appropriate congressional committees on the
23 on-board personnel levels, hiring, and attrition of the
24 Civil Service, Foreign Service, eligible family mem-
25 ber, and locally employed staff workforce of the De-

1 partment of State, on an operating unit-by-operating
2 unit basis: *Provided*, That such report shall also in-
3 clude a hiring plan, including timelines, for main-
4 taining the agency-wide, on-board Foreign Service
5 and Civil Service at not less than the on-board levels
6 in fiscal year 2016.

7 (3) BUREAU OF POPULATION, REFUGEES, AND MI-
8 GRATION, DEPARTMENT OF STATE.—None of the funds
9 appropriated by this Act, prior Acts making appropria-
10 tions for the Department of State, foreign operations, and
11 related programs, or any other Act, may be used to
12 downsize, downgrade, consolidate, close, move, or relocate
13 the Bureau of Population, Refugees, and Migration, De-
14 partment of State, or any activities of such Bureau, to
15 another Federal agency.

16 (4) ADMINISTRATION OF FUNDS.—Funds appro-
17 priated by this Act—

18 (A) under the heading “Migration and Refugee
19 Assistance” shall be administered by the Assistant
20 Secretary for Population, Refugees, and Migration,
21 Department of State, and this responsibility shall
22 not be delegated; and

23 (B) that are made available for the Office of
24 Global Women’s Issues shall be administered by the
25 United States Ambassador-at-Large for Global

1 Women's Issues, Department of State, and this re-
2 sponsibility shall not be delegated.

3 (5) INFORMATION TECHNOLOGY PLATFORM.—

4 (A) None of the funds appropriated in title I of
5 this Act under the heading "Administration of For-
6 eign Affairs" may be made available for a new major
7 information technology (IT) investment without the
8 concurrence of the Chief Information Officer, De-
9 partment of State.

10 (B) None of the funds made available by this
11 Act and prior Acts making appropriations for the
12 Department of State, foreign operations, and related
13 programs may be used by an agency to submit a
14 project proposal to the Technology Modernization
15 Board for funding from the Technology Moderniza-
16 tion Fund unless, not later than 15 days in advance
17 of submitting the project proposal to the Board, the
18 head of the agency—

19 (i) notifies the Committees on Appropria-
20 tions of the proposed submission of the project
21 proposal; and

22 (ii) submits to the Committees on Appro-
23 priations a copy of the project proposal.

24 (C) None of the funds made available by this
25 Act and prior Acts making appropriations for the

1 Department of State, foreign operations, and related
2 programs may be used by an agency to carry out a
3 project that is approved by the Board unless the
4 head of the agency—

5 (i) submits to the Committees on Appro-
6 priations a copy of the approved project pro-
7 posal, including the terms of reimbursement of
8 funding received for the project; and

9 (ii) agrees to submit to the Committees on
10 Appropriations a copy of each report relating to
11 the project that the head of the agency submits
12 to the Board.

13 (b) UNITED STATES AGENCY FOR INTERNATIONAL
14 DEVELOPMENT.—

15 (1) AUTHORITY.—Up to \$93,000,000 of the funds
16 made available in titles III and IV of this Act pursuant
17 to or to carry out the provisions of part I of the Foreign
18 Assistance Act of 1961, including funds appropriated
19 under the heading “Assistance for Europe, Eurasia and
20 Central Asia”, may be used by the United States Agency
21 for International Development to hire and employ individ-
22 uals in the United States and overseas on a limited ap-
23 pointment basis pursuant to the authority of sections 308
24 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
25 3948 and 3949).

1 (2) RESTRICTION.—The authority to hire individuals
2 contained in paragraph (1) shall expire on September 30,
3 2021.

4 (3) PROGRAM ACCOUNT CHARGED.—The account
5 charged for the cost of an individual hired and employed
6 under the authority of this subsection shall be the account
7 to which the responsibilities of such individual primarily
8 relate: *Provided*, That funds made available to carry out
9 this subsection may be transferred to, and merged with,
10 funds appropriated by this Act in title II under the head-
11 ing “Operating Expenses”.

12 (4) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
13 viduals hired and employed by USAID, with funds made
14 available in this Act or prior Acts making appropriations
15 for the Department of State, foreign operations, and re-
16 lated programs, pursuant to the authority of section 309
17 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
18 be extended for a period of up to 4 years notwithstanding
19 the limitation set forth in such section.

20 (5) DISASTER SURGE CAPACITY.—Funds appro-
21 priated under titles III and IV of this Act to carry out
22 the provisions of part I of the Foreign Assistance Act of
23 1961, including funds appropriated under the heading
24 “Assistance for Europe, Eurasia and Central Asia”, may
25 be used, in addition to funds otherwise available for such

1 purposes, for the cost (including the support costs) of indi-
2 viduals detailed to or employed by USAID whose primary
3 responsibility is to carry out programs in response to nat-
4 ural disasters, or man-made disasters subject to the reg-
5 ular notification procedures of the Committees on Appro-
6 priations.

7 (6) PERSONAL SERVICES CONTRACTORS.—Funds ap-
8 propriated by this Act to carry out chapter 1 of part I,
9 chapter 4 of part II, and section 667 of the Foreign As-
10 sistance Act of 1961, and title II of the Food for Peace
11 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
12 used by USAID to employ up to 40 personal services con-
13 tractors in the United States, notwithstanding any other
14 provision of law, for the purpose of providing direct, in-
15 terim support for new or expanded overseas programs and
16 activities managed by the agency until permanent direct
17 hire personnel are hired and trained: *Provided*, That not
18 more than 15 of such contractors shall be assigned to any
19 bureau or office: *Provided further*, That such funds appro-
20 priated to carry out title II of the Food for Peace Act
21 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
22 available only for personal services contractors assigned
23 to the Office of Food for Peace.

24 (7) SMALL BUSINESS.—In entering into multiple
25 award indefinite-quantity contracts with funds appro-

1 priated by this Act, USAID may provide an exception to
2 the fair opportunity process for placing task orders under
3 such contracts when the order is placed with any category
4 of small or small disadvantaged business.

5 (8) SENIOR FOREIGN SERVICE LIMITED APPOINT-
6 MENTS.—Individuals hired pursuant to the authority pro-
7 vided by section 7059(o) of the Department of State, For-
8 eign Operations, and Related Programs Appropriations
9 Act, 2010 (division F of Public Law 111–117) may be
10 assigned to or support programs in Afghanistan or Paki-
11 stan with funds made available in this Act and prior Acts
12 making appropriations for the Department of State, for-
13 eign operations, and related programs.

14 (9) USAID PERSONNEL LEVELS.—

15 (A) Funds made available by this Act are made
16 available to support the permanent Foreign Service
17 and Civil Service staff levels of USAID at not less
18 than the levels funded in fiscal year 2016.

19 (B) Not later than 60 days after enactment of
20 this Act, and every 60 days thereafter until Sep-
21 tember 30, 2021, the USAID Administrator shall re-
22 port to the appropriate congressional committees on
23 the on-board personnel levels, hiring, and attrition of
24 the Civil Service, Foreign Service, and foreign serv-
25 ice national workforce of USAID, on an operating

1 unit-by-operating unit basis: *Provided*, That such re-
2 port shall also include a hiring plan, including
3 timelines, for maintaining the permanent Foreign
4 Service and Civil Service at not less than the levels
5 funded in fiscal year 2016.

6 (10) USAID REORGANIZATION.—

7 (A) Not later than 30 days after enactment of
8 this Act, and quarterly thereafter until September
9 30, 2021, the USAID Administrator shall submit a
10 report to the appropriate congressional committees
11 on the status of USAID’s reorganization as de-
12 scribed in the report accompanying this Act.

13 (B) The use of funds appropriated by this Act
14 to implement any plan to expand or reduce the size
15 of the permanent Civil Service or Foreign Service
16 workforce at USAID from funded levels in fiscal
17 year 2016 shall be subject to prior consultation with,
18 and the regular notification procedures of, the Com-
19 mittees on Appropriations: *Provided*, That such noti-
20 fication shall include the requirements enumerated
21 in section 7062(b) of this Act.

22 (c) FOREIGN ASSISTANCE REVIEW.—Programmatic,
23 funding, and organizational changes resulting from imple-
24 mentation of the Foreign Assistance Review shall be sub-
25 ject to prior consultation with, and the regular notification

1 procedures of, the Committees on Appropriations: *Pro-*
2 *vided*, That such notifications may be submitted in classi-
3 fied form, if necessary.

4 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
5 COUNTRIES

6 SEC. 7007. None of the funds appropriated or other-
7 wise made available pursuant to titles III through VI of
8 this Act shall be obligated or expended to finance directly
9 any assistance or reparations for the governments of
10 Cuba, North Korea, Iran, or Syria: *Provided*, That for
11 purposes of this section, the prohibition on obligations or
12 expenditures shall include direct loans, credits, insurance,
13 and guarantees of the Export-Import Bank or its agents.

14 COUPS D'ÉTAT

15 SEC. 7008. None of the funds appropriated or other-
16 wise made available pursuant to titles III through VI of
17 this Act shall be obligated or expended to finance directly
18 any assistance to the government of any country whose
19 duly elected head of government is deposed by military
20 coup d'état or decree or, after the date of enactment of
21 this Act, a coup d'état or decree in which the military
22 plays a decisive role: *Provided*, That assistance may be re-
23 sumed to such government if the Secretary of State cer-
24 tifies and reports to the appropriate congressional commit-
25 tees that subsequent to the termination of assistance a

1 democratically elected government has taken office: *Pro-*
2 *vided further*, That the provisions of this section shall not
3 apply to assistance to promote democratic elections or
4 public participation in democratic processes: *Provided fur-*
5 *ther*, That funds made available pursuant to the previous
6 provisos shall be subject to the regular notification proce-
7 dures of the Committees on Appropriations.

8 TRANSFER OF FUNDS AUTHORITY

9 SEC. 7009. (a) DEPARTMENT OF STATE AND
10 UNITED STATES AGENCY FOR GLOBAL MEDIA.—

11 (1) DEPARTMENT OF STATE.—

12 (A) IN GENERAL.—Not to exceed 2 percent of
13 any appropriation made available for the current fis-
14 cal year for the Department of State under title I
15 of this Act may be transferred between, and merged
16 with, such appropriations, but no such appropria-
17 tion, except as otherwise specifically provided, shall
18 be increased by more than 10 percent by any such
19 transfers, and no such transfer may be made to in-
20 crease the appropriation under the heading “Rep-
21 resentation Expenses”.

22 (B) EMBASSY SECURITY.—Section 113 of the
23 Department of State Authorities Act, Fiscal Year
24 2017 (22 U.S.C. 295(j)) shall be applied to funds
25 made available by this Act by substituting “fiscal

1 year 2020” for “fiscal year 2018” each place it ap-
2 pears.

3 (2) UNITED STATES AGENCY FOR GLOBAL MEDIA.—
4 Not to exceed 5 percent of any appropriation made avail-
5 able for the current fiscal year for the United States Agen-
6 cy for Global Media under title I of this Act may be trans-
7 ferred between, and merged with, such appropriations, but
8 no such appropriation, except as otherwise specifically pro-
9 vided, shall be increased by more than 10 percent by any
10 such transfers.

11 (3) TREATMENT AS REPROGRAMMING.—Any transfer
12 pursuant to this subsection shall be treated as a re-
13 programming of funds under section 7015 of this Act and
14 shall not be available for obligation or expenditure except
15 in compliance with the procedures set forth in that section.

16 (b) LIMITATION ON TRANSFERS OF FUNDS BE-
17 TWEEN AGENCIES.—

18 (1) IN GENERAL.—None of the funds made
19 available under titles II through V of this Act may
20 be transferred to any department, agency, or instru-
21 mentality of the United States Government, except
22 pursuant to a transfer made by, or transfer author-
23 ity provided in, this Act or any other appropriations
24 Act.

1 (2) ALLOCATION AND TRANSFERS.—Notwith-
2 standing paragraph (1), in addition to transfers
3 made by, or authorized elsewhere in, this Act, funds
4 appropriated by this Act to carry out the purposes
5 of the Foreign Assistance Act of 1961 may be allo-
6 cated or transferred to agencies of the United States
7 Government pursuant to the provisions of sections
8 109, 610, and 632 of the Foreign Assistance Act of
9 1961, and section 1434(j) of the BUILD Act of
10 2018 (division F of Public Law 115–254).

11 (3) NOTIFICATION.—Any agreement entered
12 into by the United States Agency for International
13 Development or the Department of State with any
14 department, agency, or instrumentality of the United
15 States Government pursuant to section 632(b) of the
16 Foreign Assistance Act of 1961 valued in excess of
17 \$1,000,000 and any agreement made pursuant to
18 section 632(a) of such Act, with funds appropriated
19 by this Act or prior Acts making appropriations for
20 the Department of State, foreign operations, and re-
21 lated programs under the headings “Global Health
22 Programs”, “Development Assistance”, “Economic
23 Support Fund”, and “Assistance for Europe, Eur-
24 asia and Central Asia” shall be subject to the reg-
25 ular notification procedures of the Committees on

1 Appropriations: *Provided*, That the requirement in
2 the previous sentence shall not apply to agreements
3 entered into between USAID and the Department of
4 State.

5 (c) UNITED STATES INTERNATIONAL DEVELOPMENT
6 FINANCE CORPORATION.—

7 (1) LIMITATION.—Amounts transferred pursu-
8 ant to section 1434(j) of the BUILD Act of 2018
9 from funds made available under titles III and IV of
10 this Act shall not exceed \$50,000,000: *Provided*,
11 That any such transfers shall be subject to prior
12 consultation with, and the regular notification proce-
13 dures of, the Committees on Appropriations.

14 (2) DEVELOPMENT CREDIT AUTHORITY AC-
15 COUNT.—Funds transferred from Development
16 Credit Authority program account of the United
17 States Agency for International Development to the
18 Corporate Capital Account of the United States
19 International Development Finance Corporation pur-
20 suant to section 1434(i) of the BUILD Act of 2018
21 shall be transferred and merged with such account,
22 and may thereafter be deemed to meet any minimum
23 funding requirements attributed for at the time of
24 deposit into the Development Credit Authority pro-
25 gram account.

1 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—
2 None of the funds made available under titles II through
3 V of this Act may be obligated under an appropriations
4 account to which such funds were not appropriated, except
5 for transfers specifically provided for in this Act, unless
6 the President, not less than 5 days prior to the exercise
7 of any authority contained in the Foreign Assistance Act
8 of 1961 to transfer funds, consults with and provides a
9 written policy justification to the Committees on Appro-
10 priations.

11 (e) AUDIT OF INTER-AGENCY TRANSFERS OF
12 FUNDS.—Any agreement for the transfer or allocation of
13 funds appropriated by this Act or prior Acts making ap-
14 propriations for the Department of State, foreign oper-
15 ations and related programs, entered into between the De-
16 partment of State or USAID and another agency of the
17 United States Government under the authority of section
18 632(a) of the Foreign Assistance Act of 1961 or any com-
19 parable provision of law, shall expressly provide that the
20 Inspector General (IG) for the agency receiving the trans-
21 fer or allocation of such funds, or other entity with audit
22 responsibility if the receiving agency does not have an IG,
23 shall perform periodic program and financial audits of the
24 use of such funds and report to the Department of State
25 or USAID, as appropriate, upon completion of such au-

1 its: *Provided*, That such audits shall be transmitted to
2 the Committees on Appropriations by the Department of
3 State or USAID, as appropriate: *Provided further*, That
4 funds transferred under such authority may be made
5 available for the cost of such audits.

6 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

7 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
8 funds made available by this Act may be used for first-
9 class travel by employees of United States Government de-
10 partments and agencies funded by this Act in contraven-
11 tion of section 301–10.122 through 301–10.124 of title
12 41, Code of Federal Regulations.

13 (b) COMPUTER NETWORKS.—None of the funds
14 made available by this Act for the operating expenses of
15 any United States Government department or agency may
16 be used to establish or maintain a computer network for
17 use by such department or agency unless such network
18 has filters designed to block access to sexually explicit
19 websites: *Provided*, That nothing in this subsection shall
20 limit the use of funds necessary for any Federal, State,
21 tribal, or local law enforcement agency, or any other entity
22 carrying out the following activities: criminal investiga-
23 tions, prosecutions, and adjudications; administrative dis-
24 cipline; and the monitoring of such websites undertaken
25 as part of official business.

1 (c) PROHIBITION ON PROMOTION OF TOBACCO.—
2 None of the funds made available by this Act shall be
3 available to promote the sale or export of tobacco or to-
4 bacco products, or to seek the reduction or removal by any
5 foreign country of restrictions on the marketing of tobacco
6 or tobacco products, except for restrictions which are not
7 applied equally to all tobacco or tobacco products of the
8 same type.

9 AVAILABILITY OF FUNDS

10 SEC. 7011. (a) No part of any appropriation con-
11 tained in this Act shall remain available for obligation
12 after the expiration of the current fiscal year unless ex-
13 pressly so provided by this Act: *Provided*, That funds ap-
14 propriated for the purposes of chapters 1 and 8 of part
15 I, section 661, chapters 4, 5, 6, 8, and 9 of part II of
16 the Foreign Assistance Act of 1961, section 23 of the
17 Arms Export Control Act, and funds made available for
18 the “United States International Development Finance
19 Corporation” and under the heading “Assistance for Eu-
20 rope, Eurasia and Central Asia” shall remain available for
21 an additional 2 years from the date on which the avail-
22 ability of such funds would otherwise have expired, if such
23 funds are initially obligated before the expiration of their
24 respective periods of availability contained in this Act:
25 *Provided further*, That notwithstanding any other provi-

1 sion of this Act, any funds made available for the purposes
2 of chapter 1 of part I and chapter 4 of part II of the
3 Foreign Assistance Act of 1961 which are allocated or ob-
4 ligated for cash disbursements in order to address balance
5 of payments or economic policy reform objectives, shall re-
6 main available for an additional 2 years from the date on
7 which the availability of such funds would otherwise have
8 expired, if such funds are initially allocated or obligated
9 before the expiration of their respective periods of avail-
10 ability contained in this Act.

11 (b) Notwithstanding any other provision of this Act,
12 any funds appropriated or otherwise made available by
13 this Act that are proposed for rescission pursuant to sec-
14 tion 1012 of the Congressional Budget and Impoundment
15 Control Act of 1974 (2 U.S.C. 683) within 60 days of
16 the expiration of the period of availability of such funds
17 and Congress has not completed action on a rescission bill
18 pursuant to subsection (b) of such section shall remain
19 available for an additional 90 days from the date on which
20 the availability of such funds would otherwise have ex-
21 pired.

22 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

23 SEC. 7012. No part of any appropriation provided
24 under titles III through VI in this Act shall be used to
25 furnish assistance to the government of any country which

1 is in default during a period in excess of 1 calendar year
2 in payment to the United States of principal or interest
3 on any loan made to the government of such country by
4 the United States pursuant to a program for which funds
5 are appropriated under this Act unless the President de-
6 termines, following consultation with the Committees on
7 Appropriations, that assistance for such country is in the
8 national interest of the United States.

9 PROHIBITION ON TAXATION OF UNITED STATES

10 ASSISTANCE

11 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
12 of the funds appropriated under titles III through VI of
13 this Act may be made available to provide assistance for
14 a foreign country under a new bilateral agreement gov-
15 erning the terms and conditions under which such assist-
16 ance is to be provided unless such agreement includes a
17 provision stating that assistance provided by the United
18 States shall be exempt from taxation, or reimbursed, by
19 the foreign government, and the Secretary of State and
20 the Administrator of the United States Agency for Inter-
21 national Development shall expeditiously seek to negotiate
22 amendments to existing bilateral agreements, as nec-
23 essary, to conform with this requirement.

24 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
25 EIGN TAXES.—An amount equivalent to 200 percent of

1 the total taxes assessed during fiscal year 2020 on funds
2 appropriated by this Act and prior Acts making appropria-
3 tions for the Department of State, foreign operations, and
4 related programs by a foreign government or entity
5 against United States assistance programs, either directly
6 or through grantees, contractors, and subcontractors, shall
7 be withheld from obligation from funds appropriated for
8 assistance for fiscal year 2021 and for prior fiscal years
9 and allocated for the central government of such country
10 or for the West Bank and Gaza program, as applicable,
11 if, not later than September 30, 2021, such taxes have
12 not been reimbursed: *Provided*, That the Secretary of
13 State shall report to the Committees on Appropriations
14 by such date on the foreign governments and entities that
15 have not reimbursed such taxes, including any amount of
16 funds withheld pursuant to this subsection.

17 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
18 minimis nature shall not be subject to the provisions of
19 subsection (b).

20 (d) REPROGRAMMING OF FUNDS.—Funds withheld
21 from obligation for each foreign government or entity pur-
22 suant to subsection (b) shall be reprogrammed for assist-
23 ance for countries which do not assess taxes on United
24 States assistance or which have an effective arrangement
25 that is providing substantial reimbursement of such taxes,

1 and that can reasonably accommodate such assistance in
2 a programmatically responsible manner.

3 (e) DETERMINATIONS.—

4 (1) IN GENERAL.—The provisions of this sec-
5 tion shall not apply to any foreign government or en-
6 tity that assesses such taxes if the Secretary of
7 State reports to the Committees on Appropriations
8 that—

9 (A) such foreign government or entity has
10 an effective arrangement that is providing sub-
11 stantial reimbursement of such taxes; or

12 (B) the foreign policy interests of the
13 United States outweigh the purpose of this sec-
14 tion to ensure that United States assistance is
15 not subject to taxation.

16 (2) CONSULTATION.—The Secretary of State
17 shall consult with the Committees on Appropriations
18 at least 15 days prior to exercising the authority of
19 this subsection with regard to any foreign govern-
20 ment or entity.

21 (f) IMPLEMENTATION.—The Secretary of State shall
22 issue and update rules, regulations, or policy guidance, as
23 appropriate, to implement the prohibition against the tax-
24 ation of assistance contained in this section.

25 (g) DEFINITIONS.—As used in this section:

1 specifically designated may be reprogrammed for other
2 programs within the same account notwithstanding the
3 designation if compliance with the designation is made im-
4 possible by operation of any provision of this or any other
5 Act: *Provided*, That any such reprogramming shall be sub-
6 ject to the regular notification procedures of the Commit-
7 tees on Appropriations: *Provided further*, That assistance
8 that is reprogrammed pursuant to this subsection shall be
9 made available under the same terms and conditions as
10 originally provided.

11 (b) EXTENSION OF AVAILABILITY.—In addition to
12 the authority contained in subsection (a), the original pe-
13 riod of availability of funds appropriated by this Act and
14 administered by the Department of State or the United
15 States Agency for International Development that are spe-
16 cifically designated for particular programs or activities by
17 this or any other Act may be extended for an additional
18 fiscal year if the Secretary of State or the USAID Admin-
19 istrator, as appropriate, determines and reports promptly
20 to the Committees on Appropriations that the termination
21 of assistance to a country or a significant change in cir-
22 cumstances makes it unlikely that such designated funds
23 can be obligated during the original period of availability:
24 *Provided*, That such designated funds that continue to be

1 available for an additional fiscal year shall be obligated
2 only for the purpose of such designation.

3 (c) OTHER ACTS.—Ceilings and specifically des-
4 igned funding levels contained in this Act shall not be
5 applicable to funds or authorities appropriated or other-
6 wise made available by any subsequent Act unless such
7 Act specifically so directs: *Provided*, That specifically des-
8 igned funding levels or minimum funding requirements
9 contained in any other Act shall not be applicable to funds
10 appropriated by this Act.

11 NOTIFICATION REQUIREMENTS

12 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
13 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
14 made available in titles I and II of this Act or prior Acts
15 making appropriations for the Department of State, for-
16 eign operations, and related programs to the departments
17 and agencies funded by this Act that remain available for
18 obligation in fiscal year 2020, or provided from any ac-
19 counts in the Treasury of the United States derived by
20 the collection of fees or of currency reflows or other offset-
21 ting collections, or made available by transfer, to the de-
22 partments and agencies funded by this Act, shall be avail-
23 able for obligation to—

24 (1) create new programs;

1 (2) suspend or eliminate a program, project, or
2 activity;

3 (3) close, suspend, open, or reopen a mission or
4 post;

5 (4) create, close, reorganize, downsize, or re-
6 name bureaus, centers, or offices; or

7 (5) contract out or privatize any functions or
8 activities presently performed by Federal employees;
9 unless previously justified to the Committees on Appro-
10 priations or such Committees are notified 15 days in ad-
11 vance of such obligation.

12 (b) NOTIFICATION OF REPROGRAMMING OF
13 FUNDS.—None of the funds provided under titles I and
14 II of this Act or prior Acts making appropriations for the
15 Department of State, foreign operations, and related pro-
16 grams, to the departments and agencies funded under ti-
17 tles I and II of this Act that remain available for obliga-
18 tion in fiscal year 2020, or provided from any accounts
19 in the Treasury of the United States derived by the collec-
20 tion of fees available to the department and agency funded
21 under title I of this Act, shall be available for obligation
22 or expenditure for activities, programs, or projects
23 through a reprogramming of funds in excess of
24 \$1,000,000 or 10 percent, whichever is less, that—

1 (1) augments or changes existing programs,
2 projects, or activities;

3 (2) relocates an existing office or employees;

4 (3) reduces by 10 percent funding for any exist-
5 ing program, project, or activity, or numbers of per-
6 sonnel by 10 percent as approved by Congress; or

7 (4) results from any general savings, including
8 savings from a reduction in personnel, which would
9 result in a change in existing programs, activities, or
10 projects as approved by Congress;

11 unless the Committees on Appropriations are notified 15
12 days in advance of such reprogramming of funds.

13 (c) NOTIFICATION REQUIREMENT.—None of the
14 funds made available by this Act under the headings
15 “Global Health Programs”, “Development Assistance”,
16 “International Organizations and Programs”, “Trade and
17 Development Agency”, “International Narcotics Control
18 and Law Enforcement”, “Economic Support Fund”, “De-
19 mocracy Fund”, “Assistance for Europe, Eurasia and
20 Central Asia”, “Peacekeeping Operations”, “Non-
21 proliferation, Anti-terrorism, Demining and Related Pro-
22 grams”, “Millennium Challenge Corporation”, “Foreign
23 Military Financing Program”, “International Military
24 Education and Training”, “United States International
25 Development Finance Corporation”, and “Peace Corps”,

1 shall be available for obligation for activities, programs,
2 projects, type of materiel assistance, countries, or other
3 operations not justified or in excess of the amount justi-
4 fied to the Committees on Appropriations for obligation
5 under any of these specific headings unless the Commit-
6 tees on Appropriations are notified 15 days in advance of
7 such obligation: *Provided*, That the President shall not
8 enter into any commitment of funds appropriated for the
9 purposes of section 23 of the Arms Export Control Act
10 for the provision of major defense equipment, other than
11 conventional ammunition, or other major defense items
12 defined to be aircraft, ships, missiles, or combat vehicles,
13 not previously justified to Congress or 20 percent in excess
14 of the quantities justified to Congress unless the Commit-
15 tees on Appropriations are notified 15 days in advance of
16 such commitment: *Provided further*, That requirements of
17 this subsection or any similar provision of this or any
18 other Act shall not apply to any reprogramming for an
19 activity, program, or project for which funds are appro-
20 priated under titles III through VI of this Act of less than
21 10 percent of the amount previously justified to Congress
22 for obligation for such activity, program, or project for the
23 current fiscal year: *Provided further*, That any notification
24 submitted pursuant to subsection (f) of this section shall
25 include information (if known on the date of transmittal

1 of such notification) on the use of notwithstanding author-
2 ity.

3 (d) DEPARTMENT OF DEFENSE PROGRAMS AND
4 FUNDING NOTIFICATIONS.—

5 (1) PROGRAMS.—None of the funds appro-
6 priated by this Act or prior Acts making appropria-
7 tions for the Department of State, foreign oper-
8 ations, and related programs may be made available
9 to support or continue any program initially funded
10 under any authority of title 10, United States Code,
11 or any Act making or authorizing appropriations for
12 the Department of Defense, unless the Secretary of
13 State, in consultation with the Secretary of Defense
14 and in accordance with the regular notification pro-
15 cedures of the Committees on Appropriations, sub-
16 mits a justification to such Committees that includes
17 a description of, and the estimated costs associated
18 with, the support or continuation of such program.

19 (2) FUNDING.—Notwithstanding any other pro-
20 vision of law, funds transferred by the Department
21 of Defense to the Department of State and the
22 United States Agency for International Development
23 for assistance for foreign countries and international
24 organizations shall be subject to the regular notifica-

1 tion procedures of the Committees on Appropria-
2 tions.

3 (3) NOTIFICATION ON EXCESS DEFENSE ARTI-
4 CLES.—Prior to providing excess Department of De-
5 fense articles in accordance with section 516(a) of
6 the Foreign Assistance Act of 1961, the Department
7 of Defense shall notify the Committees on Appro-
8 priations to the same extent and under the same
9 conditions as other committees pursuant to sub-
10 section (f) of that section: *Provided*, That before
11 issuing a letter of offer to sell excess defense articles
12 under the Arms Export Control Act, the Department
13 of Defense shall notify the Committees on Appro-
14 priations in accordance with the regular notification
15 procedures of such Committees if such defense arti-
16 cles are significant military equipment (as defined in
17 section 47(9) of the Arms Export Control Act) or
18 are valued (in terms of original acquisition cost) at
19 \$7,000,000 or more, or if notification is required
20 elsewhere in this Act for the use of appropriated
21 funds for specific countries that would receive such
22 excess defense articles: *Provided further*, That such
23 Committees shall also be informed of the original ac-
24 quisition cost of such defense articles.

1 (e) WAIVER.—The requirements of this section or
2 any similar provision of this Act or any other Act, includ-
3 ing any prior Act requiring notification in accordance with
4 the regular notification procedures of the Committees on
5 Appropriations, may be waived if failure to do so would
6 pose a substantial risk to human health or welfare: *Pro-*
7 *vided*, That in case of any such waiver, notification to the
8 Committees on Appropriations shall be provided as early
9 as practicable, but in no event later than 3 days after tak-
10 ing the action to which such notification requirement was
11 applicable, in the context of the circumstances necessi-
12 tating such waiver: *Provided further*, That any notification
13 provided pursuant to such a waiver shall contain an expla-
14 nation of the emergency circumstances.

15 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
16 of the funds appropriated under titles III through VI of
17 this Act may be obligated or expended for assistance for
18 Afghanistan, Bahrain, Burma, Cambodia, Colombia,
19 Cuba, Egypt, El Salvador, Guatemala, Haiti, Honduras,
20 Iran, Iraq, Lebanon, Libya, Mexico, Nicaragua, Pakistan,
21 Philippines, the Russian Federation, Somalia, South
22 Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela,
23 and Yemen except as provided through the regular notifi-
24 cation procedures of the Committees on Appropriations.

1 (g) TRUST FUNDS.—Funds appropriated or other-
2 wise made available in title III and under the heading
3 “Economic Support Fund” of this Act and prior Acts
4 making funds available for the Department of State, for-
5 eign operations, and related programs that are made avail-
6 able for a trust fund held by an international financial
7 institution shall be subject to the regular notification pro-
8 cedures of the Committees on Appropriations and such no-
9 tification shall include the information specified under this
10 section in the report accompanying this Act.

11 (h) OTHER PROGRAM NOTIFICATION REQUIRE-
12 MENT.—Funds appropriated by this Act that are made
13 available for the programs and activities enumerated
14 under this section in the report accompanying this Act
15 shall be subject to the regular notification procedures of
16 the Committees on Appropriations.

17 (i) WITHHOLDING OF FUNDS.—Funds appropriated
18 by this Act under titles III and IV that are withheld from
19 obligation or otherwise not programmed as a result of ap-
20 plication of a provision of law in this or any other Act
21 shall, if reprogrammed, be subject to the regular notifica-
22 tion procedures of the Committees on Appropriations.

23 (j) REQUIREMENT TO INFORM, COORDINATE, AND
24 CONSULT.—

1 (1) The Secretary of State shall promptly in-
2 form the appropriate congressional committees of
3 each instance in which funds appropriated by this
4 Act for assistance for Iraq, Libya, Somalia, Syria,
5 the Counterterrorism Partnership Fund, the Relief
6 and Recovery Fund, or programs to counter extre-
7 mism and foreign fighters abroad, have been di-
8 verted or destroyed, to include the type and amount
9 of assistance, a description of the incident and par-
10 ties involved, and an explanation of the response of
11 the Department of State or USAID, as appropriate:
12 *Provided*, That the Secretary shall ensure such
13 funds are coordinated with, and complement, the
14 programs of other United States Government de-
15 partments and agencies and international partners
16 in such countries and on such activities.

17 (2) The Secretary of State shall consult with
18 the Committees on Appropriations at least seven
19 days prior to informing a government of, or pub-
20 lically announcing a decision on, the suspension of
21 assistance to a country or a territory, including as
22 a result of an interagency review of such assistance,
23 from funds appropriated by this Act or prior Acts
24 making appropriations for the Department of State,
25 foreign operations, and related programs.

1 DOCUMENT REQUESTS

2 SEC. 7016. None of the funds appropriated or made
3 available pursuant to titles III through VI of this Act shall
4 be available to a nongovernmental organization, including
5 any contractor, which fails to provide upon timely request
6 any document, file, or record necessary to the auditing re-
7 quirements of the Department of State and the United
8 States Agency for International Development.

9 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

10 SEC. 7017. If the President makes a determination
11 not to comply with any provision of this Act on constitu-
12 tional grounds, the head of the relevant Federal agency
13 shall notify the Committees on Appropriations in writing
14 within 5 days of such determination, the basis for such
15 determination and any resulting changes to program and
16 policy.

17 PROHIBITION ON FUNDING FOR ABORTIONS AND
18 INVOLUNTARY STERILIZATION

19 SEC. 7018. None of the funds made available to carry
20 out part I of the Foreign Assistance Act of 1961, as
21 amended, may be used to pay for the performance of abor-
22 tions as a method of family planning or to motivate or
23 coerce any person to practice abortions. None of the funds
24 made available to carry out part I of the Foreign Assist-
25 ance Act of 1961, as amended, may be used to pay for

1 the performance of involuntary sterilization as a method
2 of family planning or to coerce or provide any financial
3 incentive to any person to undergo sterilizations. None of
4 the funds made available to carry out part I of the Foreign
5 Assistance Act of 1961, as amended, may be used to pay
6 for any biomedical research which relates in whole or in
7 part, to methods of, or the performance of, abortions or
8 involuntary sterilization as a means of family planning.
9 None of the funds made available to carry out part I of
10 the Foreign Assistance Act of 1961, as amended, may be
11 obligated or expended for any country or organization if
12 the President certifies that the use of these funds by any
13 such country or organization would violate any of the
14 above provisions related to abortions and involuntary steri-
15 lizations.

16 ALLOCATIONS AND REPORTS

17 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
18 subsection (b), funds appropriated by this Act under titles
19 III through V shall be made available at not less than the
20 amounts specifically designated in the respective tables in-
21 cluded under such titles in the report accompanying this
22 Act: *Provided*, That such designated amounts for foreign
23 countries and international organizations shall serve as
24 the amounts for such countries and international organi-

1 zations transmitted to Congress in the report required by
2 section 653(a) of the Foreign Assistance Act of 1961.

3 (b) AUTHORIZED DEVIATIONS BELOW MINIMUM
4 LEVELS.—Unless otherwise provided for by this Act, the
5 Secretary of State and the Administrator of the United
6 States Agency for International Development, as applica-
7 ble, may deviate by not more than 5 percent below the
8 minimum amounts specifically designated in the respective
9 tables included under titles III through V in the report
10 accompanying this Act.

11 (c) LIMITATION.—For specifically designated
12 amounts that are included, pursuant to subsection (a), in
13 the report required by section 653(a) of the Foreign As-
14 sistance Act of 1961, deviations authorized by subsection
15 (b) may only take place after submission of such report.

16 (d) EXCEPTIONS.—

17 (1) Subsections (a) and (b) shall not apply to
18 funds for which the initial period of availability has
19 expired.

20 (2) The authority in subsection (b) to deviate
21 below amounts designated in the respective tables in-
22 cluded in the report accompanying this Act shall not
23 apply to the table included under the heading “Glob-
24 al Health Programs” in such report.

1 (e) REPORTS.—The Secretary of State and the
2 USAID Administrator, as appropriate, shall submit the
3 reports required, in the manner described, in the report
4 accompanying this Act.

5 REPRESENTATION AND ENTERTAINMENT EXPENSES

6 SEC. 7020. (a) USES OF FUNDS.—Each Federal de-
7 partment, agency, or entity funded in titles I or II of this
8 Act, and the Department of the Treasury and independent
9 agencies funded in titles III or VI of this Act, shall take
10 steps to ensure that domestic and overseas representation
11 and entertainment expenses further official agency busi-
12 ness and United States foreign policy interests, and—

13 (1) are primarily for fostering relations outside
14 of the Executive Branch;

15 (2) are principally for meals and events of a
16 protocol nature;

17 (3) are not for employee-only events; and

18 (4) do not include activities that are substan-
19 tially of a recreational character.

20 (b) LIMITATIONS.—None of the funds appropriated
21 or otherwise made available by this Act under the head-
22 ings “International Military Education and Training” or
23 “Foreign Military Financing Program” for Informational
24 Program activities or under the headings “Global Health
25 Programs”, “Development Assistance”, “Economic Sup-

1 port Fund”, and “Assistance for Europe, Eurasia and
2 Central Asia” may be obligated or expended to pay for—

3 (1) alcoholic beverages; or

4 (2) entertainment expenses for activities that
5 are substantially of a recreational character, includ-
6 ing entrance fees at sporting events, theatrical and
7 musical productions, and amusement parks.

8 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

9 SUPPORTING INTERNATIONAL TERRORISM

10 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
11 PORTS.—

12 (1) PROHIBITION.—None of the funds appro-
13 priated or otherwise made available under titles III
14 through VI of this Act may be made available to any
15 foreign government which provides lethal military
16 equipment to a country the government of which the
17 Secretary of State has determined supports inter-
18 national terrorism for purposes of section 6(j) of the
19 Export Administration Act of 1979 as continued in
20 effect pursuant to the International Emergency Eco-
21 nomic Powers Act: *Provided*, That the prohibition
22 under this section with respect to a foreign govern-
23 ment shall terminate 12 months after that govern-
24 ment ceases to provide such military equipment:
25 *Provided further*, That this section applies with re-

1 spect to lethal military equipment provided under a
2 contract entered into after October 1, 1997.

3 (2) DETERMINATION.—Assistance restricted by
4 paragraph (1) or any other similar provision of law,
5 may be furnished if the President determines that to
6 do so is important to the national interest of the
7 United States.

8 (3) REPORT.—Whenever the President makes a
9 determination pursuant to paragraph (2), the Presi-
10 dent shall submit to the Committees on Appropria-
11 tions a report with respect to the furnishing of such
12 assistance, including a detailed explanation of the
13 assistance to be provided, the estimated dollar
14 amount of such assistance, and an explanation of
15 how the assistance furthers United States national
16 interest.

17 (b) BILATERAL ASSISTANCE.—

18 (1) LIMITATIONS.—Funds appropriated for bi-
19 lateral assistance in titles III through VI of this Act
20 and funds appropriated under any such title in prior
21 Acts making appropriations for the Department of
22 State, foreign operations, and related programs,
23 shall not be made available to any foreign govern-
24 ment which the President determines—

1 (A) grants sanctuary from prosecution to
2 any individual or group which has committed
3 an act of international terrorism;

4 (B) otherwise supports international ter-
5 rorism; or

6 (C) is controlled by an organization des-
7 igned as a terrorist organization under sec-
8 tion 219 of the Immigration and Nationality
9 Act (8 U.S.C. 1189).

10 (2) WAIVER.—The President may waive the ap-
11 plication of paragraph (1) to a government if the
12 President determines that national security or hu-
13 manitarian reasons justify such waiver: *Provided*,
14 That the President shall publish each such waiver in
15 the Federal Register and, at least 15 days before the
16 waiver takes effect, shall notify the Committees on
17 Appropriations of the waiver (including the justifica-
18 tion for the waiver) in accordance with the regular
19 notification procedures of the Committees on Appro-
20 priations.

21 AUTHORIZATION REQUIREMENTS

22 SEC. 7022. Funds appropriated by this Act, except
23 funds appropriated under the heading “Trade and Devel-
24 opment Agency”, may be obligated and expended notwith-
25 standing section 10 of Public Law 91–672 (22 U.S.C.

1 2412), section 15 of the State Department Basic Authori-
2 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
3 eign Relations Authorization Act, Fiscal Years 1994 and
4 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
5 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

6 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

7 SEC. 7023. For the purpose of titles II through VI
8 of this Act “program, project, and activity” shall be de-
9 fined at the appropriations Act account level and shall in-
10 clude all appropriations and authorizations Acts funding
11 directives, ceilings, and limitations with the exception that
12 for the following accounts: “Economic Support Fund”,
13 “Assistance for Europe, Eurasia and Central Asia”, and
14 “Foreign Military Financing Program”, “program,
15 project, and activity” shall also be considered to include
16 country, regional, and central program level funding with-
17 in each such account; and for the development assistance
18 accounts of the United States Agency for International
19 Development, “program, project, and activity” shall also
20 be considered to include central, country, regional, and
21 program level funding, either as—

- 22 (1) justified to Congress; or
23 (2) allocated by the Executive Branch in ac-
24 cordance with a report, to be provided to the Com-
25 mittees on Appropriations within 30 days after en-

1 actment of this Act, as required by section 653(a)
2 of the Foreign Assistance Act of 1961 or as modi-
3 fied pursuant to section 7019 of this Act.

4 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
5 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
6 OPMENT FOUNDATION

7 SEC. 7024. Unless expressly provided to the contrary,
8 provisions of this or any other Act, including provisions
9 contained in prior Acts authorizing or making appropria-
10 tions for the Department of State, foreign operations, and
11 related programs, shall not be construed to prohibit activi-
12 ties authorized by or conducted under the Peace Corps
13 Act, the Inter-American Foundation Act or the African
14 Development Foundation Act: *Provided*, That prior to con-
15 ducting activities in a country for which assistance is pro-
16 hibited, the agency shall consult with the Committees on
17 Appropriations and report to such Committees within 15
18 days of taking such action.

19 COMMERCE, TRADE AND SURPLUS COMMODITIES

20 SEC. 7025. (a) WORLD MARKETS.—None of the
21 funds appropriated or made available pursuant to titles
22 III through VI of this Act for direct assistance and none
23 of the funds otherwise made available to the Export-Im-
24 port Bank and the United States International Develop-
25 ment Finance Corporation shall be obligated or expended

1 to finance any loan, any assistance, or any other financial
2 commitments for establishing or expanding production of
3 any commodity for export by any country other than the
4 United States, if the commodity is likely to be in surplus
5 on world markets at the time the resulting productive ca-
6 pacity is expected to become operative and if the assist-
7 ance will cause substantial injury to United States pro-
8 ducers of the same, similar, or competing commodity: *Pro-*
9 *vided*, That such prohibition shall not apply to the Export-
10 Import Bank if in the judgment of its Board of Directors
11 the benefits to industry and employment in the United
12 States are likely to outweigh the injury to United States
13 producers of the same, similar, or competing commodity,
14 and the Chairman of the Board so notifies the Committees
15 on Appropriations: *Provided further*, That this subsection
16 shall not prohibit—

17 (1) activities in a country that is eligible for as-
18 sistance from the International Development Asso-
19 ciation, is not eligible for assistance from the Inter-
20 national Bank for Reconstruction and Development,
21 and does not export on a consistent basis the agri-
22 cultural commodity with respect to which assistance
23 is furnished; or

1 (2) activities in a country the President deter-
2 mines is recovering from widespread conflict, a hu-
3 manitarian crisis, or a complex emergency.

4 (b) EXPORTS.—None of the funds appropriated by
5 this or any other Act to carry out chapter 1 of part I
6 of the Foreign Assistance Act of 1961 shall be available
7 for any testing or breeding feasibility study, variety im-
8 provement or introduction, consultancy, publication, con-
9 ference, or training in connection with the growth or pro-
10 duction in a foreign country of an agricultural commodity
11 for export which would compete with a similar commodity
12 grown or produced in the United States: *Provided*, That
13 this subsection shall not prohibit—

14 (1) activities designed to increase food security
15 in developing countries where such activities will not
16 have a significant impact on the export of agricul-
17 tural commodities of the United States;

18 (2) research activities intended primarily to
19 benefit United States producers;

20 (3) activities in a country that is eligible for as-
21 sistance from the International Development Asso-
22 ciation, is not eligible for assistance from the Inter-
23 national Bank for Reconstruction and Development,
24 and does not export on a consistent basis the agri-

1 cultural commodity with respect to which assistance
2 is furnished; or

3 (4) activities in a country the President deter-
4 mines is recovering from widespread conflict, a hu-
5 manitarian crisis, or a complex emergency.

6 SEPARATE ACCOUNTS

7 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL
8 CURRENCIES.—

9 (1) AGREEMENTS.—If assistance is furnished to
10 the government of a foreign country under chapters
11 1 and 10 of part I or chapter 4 of part II of the
12 Foreign Assistance Act of 1961 under agreements
13 which result in the generation of local currencies of
14 that country, the Administrator of the United States
15 Agency for International Development shall—

16 (A) require that local currencies be depos-
17 ited in a separate account established by that
18 government;

19 (B) enter into an agreement with that gov-
20 ernment which sets forth—

21 (i) the amount of the local currencies
22 to be generated; and

23 (ii) the terms and conditions under
24 which the currencies so deposited may be
25 utilized, consistent with this section; and

1 (C) establish by agreement with that gov-
2 ernment the responsibilities of USAID and that
3 government to monitor and account for deposits
4 into and disbursements from the separate ac-
5 count.

6 (2) USES OF LOCAL CURRENCIES.—As may be
7 agreed upon with the foreign government, local cur-
8 rencies deposited in a separate account pursuant to
9 subsection (a), or an equivalent amount of local cur-
10 rencies, shall be used only—

11 (A) to carry out chapter 1 or 10 of part
12 I or chapter 4 of part II of the Foreign Assist-
13 ance Act of 1961 (as the case may be), for such
14 purposes as—

15 (i) project and sector assistance activi-
16 ties; or

17 (ii) debt and deficit financing; or

18 (B) for the administrative requirements of
19 the United States Government.

20 (3) PROGRAMMING ACCOUNTABILITY.—USAID
21 shall take all necessary steps to ensure that the
22 equivalent of the local currencies disbursed pursuant
23 to subsection (a)(2)(A) from the separate account
24 established pursuant to subsection (a)(1) are used

1 for the purposes agreed upon pursuant to subsection
2 (a)(2).

3 (4) TERMINATION OF ASSISTANCE PRO-
4 GRAMS.—Upon termination of assistance to a coun-
5 try under chapter 1 or 10 of part I or chapter 4 of
6 part II of the Foreign Assistance Act of 1961 (as
7 the case may be), any unencumbered balances of
8 funds which remain in a separate account estab-
9 lished pursuant to subsection (a) shall be disposed of
10 for such purposes as may be agreed to by the gov-
11 ernment of that country and the United States Gov-
12 ernment.

13 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

14 (1) IN GENERAL.—If assistance is made avail-
15 able to the government of a foreign country, under
16 chapter 1 or 10 of part I or chapter 4 of part II of
17 the Foreign Assistance Act of 1961, as cash transfer
18 assistance or as nonproject sector assistance, that
19 country shall be required to maintain such funds in
20 a separate account and not commingle with any
21 other funds.

22 (2) APPLICABILITY OF OTHER PROVISIONS OF
23 LAW.—Such funds may be obligated and expended
24 notwithstanding provisions of law which are incon-
25 sistent with the nature of this assistance including

1 provisions which are referenced in the Joint Explan-
2 atory Statement of the Committee of Conference ac-
3 companying House Joint Resolution 648 (House Re-
4 port No. 98–1159).

5 (3) NOTIFICATION.—At least 15 days prior to
6 obligating any such cash transfer or nonproject sec-
7 tor assistance, the President shall submit a notifica-
8 tion through the regular notification procedures of
9 the Committees on Appropriations, which shall in-
10 clude a detailed description of how the funds pro-
11 posed to be made available will be used, with a dis-
12 cussion of the United States interests that will be
13 served by such assistance (including, as appropriate,
14 a description of the economic policy reforms that will
15 be promoted by such assistance).

16 (4) EXEMPTION.—Nonproject sector assistance
17 funds may be exempt from the requirements of para-
18 graph (1) only through the regular notification pro-
19 cedures of the Committees on Appropriations.

20 ELIGIBILITY FOR ASSISTANCE

21 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-
22 MENTAL ORGANIZATIONS.—Restrictions contained in this
23 or any other Act with respect to assistance for a country
24 shall not be construed to restrict assistance in support of
25 programs of nongovernmental organizations from funds

1 appropriated by this Act to carry out the provisions of
2 chapters 1, 10, 11, and 12 of part I and chapter 4 of
3 part II of the Foreign Assistance Act of 1961 and from
4 funds appropriated under the heading “Assistance for Eu-
5 rope, Eurasia and Central Asia”: *Provided*, That before
6 using the authority of this subsection to furnish assistance
7 in support of programs of nongovernmental organizations,
8 the President shall notify the Committees on Appropria-
9 tions pursuant to the regular notification procedures, in-
10 cluding a description of the program to be assisted, the
11 assistance to be provided, and the reasons for furnishing
12 such assistance: *Provided further*, That nothing in this
13 subsection shall be construed to alter any existing statu-
14 tory prohibitions against abortion or involuntary steriliza-
15 tions contained in this or any other Act.

16 (b) PUBLIC LAW 480.—During fiscal year 2020, re-
17 strictions contained in this or any other Act with respect
18 to assistance for a country shall not be construed to re-
19 strict assistance under the Food for Peace Act (Public
20 Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none
21 of the funds appropriated to carry out title I of such Act
22 and made available pursuant to this subsection may be
23 obligated or expended except as provided through the reg-
24 ular notification procedures of the Committees on Appro-
25 priations.

1 (c) EXCEPTION.—This section shall not apply—

2 (1) with respect to section 620A of the Foreign
3 Assistance Act of 1961 or any comparable provision
4 of law prohibiting assistance to countries that sup-
5 port international terrorism; or

6 (2) with respect to section 116 of the Foreign
7 Assistance Act of 1961 or any comparable provision
8 of law prohibiting assistance to the government of a
9 country that violates internationally recognized
10 human rights.

11 LOCAL COMPETITION

12 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO
13 COMPETITION FOR LOCAL ENTITIES.—Funds appro-
14 priated by this Act that are made available to the United
15 States Agency for International Development may only be
16 made available for limited competitions through local enti-
17 ties if the requirements contained under this section in
18 the report accompanying this Act are met.

19 (b) EXTENSION OF PROCUREMENT AUTHORITY.—
20 Section 7077 of the Department of State, Foreign Oper-
21 ations, and Related Programs Appropriations Act, 2012
22 (division I of Public Law 112–74) shall continue in effect
23 during fiscal year 2020.

1 INTERNATIONAL FINANCIAL INSTITUTIONS

2 SEC. 7029. (a) SAFEGUARDS.—The Secretary of the
3 Treasury shall instruct the United States Executive Direc-
4 tor of the International Bank for Reconstruction and De-
5 velopment and the International Development Association
6 to vote against any loan, grant, policy, or strategy if such
7 institution has adopted and is implementing any social or
8 environmental safeguard relevant to such loan, grant, pol-
9 icy, or strategy that provides less protection than World
10 Bank safeguards in effect on September 30, 2015.

11 (b) COMPENSATION.—None of the funds appro-
12 priated under title V of this Act may be made as payment
13 to any international financial institution while the United
14 States executive director to such institution is com-
15 pensated by the institution at a rate which, together with
16 whatever compensation such executive director receives
17 from the United States, is in excess of the rate provided
18 for an individual occupying a position at level IV of the
19 Executive Schedule under section 5315 of title 5, United
20 States Code, or while any alternate United States execu-
21 tive director to such institution is compensated by the in-
22 stitution at a rate in excess of the rate provided for an
23 individual occupying a position at level V of the Executive
24 Schedule under section 5316 of title 5, United States
25 Code.

1 (c) HUMAN RIGHTS.—The Secretary of the Treasury
2 shall instruct the United States executive director of each
3 international financial institution to promote human
4 rights due diligence and risk management, as appropriate,
5 in connection with any loan, grant, policy, or strategy of
6 such institution in accordance with the criteria specified
7 under this section in the report accompanying this Act.

8 (d) FRAUD AND CORRUPTION.—The Secretary of the
9 Treasury shall instruct the United States executive direc-
10 tor of each international financial institution to promote
11 in loan, grant, and other financing agreements improve-
12 ments in borrowing countries' financial management and
13 judicial capacity to investigate, prosecute, and punish
14 fraud and corruption.

15 MULTI-YEAR PLEDGES

16 SEC. 7030. None of the funds appropriated by this
17 Act may be used to make any pledge for future year fund-
18 ing for any multilateral or bilateral program funded in ti-
19 tles III through VI of this Act unless such pledge meets
20 the requirements enumerated under this section in the re-
21 port accompanying this Act.

22 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

23 SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
24 MENT-TO-GOVERNMENT ASSISTANCE.—

1 (1) REQUIREMENTS.—Funds appropriated by
2 this Act may be made available for direct govern-
3 ment-to-government assistance only if the conditions
4 enumerated under this section in the report accom-
5 panying this Act are fully met.

6 (2) SUSPENSION OF ASSISTANCE.—The Admin-
7 istrator of the United States Agency for Inter-
8 national Development or the Secretary of State, as
9 appropriate, shall suspend any direct government-to-
10 government assistance if the Administrator or the
11 Secretary has credible information of material mis-
12 use of such assistance, unless the Administrator or
13 the Secretary reports to the Committees on Appro-
14 priations that it is in the national interest of the
15 United States to continue such assistance, including
16 a justification, or that such misuse has been appro-
17 priately addressed.

18 (3) DEBT SERVICE PAYMENT PROHIBITION.—
19 None of the funds made available by this Act may
20 be used by the government of any foreign country
21 for debt service payments owed by any country to
22 any international financial institution.

23 (b) NATIONAL BUDGET AND CONTRACT TRANS-
24 PARENCY.—

1 (1) MINIMUM REQUIREMENTS OF FISCAL
2 TRANSPARENCY.—The Secretary of State shall con-
3 tinue to update and strengthen the “minimum re-
4 quirements of fiscal transparency” for each govern-
5 ment receiving assistance appropriated by this Act,
6 as identified in the report required by section
7 7031(b) of the Department of State, Foreign Oper-
8 ations, and Related Programs Appropriations Act,
9 2014 (division K of Public Law 113–76).

10 (2) DETERMINATION AND REPORT.—For each
11 government identified pursuant to paragraph (1),
12 the Secretary of State, not later than 180 days after
13 enactment of this Act, shall make or update any de-
14 termination of “significant progress” or “no signifi-
15 cant progress” in meeting the minimum require-
16 ments of fiscal transparency, and make such deter-
17 minations publicly available in an annual “Fiscal
18 Transparency Report” to be posted on the Depart-
19 ment of State website.

20 (3) ASSISTANCE.—Funds appropriated under
21 title III and under the heading “Economic Support
22 Fund” in title IV of this Act shall be made available
23 for programs and activities to assist governments
24 identified pursuant to paragraph (1) to improve
25 budget transparency and to support civil society or-

1 organizations in such countries that promote budget
2 transparency.

3 (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

4 (1) INELIGIBILITY.—

5 (A) Officials of foreign governments and
6 their immediate family members about whom
7 the Secretary of State has credible information
8 have been involved in significant corruption, in-
9 cluding corruption related to the extraction of
10 natural resources, or a gross violation of human
11 rights shall be ineligible for entry into the
12 United States.

13 (B) The Secretary shall also publicly or
14 privately designate or identify officials of for-
15 eign governments and their immediate family
16 members about whom the Secretary has such
17 credible information without regard to whether
18 the individual has applied for a visa.

19 (2) EXCEPTION.—Individuals shall not be ineli-
20 gible if entry into the United States would further
21 important United States law enforcement objectives
22 or is necessary to permit the United States to fulfill
23 its obligations under the United Nations Head-
24 quarters Agreement: *Provided*, That nothing in
25 paragraph (1) shall be construed to derogate from

1 United States Government obligations under applica-
2 ble international agreements.

3 (3) WAIVER.—The Secretary may waive the ap-
4 plication of paragraph (1) if the Secretary deter-
5 mines that the waiver would serve a compelling na-
6 tional interest or that the circumstances which
7 caused the individual to be ineligible have changed
8 sufficiently.

9 (d) FOREIGN ASSISTANCE WEBSITE.—Funds appro-
10 priated by this Act under titles I and II, and funds made
11 available for any independent agency in title III, as appro-
12 priate, shall be made available to support the provision
13 of additional information on United States Government
14 foreign assistance on the Department of State foreign as-
15 sistance website: *Provided*, That all Federal agencies fund-
16 ed under this Act shall provide such information on for-
17 eign assistance, upon request, to the Department of State.

18 DEMOCRACY PROGRAMS

19 SEC. 7032. (a) FUNDING.—Of the funds appro-
20 priated by this Act under the headings “Development As-
21 sistance”, “Economic Support Fund”, “Democracy
22 Fund”, “Assistance for Europe, Eurasia and Central
23 Asia”, and “International Narcotics Control and Law En-
24 forcement”, not less than \$2,400,000,000 shall be made
25 available for democracy programs.

1 (b) AUTHORITIES.—

2 (1) Funds made available by this Act for de-
3 mocracy programs pursuant to subsection (a) and
4 under the heading “National Endowment for De-
5 mocracy” may be made available notwithstanding
6 any other provision of law, and with regard to the
7 National Endowment for Democracy (NED), any
8 regulation.

9 (2) Funds made available by this Act for the
10 NED are made available pursuant to the authority
11 of the National Endowment for Democracy Act (title
12 V of Public Law 98–164), including all decisions re-
13 garding the selection of beneficiaries.

14 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For
15 purposes of funds appropriated by this Act, the term “de-
16 mocracy programs” means programs that support good
17 governance, credible and competitive elections, freedom of
18 expression, association, assembly, and religion, human
19 rights, labor rights, independent media, and the rule of
20 law, and that otherwise strengthen the capacity of demo-
21 cratic political parties, governments, nongovernmental or-
22 ganizations and institutions, and citizens to support the
23 development of democratic states and institutions that are
24 responsive and accountable to citizens.

1 (d) PROGRAM PRIORITIZATION.—Funds made avail-
2 able pursuant to this section that are made available for
3 programs to strengthen government institutions shall be
4 prioritized for those institutions that demonstrate a com-
5 mitment to democracy and the rule of law.

6 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
7 spect to the provision of assistance for democracy pro-
8 grams in this Act, the organizations implementing such
9 assistance, the specific nature of that assistance, and the
10 participants in such programs shall not be subject to the
11 prior approval by the government of any foreign country.

12 (f) CONTINUATION OF CURRENT PRACTICES.—The
13 United States Agency for International Development shall
14 continue to implement civil society and political competi-
15 tion and consensus building programs abroad with funds
16 appropriated by this Act in a manner that recognizes the
17 unique benefits of grants and cooperative agreements in
18 implementing such programs.

19 (g) INFORMING THE NATIONAL ENDOWMENT FOR
20 DEMOCRACY.—The Assistant Secretary for Democracy,
21 Human Rights, and Labor, Department of State, and the
22 Assistant Administrator for Democracy, Conflict, and Hu-
23 manitarian Assistance, USAID, shall regularly inform the
24 National Endowment for Democracy of democracy pro-
25 grams that are planned and supported by funds made

1 available by this Act and prior Acts making appropriations
2 for the Department of State, foreign operations, and re-
3 lated programs.

4 (h) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND
5 JOURNALISTS.—Funds appropriated by this Act under
6 title III shall be made available to support and protect
7 civil society activists and journalists who have been threat-
8 ened, harassed, or attacked, consistent with the action
9 plan submitted pursuant to, and on the same terms and
10 conditions of, section 7032(i) of the Department of State,
11 Foreign Operations, and Related Programs Appropria-
12 tions Act, 2018 (division K of Public Law 115–141).

13 INTERNATIONAL RELIGIOUS FREEDOM

14 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
15 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
16 GIOUS FREEDOM.—Funds appropriated by this Act under
17 the heading “Diplomatic Programs” shall be made avail-
18 able for the Office of International Religious Freedom,
19 Bureau of Democracy, Human Rights, and Labor, De-
20 partment of State, and the Special Envoy to Promote Reli-
21 gious Freedom of Religious Minorities in the Near East
22 and South Central Asia, as authorized in the Near East
23 and South Central Asia Religious Freedom Act of 2014
24 (Public Law 113–161), including for support staff at not
25 less than the amounts specified for such offices in the

1 table under such heading in the report accompanying this
2 Act.

3 (b) ASSISTANCE.—Funds appropriated by this Act
4 under the headings “Democracy Fund”, “Economic Sup-
5 port Fund”, and “International Broadcasting Operations”
6 shall be made available for international religious freedom
7 programs and funds appropriated by this Act under the
8 headings “International Disaster Assistance” and “Migra-
9 tion and Refugee Assistance” shall be made available for
10 humanitarian assistance for vulnerable and persecuted re-
11 ligious minorities.

12 (c) AUTHORITY.—Funds appropriated by this Act
13 and prior Acts making appropriations for the Department
14 of State, foreign operations, and related programs under
15 the heading “Economic Support Fund” may be made
16 available notwithstanding any other provision of law for
17 assistance for ethnic and religious minorities in Iraq and
18 Syria.

19 SPECIAL PROVISIONS

20 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
21 DREN, AND DISPLACED BURMESE.—Funds appropriated
22 in titles III and VI of this Act that are made available
23 for victims of war, displaced children, displaced Burmese,
24 and to combat trafficking in persons and assist victims

1 of such trafficking, may be made available notwith-
2 standing any other provision of law.

3 (b) ATROCITIES PREVENTION.—Of the funds appro-
4 priated by this Act under the headings “Economic Sup-
5 port Fund” and “International Narcotics Control and
6 Law Enforcement”, not less than \$5,000,000 shall be
7 made available for programs to prevent atrocities, includ-
8 ing to implement recommendations of the Atrocities Pre-
9 vention Board, or any successor entity.

10 (c) WORLD FOOD PROGRAMME.—Funds managed by
11 the Bureau for Democracy, Conflict, and Humanitarian
12 Assistance, or any successor humanitarian assistance bu-
13 reau, of the United States Agency for International Devel-
14 opment, from this or any other Act, may be made available
15 as a general contribution to the World Food Programme,
16 notwithstanding any other provision of law.

17 (d) DIRECTIVES AND AUTHORITIES.—

18 (1) RESEARCH AND TRAINING.—Funds appro-
19 priated by this Act under the heading “Assistance
20 for Europe, Eurasia and Central Asia” shall be
21 made available to carry out the Program for Re-
22 search and Training on Eastern Europe and the
23 Independent States of the Former Soviet Union as
24 authorized by the Soviet-Eastern European Research
25 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

1 (2) ADDITIONAL AUTHORITIES.—Of the
2 amounts made available by title I of this Act under
3 the heading “Diplomatic Programs”, up to \$500,000
4 may be made available for grants pursuant to sec-
5 tion 504 of the Foreign Relations Authorization Act,
6 Fiscal Year 1979 (22 U.S.C. 2656d), including to
7 facilitate collaboration with indigenous communities,
8 and up to \$1,000,000 may be made available for
9 grants to carry out the activities of the Cultural An-
10 tiquities Task Force.

11 (3) INNOVATION.—The USAID Administrator
12 may use funds appropriated by this Act under title
13 III to make innovation incentive awards: *Provided*,
14 That each individual award may not exceed
15 \$100,000: *Provided further*, That no more than 15
16 such awards may be made during fiscal year 2020.

17 (4) EXCHANGE VISITOR PROGRAM.—None of
18 the funds made available by this Act may be used
19 to modify the Exchange Visitor Program adminis-
20 tered by the Department of State to implement the
21 Mutual Educational and Cultural Exchange Act of
22 1961, as amended, (Public Law 87–256; 22 U.S.C.
23 2451 et seq.), except through the formal rulemaking
24 process pursuant to the Administrative Procedure
25 Act and notwithstanding the exceptions to such rule-

1 making process in such Act: *Provided*, That funds
2 made available for such purpose shall only be made
3 available after consultation with, and subject to the
4 regular notification procedures of, the Committees
5 on Appropriations, regarding how any proposed
6 modification would affect the public diplomacy goals
7 of, and the estimated economic impact on, the
8 United States.

9 (5) PRIVATE SECTOR PARTNERSHIPS.—Of the
10 funds appropriated by this Act under the headings
11 “Development Assistance” and “Economic Support
12 Fund” that are made available for private sector
13 partnerships, up to \$50,000,000 may remain avail-
14 able until September 30, 2022: *Provided*, That funds
15 made available pursuant to this paragraph may only
16 be made available following prior consultation with
17 the appropriate congressional committees, and the
18 regular notification procedures of the Committees on
19 Appropriations.

20 (6) VIETNAM EDUCATION FOUNDATION.—Sec-
21 tion 207(c) of the Vietnam Education Foundation
22 Act of 2000 (114 Stat. 2763A–257; 22 U.S.C.
23 2452) is amended by adding a new paragraph as fol-
24 lows:

1 “(4) On October 1, 2019, any remaining unob-
2 ligated balances of funds made available under the
3 heading ‘Vietnam Education Foundation—Vietnam
4 Debt Repayment Fund’ that are not necessary for
5 liquidating the final liabilities of the Vietnam Edu-
6 cation Foundation shall be available for grants au-
7 thorized by section 211 of this Act.”.

8 (e) PARTNER VETTING.—Prior to initiating a partner
9 vetting program, or making significant changes to the
10 scope of an existing partner vetting program, the Sec-
11 retary of State and USAID Administrator, as appropriate,
12 shall consult with the Committees on Appropriations.

13 (f) CONTINGENCIES.—During fiscal year 2020, the
14 President may use up to \$200,000,000 under the author-
15 ity of section 451 of the Foreign Assistance Act of 1961,
16 notwithstanding any other provision of law.

17 (g) TRANSFER OF FUNDS FOR EXTRAORDINARY
18 PROTECTION.—The Secretary of State may transfer to,
19 and merge with, funds under the heading “Protection of
20 Foreign Missions and Officials” unobligated balances of
21 expired funds appropriated under the heading “Diplomatic
22 Programs” for fiscal year 2020, except for funds des-
23 ignated for Overseas Contingency Operations/Global War
24 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
25 Balanced Budget and Emergency Deficit Control Act of

1 1985, at no later than the end of the fifth fiscal year after
2 the last fiscal year for which such funds are available for
3 the purposes for which appropriated: *Provided*, That not
4 more than \$50,000,000 may be transferred.

5 (h) PROTECTIONS AND REMEDIES FOR EMPLOYEES
6 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
7 ZATIONS.—Section 7034(k) of the Department of State,
8 Foreign Operations, and Related Programs Appropria-
9 tions Act, 2015 (division J of Public Law 113–235) shall
10 continue in effect during fiscal year 2020.

11 (i) EXTENSION OF AUTHORITIES.—

12 (1) PASSPORT FEES.—Section 1(b)(2) of the
13 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
14 shall be applied by substituting “September 30,
15 2020” for “September 30, 2010”.

16 (2) INCENTIVES FOR CRITICAL POSTS.—The
17 authority contained in section 1115(d) of the Sup-
18 plemental Appropriations Act, 2009 (Public Law
19 111–32) shall remain in effect through September
20 30, 2020.

21 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
22 ER.—Section 625(j)(1) of the Foreign Assistance
23 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
24 by substituting “September 30, 2020” for “October
25 1, 2010” in subparagraph (B).

1 (4) OVERSEAS PAY COMPARABILITY.—The au-
2 thority provided by section 1113 of the Supple-
3 mental Appropriations Act, 2009 (Public Law 111–
4 32) shall remain in effect through September 30,
5 2020: *Provided*, That the exercise of the authority of
6 section 1113 of such Act, as carried forward by this
7 Act, shall be subject to prior consultation with the
8 Committees on Appropriations.

9 (5) CATEGORICAL ELIGIBILITY.—The Foreign
10 Operations, Export Financing, and Related Pro-
11 grams Appropriations Act, 1990 (Public Law 101–
12 167) is amended—

13 (A) in section 599D (8 U.S.C. 1157
14 note)—

15 (i) in subsection (b)(3), by striking
16 “and 2019” and inserting “2019, and
17 2020”; and

18 (ii) in subsection (e), by striking
19 “2019” each place it appears and inserting
20 “2020”; and

21 (B) in section 599E (8 U.S.C. 1255 note)
22 in subsection (b)(2), by striking “2019” and in-
23 serting “2020”.

24 (6) INSPECTOR GENERAL ANNUITANT WAIV-
25 ER.—The authorities provided in section 1015(b) of

1 the Supplemental Appropriations Act, 2010 (Public
2 Law 111–212) shall remain in effect through Sep-
3 tember 30, 2020.

4 (7) ACCOUNTABILITY REVIEW BOARDS.—The
5 authority provided by section 301(a)(3) of the Omni-
6 bus Diplomatic Security and Antiterrorism Act of
7 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
8 for facilities in Afghanistan through September 30,
9 2020, except that the notification and reporting re-
10 quirements contained in such section shall include
11 the Committees on Appropriations.

12 (8) SPECIAL INSPECTOR GENERAL FOR AF-
13 GHANISTAN RECONSTRUCTION COMPETITIVE STA-
14 TUS.—Notwithstanding any other provision of law,
15 any employee of the Special Inspector General for
16 Afghanistan Reconstruction (SIGAR) who completes
17 at least 12 months of continuous service after the
18 date of enactment of this Act or who is employed on
19 the date on which SIGAR terminates, whichever oc-
20 curs first, shall acquire competitive status for ap-
21 pointment to any position in the competitive service
22 for which the employee possesses the required quali-
23 fications.

24 (9) TRANSFER OF BALANCES.—Section 7081(h)
25 of the Department of State, Foreign Operations, and

1 Related Programs Appropriations Act, 2017 (divi-
2 sion J of Public Law 115–31) shall continue in ef-
3 fect during fiscal year 2020.

4 (10) DEPARTMENT OF STATE INSPECTOR GEN-
5 ERAL WAIVER AUTHORITY.—The Inspector General
6 of the Department of State may waive the provisions
7 of subsections (a) through (d) of section 824 of the
8 Foreign Service Act of 1980 (22 U.S.C. 4064) on a
9 case-by-case basis for an annuitant reemployed by
10 the Inspector General on a temporary basis, subject
11 to the same constraints and in the same manner by
12 which the Secretary of State may exercise such waiv-
13 er authority pursuant to subsection (g) of such sec-
14 tion.

15 (j) HIV/AIDS WORKING CAPITAL FUND.—Funds
16 available in the HIV/AIDS Working Capital Fund estab-
17 lished pursuant to section 525(b)(1) of the Foreign Oper-
18 ations, Export Financing, and Related Programs Appro-
19 priations Act, 2005 (Public Law 108–447) may be made
20 available for pharmaceuticals and other products for other
21 global health and child survival activities to the same ex-
22 tent as HIV/AIDS pharmaceuticals and other products,
23 subject to the terms and conditions in such section: *Pro-*
24 *vided*, That the authority in section 525(b)(5) of the For-
25 eign Operations, Export Financing, and Related Programs

1 Appropriation Act, 2005 (Public Law 108–447) shall be
2 exercised by the Assistant Administrator for Global
3 Health, USAID, with respect to funds deposited for such
4 non-HIV/AIDS pharmaceuticals and other products, and
5 shall be subject to the regular notification procedures of
6 the Committees on Appropriations.

7 (k) LOANS, CONSULTATION, AND NOTIFICATION.—

8 (1) LOAN GUARANTEES.—Funds appropriated
9 under the headings “Economic Support Fund” and
10 “Assistance for Europe, Eurasia and Central Asia”
11 by this Act and prior Acts making appropriations
12 for the Department of State, foreign operations, and
13 related programs may be made available for the
14 costs, as defined in section 502 of the Congressional
15 Budget Act of 1974, of loan guarantees for Egypt,
16 Jordan, Tunisia, and Ukraine, which are authorized
17 to be provided: *Provided*, That amounts made avail-
18 able under this paragraph for the costs of such
19 guarantees shall not be considered assistance for the
20 purposes of provisions of law limiting assistance to
21 a country.

22 (2) DESIGNATION REQUIREMENT.—Funds
23 made available pursuant to paragraph (1) from prior
24 Acts making appropriations for the Department of
25 State, foreign operations, and related programs that

1 were previously designated by the Congress for Over-
2 seas Contingency Operations/Global War on Ter-
3 rorism pursuant to section 251(b)(2)(A)(ii) of the
4 Balanced Budget and Emergency Deficit Control
5 Act of 1985 are designated by the Congress for
6 Overseas Contingency Operations/Global War on
7 Terrorism pursuant to section 251(b)(2)(A)(ii) of
8 such Act.

9 (3) CONSULTATION AND NOTIFICATION.—
10 Funds made available pursuant to the authorities of
11 this subsection shall be subject to prior consultation
12 with the appropriate congressional committees, and
13 subject to the regular notification procedures of the
14 Committees on Appropriations.

15 (1) LOCAL WORKS.—

16 (1) Of the funds appropriated by this Act under
17 the headings “Development Assistance” and “Eco-
18 nomic Support Fund”, not less than \$50,000,000
19 shall be made available for Local Works pursuant to
20 section 7080 of the Department of State, Foreign
21 Operations, and Related Programs Appropriations
22 Act, 2015 (division J of Public Law 113–235),
23 which may remain available until September 30,
24 2024.

1 (2) For the purposes of section 7080 of the De-
2 partment of State, Foreign Operations, and Related
3 Programs Appropriations Act, 2015 (division J of
4 Public Law 113–235), “eligible entities” shall be de-
5 fined as small local, international, and United
6 States-based nongovernmental organizations, edu-
7 cational institutions, and other small entities that
8 have received less than a total of \$5,000,000 from
9 USAID over the previous 5 fiscal years: *Provided*,
10 That departments or centers of such educational in-
11 stitutions may be considered individually in deter-
12 mining such eligibility.

13 (m) DEFINITIONS.—

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—Unless otherwise defined in this Act, for
16 purposes of this Act the term “appropriate congres-
17 sional committees” means the Committees on Appro-
18 priations and Foreign Relations of the Senate and
19 the Committees on Appropriations and Foreign Af-
20 fairs of the House of Representatives.

21 (2) FUNDS APPROPRIATED BY THIS ACT AND
22 PRIOR ACTS.—Unless otherwise defined in this Act,
23 for purposes of this Act the term “funds appro-
24 priated by this Act and prior Acts making appro-
25 priations for the Department of State, foreign oper-

1 ations, and related programs” means funds that re-
2 main available for obligation, and have not expired.

3 (3) INTERNATIONAL FINANCIAL INSTITU-
4 TIONS.—In this Act “international financial institu-
5 tions” means the International Bank for Recon-
6 struction and Development, the International Devel-
7 opment Association, the International Finance Cor-
8 poration, the Inter-American Development Bank, the
9 International Monetary Fund, the International
10 Fund for Agricultural Development, the Asian De-
11 velopment Fund, the Inter-American Investment
12 Corporation, the North American Development
13 Bank, the European Bank for Reconstruction and
14 Development, the African Development Bank, the
15 African Development Fund, and the Multilateral In-
16 vestment Guarantee Agency.

17 (4) PARIS AGREEMENT.—In this Act, the term
18 “Paris Agreement” means the decision by the
19 United Nations Framework Convention on Climate
20 Change’s 21st Conference of Parties in Paris,
21 France, adopted December 12, 2015.

22 (5) SOUTHERN KORDOFAN REFERENCE.—Any
23 reference to Southern Kordofan in this or any other
24 Act making appropriations for the Department of
25 State, foreign operations, and related programs shall

1 for fiscal year 2020, and each fiscal year thereafter,
2 be deemed to include portions of Western Kordofan
3 that were previously part of Southern Kordofan
4 prior to the 2013 division of Southern Kordofan.

5 (6) USAID.—In this Act, the term “USAID”
6 means the United States Agency for International
7 Development.

8 (7) SPEND PLAN.—In this Act, the term
9 “spend plan” means a plan for the uses of funds ap-
10 propriated for a particular entity, country, program,
11 purpose, or account and which shall include, at a
12 minimum, a description of—

13 (A) realistic and sustainable goals, criteria
14 for measuring progress, and a timeline for
15 achieving such goals;

16 (B) amounts and sources of funds by ac-
17 count;

18 (C) how such funds will complement other
19 ongoing or planned programs; and

20 (D) implementing partners, to the max-
21 imum extent practicable.

22 LAW ENFORCEMENT AND SECURITY

23 SEC. 7035. (a) ASSISTANCE.—

24 (1) COMMUNITY-BASED POLICE ASSISTANCE.—

25 Funds made available under titles III and IV of this

1 Act to carry out the provisions of chapter 1 of part
2 I and chapters 4 and 6 of part II of the Foreign As-
3 sistance Act of 1961, may be used, notwithstanding
4 section 660 of that Act, to enhance the effectiveness
5 and accountability of civilian police authority
6 through training and technical assistance in human
7 rights, the rule of law, anti-corruption, strategic
8 planning, and through assistance to foster civilian
9 police roles that support democratic governance, in-
10 cluding assistance for programs to prevent conflict,
11 respond to disasters, address gender-based violence,
12 and foster improved police relations with the com-
13 munities they serve.

14 (2) COUNTERTERRORISM PARTNERSHIPS
15 FUND.—Funds appropriated by this Act under the
16 heading Nonproliferation, Anti-terrorism, Demining
17 and Related Programs shall be made available for
18 the Counterterrorism Partnerships Fund for pro-
19 grams in areas liberated from, under the influence
20 of, or adversely affected by, the Islamic State of Iraq
21 and Syria or other terrorist organizations: *Provided*,
22 That such areas shall include the Kurdistan Region
23 of Iraq: *Provided further*, That prior to the obliga-
24 tion of funds made available pursuant to this para-
25 graph, the Secretary of State shall take all prac-

1 ticable steps to ensure that mechanisms are in place
2 for monitoring, oversight, and control of such funds:
3 *Provided further*, That funds made available pursu-
4 ant to this paragraph shall be subject to prior con-
5 sultation with the appropriate congressional commit-
6 tees, and the regular notification procedures of the
7 Committees on Appropriations.

8 (b) AUTHORITIES.—

9 (1) RECONSTITUTING CIVILIAN POLICE AU-
10 THORITY.—In providing assistance with funds ap-
11 propriated by this Act under section 660(b)(6) of
12 the Foreign Assistance Act of 1961, support for a
13 nation emerging from instability may be deemed to
14 mean support for regional, district, municipal, or
15 other sub-national entity emerging from instability,
16 as well as a nation emerging from instability.

17 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
18 INTEGRATION.—Section 7034(d) of the Department
19 of State, Foreign Operations, and Related Programs
20 Appropriations Act, 2015 (division J of Public Law
21 113–235) shall continue in effect during fiscal year
22 2020.

23 (3) INTERNATIONAL PRISON CONDITIONS.—
24 Funds appropriated by this Act shall be made avail-
25 able for assistance to eliminate inhumane conditions

1 in foreign prisons and other detention facilities, not-
2 withstanding section 660 of the Foreign Assistance
3 Act of 1961: *Provided*, That the Secretary of State
4 and the USAID Administrator shall consult with the
5 Committees on Appropriations on the proposed uses
6 of such funds prior to obligation and not later than
7 60 days after enactment of this Act.

8 (4) EXTENSION OF WAR RESERVES STOCKPILE
9 AUTHORITY.—

10 (A) Section 12001(d) of the Department of
11 Defense Appropriations Act, 2005 (Public Law
12 108–287; 118 Stat. 1011) is amended by strik-
13 ing “of this section” and all that follows
14 through the period at the end and inserting “of
15 this section after September 30, 2021.”.

16 (B) Section 514(b)(2)(A) of the Foreign
17 Assistance Act of 1961 (22 U.S.C.
18 2321h(b)(2)(A)) is amended by striking “and
19 2020” and inserting “2020, and 2021”.

20 (5) COMMERCIAL LEASING OF DEFENSE ARTI-
21 CLES.—Notwithstanding any other provision of law,
22 and subject to the regular notification procedures of
23 the Committees on Appropriations, the authority of
24 section 23(a) of the Arms Export Control Act may
25 be used to provide financing to Israel, Egypt, the

1 North Atlantic Treaty Organization (NATO), and
2 major non-NATO allies for the procurement by leas-
3 ing (including leasing with an option to purchase) of
4 defense articles from United States commercial sup-
5 pliers, not including Major Defense Equipment
6 (other than helicopters and other types of aircraft
7 having possible civilian application), if the President
8 determines that there are compelling foreign policy
9 or national security reasons for those defense arti-
10 cles being provided by commercial lease rather than
11 by government-to-government sale under such Act.

12 (6) SPECIAL DEFENSE ACQUISITION FUND.—
13 Not to exceed \$900,000,000 may be obligated pursu-
14 ant to section 51(c)(2) of the Arms Export Control
15 Act for the purposes of the Special Defense Acquisi-
16 tion Fund (the Fund), to remain available for obli-
17 gation until September 30, 2022: *Provided*, That the
18 provision of defense articles and defense services to
19 foreign countries or international organizations from
20 the Fund shall be subject to the concurrence of the
21 Secretary of State.

22 (c) LIMITATIONS.—

23 (1) CHILD SOLDIERS.—Funds appropriated by
24 this Act should not be used to support any military
25 training or operations that include child soldiers.

1 (2) LANDMINES AND CLUSTER MUNITIONS.—

2 (A) LANDMINES.—Notwithstanding any
3 other provision of law, demining equipment
4 available to the United States Agency for Inter-
5 national Development and the Department of
6 State and used in support of the clearance of
7 landmines and unexploded ordnance for human-
8 itarian purposes may be disposed of on a grant
9 basis in foreign countries, subject to such terms
10 and conditions as the Secretary of State may
11 prescribe.

12 (B) CLUSTER MUNITIONS.—No military
13 assistance shall be furnished for cluster muni-
14 tions, no defense export license for cluster mu-
15 nitions may be issued, and no cluster munitions
16 or cluster munitions technology shall be sold or
17 transferred, unless—

18 (i) the submunitions of the cluster
19 munitions, after arming, do not result in
20 more than 1 percent unexploded ordnance
21 across the range of intended operational
22 environments, and the agreement applica-
23 ble to the assistance, transfer, or sale of
24 such cluster munitions or cluster munitions
25 technology specifies that the cluster muni-

1 tions will only be used against clearly de-
2 fined military targets and will not be used
3 where civilians are known to be present or
4 in areas normally inhabited by civilians; or
5 (ii) such assistance, license, sale, or
6 transfer is for the purpose of demilitarizing
7 or permanently disposing of such cluster
8 munitions.

9 (3) CROWD CONTROL ITEMS.—Funds appro-
10 priated by this Act should not be used for tear gas,
11 small arms, light weapons, ammunition, or other
12 items for crowd control purposes for foreign security
13 forces that use excessive force to repress peaceful ex-
14 pression, association, or assembly in countries that
15 the Secretary of State determines are undemocratic
16 or are undergoing democratic transitions.

17 (d) REPORTS.—

18 (1) SECURITY ASSISTANCE REPORT.—Not later
19 than 120 days after enactment of this Act, the Sec-
20 retary of State shall submit to the Committees on
21 Appropriations a report on funds obligated and ex-
22 pended during fiscal year 2019, by country and pur-
23 pose of assistance, under the headings “Peace-
24 keeping Operations”, “International Military Edu-

1 cation and Training”, and “Foreign Military Fi-
2 nancing Program”.

3 (2) QUARTERLY STATUS REPORT.—Following
4 the submission of the quarterly report required by
5 section 36 of Public Law 90–629 (22 U.S.C. 2776),
6 the Secretary of State, in coordination with the Sec-
7 retary of Defense, shall submit to the Committees on
8 Appropriations a status report that contains the in-
9 formation described under the heading “Foreign
10 Military Financing Program” in the report accom-
11 panying this Act.

12 ENTERPRISE FUNDS

13 SEC. 7036. (a) NOTIFICATION.—None of the funds
14 made available under titles III through VI of this Act may
15 be made available for Enterprise Funds unless the appro-
16 priate congressional committees are notified at least 15
17 days in advance.

18 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
19 distribution of any assets resulting from any liquidation,
20 dissolution, or winding up of an Enterprise Fund, in whole
21 or in part, the President shall submit to the appropriate
22 congressional committees a plan for the distribution of the
23 assets of the Enterprise Fund.

24 (c) TRANSITION OR OPERATING PLAN.—Prior to a
25 transition to and operation of any private equity fund or

1 other parallel investment fund under an existing Enter-
2 prise Fund, the President shall submit such transition or
3 operating plan to the appropriate congressional commit-
4 tees.

5 WAR CRIMES TRIBUNALS

6 SEC. 7037. If the President determines that doing so
7 will contribute to a just resolution of charges regarding
8 genocide or other violations of international humanitarian
9 law, the President may direct a drawdown pursuant to sec-
10 tion 552(c) of the Foreign Assistance Act of 1961 of up
11 to \$30,000,000 of commodities and services for the United
12 Nations War Crimes Tribunal established with regard to
13 the former Yugoslavia by the United Nations Security
14 Council or such other tribunals or commissions as the
15 Council may establish or authorize to deal with such viola-
16 tions, without regard to the ceiling limitation contained
17 in paragraph (2) thereof: *Provided*, That the determina-
18 tion required under this section shall be in lieu of any de-
19 terminations otherwise required under section 552(c): *Pro-*
20 *vided further*, That funds made available pursuant to this
21 section shall be made available subject to the regular noti-
22 fication procedures of the Committees on Appropriations.

23 PALESTINIAN STATEHOOD

24 SEC. 7038. (a) LIMITATION ON ASSISTANCE.—None
25 of the funds appropriated under titles III through VI of

1 this Act may be provided to support a Palestinian state
2 unless the Secretary of State determines and certifies to
3 the appropriate congressional committees that—

4 (1) the governing entity of a new Palestinian
5 state—

6 (A) has demonstrated a firm commitment
7 to peaceful co-existence with the State of Israel;
8 and

9 (B) is taking appropriate measures to
10 counter terrorism and terrorist financing in the
11 West Bank and Gaza, including the dismantling
12 of terrorist infrastructures, and is cooperating
13 with appropriate Israeli and other appropriate
14 security organizations; and

15 (2) the Palestinian Authority (or the governing
16 entity of a new Palestinian state) is working with
17 other countries in the region to vigorously pursue ef-
18 forts to establish a just, lasting, and comprehensive
19 peace in the Middle East that will enable Israel and
20 an independent Palestinian state to exist within the
21 context of full and normal relationships, which
22 should include—

23 (A) termination of all claims or states of
24 belligerency;

1 (B) respect for and acknowledgment of the
2 sovereignty, territorial integrity, and political
3 independence of every state in the area through
4 measures including the establishment of demili-
5 tarized zones;

6 (C) their right to live in peace within se-
7 cure and recognized boundaries free from
8 threats or acts of force;

9 (D) freedom of navigation through inter-
10 national waterways in the area; and

11 (E) a framework for achieving a just set-
12 tlement of the refugee problem.

13 (3) the governing entity has enacted a constitu-
14 tion assuring the rule of law, an independent judici-
15 ary, and respect for human rights for its citizens,
16 and should enact other laws and regulations assur-
17 ing transparent and accountable governance.

18 (b) WAIVER.—The President may waive subsection
19 (a) if the President determines that it is important to the
20 national security interest of the United States to do so.

21 (c) EXEMPTION.—The restriction in subsection (a)
22 shall not apply to assistance intended to help reform the
23 Palestinian Authority and affiliated institutions, or the
24 governing entity, in order to help meet the requirements
25 of subsection (a), consistent with the provisions of section

1 *vided*, That the report shall also detail the steps the Pales-
2 tinian Authority has taken to arrest terrorists, confiscate
3 weapons and dismantle the terrorist infrastructure, and
4 facilitate the settlement of terrorism-related claims of na-
5 tionals of the United States.

6 (e) CERTIFICATION.—If the President exercises the
7 waiver authority under subsection (b), the Secretary of
8 State must certify and report to the Committees on Ap-
9 propriations prior to the obligation of funds that the Pal-
10 estinian Authority has established a single treasury ac-
11 count for all Palestinian Authority financing and all fi-
12 nancing mechanisms flow through this account, no parallel
13 financing mechanisms exist outside of the Palestinian Au-
14 thority treasury account, and there is a single comprehen-
15 sive civil service roster and payroll, and the Palestinian
16 Authority is acting to counter incitement of violence
17 against Israelis and is supporting activities aimed at pro-
18 moting peace, coexistence, and security cooperation with
19 Israel.

20 (f) PROHIBITION TO HAMAS AND THE PALESTINE
21 LIBERATION ORGANIZATION.—

22 (1) None of the funds appropriated under the
23 heading “Economic Support Fund” in this Act may
24 be obligated for salaries of personnel of the Pales-
25 tinian Authority located in Gaza or may be obligated

1 or expended for assistance to Hamas or any entity
2 effectively controlled by Hamas, any power-sharing
3 government of which Hamas is a member, or that
4 results from an agreement with Hamas and over
5 which Hamas exercises undue influence.

6 (2) Notwithstanding the limitation of paragraph
7 (1), assistance may be provided to a power-sharing
8 government only if the President certifies and re-
9 ports to the Committees on Appropriations that such
10 government, including all of its ministers or such
11 equivalent, has publicly accepted and is complying
12 with the principles contained in section 620K(b)(1)
13 (A) and (B) of the Foreign Assistance Act of 1961,
14 as amended.

15 (3) The President may exercise the authority in
16 section 620K(e) of the Foreign Assistance Act of
17 1961 with respect to this subsection.

18 (4) Whenever the certification pursuant to
19 paragraph (2) is exercised, the Secretary of State
20 shall submit a report to the Committees on Appro-
21 priations within 120 days of the certification and
22 every quarter thereafter on whether such govern-
23 ment, including all of its ministers or such equiva-
24 lent are continuing to comply with the principles
25 contained in section 620K(b)(1) (A) and (B) of the

1 Foreign Assistance Act of 1961, as amended: *Pro-*
2 *vided*, That the report shall also detail the amount,
3 purposes and delivery mechanisms for any assistance
4 provided pursuant to the abovementioned certifi-
5 cation and a full accounting of any direct support of
6 such government.

7 (5) None of the funds appropriated under titles
8 III through VI of this Act may be obligated for as-
9 sistance for the Palestine Liberation Organization.

10 (g) SUSPENSION OF ASSISTANCE.—

11 (1) Funds appropriated under the heading
12 “Economic Support Fund” in this Act and made
13 available for assistance for the Palestinian Authority
14 pursuant to subsection (b) shall be suspended if
15 after the date of enactment of this Act—

16 (A) the Palestinians obtain the same
17 standing as member states or full membership
18 as a state in the United Nations or any special-
19 ized agency thereof outside an agreement nego-
20 tiated between Israel and the Palestinians; or

21 (B) the Palestinians initiate an Inter-
22 national Criminal Court (ICC) judicially au-
23 thorized investigation, or actively support such
24 an investigation, that subjects Israeli nationals

1 to an investigation for alleged crimes against
2 Palestinians.

3 (2) The Secretary of State may waive the re-
4 striction in paragraph (1) of this subsection result-
5 ing from the application of subparagraph (A) of
6 such paragraph if the Secretary certifies to the Com-
7 mittees on Appropriations that to do so is in the na-
8 tional security interest of the United States, and
9 submits a report to such Committees detailing how
10 the waiver and the continuation of assistance would
11 assist in furthering Middle East peace.

12 (h) REDUCTION.—The Secretary of State shall re-
13 duce the amount of assistance made available by this Act
14 under the heading “Economic Support Fund” for the Pal-
15 estinian Authority by an amount the Secretary determines
16 is equivalent to the amount expended by the Palestinian
17 Authority, the Palestine Liberation Organization, and any
18 successor or affiliated organizations with such entities as
19 payments for acts of terrorism by individuals who are im-
20 prisoned after being fairly tried and convicted for acts of
21 terrorism and by individuals who died committing acts of
22 terrorism during the previous calendar year: *Provided*,
23 That the Secretary shall report to the Committees on Ap-
24 propriations on the amount reduced for fiscal year 2020

1 prior to the obligation of funds for the Palestinian Author-
2 ity.

3 (i) INCITEMENT REPORT.—Not later than 90 days
4 after enactment of this Act, the Secretary of State shall
5 submit a report to the appropriate congressional commit-
6 tees detailing steps taken by the Palestinian Authority to
7 counter incitement of violence against Israelis and to pro-
8 mote peace and coexistence with Israel.

9 (j) SECTION 1003.—(1) The President may waive the
10 provisions of section 1003 of the Foreign Relations Au-
11 thorization Act, Fiscal Years 1988 and 1989 (Public Law
12 100–204) if the President determines and certifies in writ-
13 ing to the Speaker of the House of Representatives, the
14 President pro tempore of the Senate, and the appropriate
15 congressional committees that the Palestinians have not,
16 after the date of enactment of this Act—

17 (A) obtained in the United Nations or any spe-
18 cialized agency thereof the same standing as member
19 states or full membership as a state outside an
20 agreement negotiated between Israel and the Pal-
21 estinians; and

22 (B) initiated or actively supported an ICC in-
23 vestigation against Israeli nationals for alleged
24 crimes against Palestinians.

1 (2) Not less than 90 days after the President is un-
2 able to make the certification pursuant to paragraph (1)
3 of this subsection, the President may waive section 1003
4 of Public Law 100–204 if the President determines and
5 certifies in writing to the Speaker of the House of Rep-
6 resentatives, the President pro tempore of the Senate, and
7 the Committees on Appropriations that the Palestinians
8 have entered into direct and meaningful negotiations with
9 Israel: *Provided*, That any waiver of the provisions of sec-
10 tion 1003 of Public Law 100–204 under paragraph (1)
11 of this subsection or under previous provisions of law must
12 expire before the waiver under the preceding sentence may
13 be exercised.

14 (3) Any waiver pursuant to this subsection shall be
15 effective for no more than a period of 6 months at a time
16 and shall not apply beyond 12 months after the enactment
17 of this Act.

18 (k) PALESTINIAN BROADCASTING CORPORATION.—
19 None of the funds appropriated or otherwise made avail-
20 able by this Act may be used to provide equipment, tech-
21 nical support, consulting services, or any other form of
22 assistance to the Palestinian Broadcasting Corporation.

23 ASSISTANCE FOR THE WEST BANK AND GAZA

24 SEC. 7040. (a) OVERSIGHT.—For fiscal year 2020,
25 30 days prior to the initial obligation of funds for the bi-

1 lateral West Bank and Gaza Program, the Secretary of
2 State shall certify to the Committees on Appropriations
3 that procedures have been established to assure the Comp-
4 troller General of the United States will have access to
5 appropriate United States financial information in order
6 to review the uses of United States assistance for the Pro-
7 gram funded under the heading “Economic Support
8 Fund” for the West Bank and Gaza.

9 (b) VETTING.—Prior to the obligation of funds ap-
10 propriated by this Act under the heading “Economic Sup-
11 port Fund” for assistance for the West Bank and Gaza,
12 the Secretary of State shall take all appropriate steps to
13 ensure that such assistance is not provided to or through
14 any individual, private or government entity, or edu-
15 cational institution that the Secretary knows or has reason
16 to believe advocates, plans, sponsors, engages in, or has
17 engaged in, terrorist activity nor, with respect to private
18 entities or educational institutions, those that have as a
19 principal officer of the entity’s governing board or gov-
20 erning board of trustees any individual that has been de-
21 termined to be involved in, or advocating terrorist activity
22 or determined to be a member of a designated foreign ter-
23 rorist organization: *Provided*, That the Secretary of State
24 shall, as appropriate, establish procedures specifying the
25 steps to be taken in carrying out this subsection and shall

1 terminate assistance to any individual, entity, or edu-
2 cational institution which the Secretary has determined to
3 be involved in or advocating terrorist activity.

4 (c) PROHIBITION.—

5 (1) RECOGNITION OF ACTS OF TERRORISM.—

6 None of the funds appropriated under titles III
7 through VI of this Act for assistance under the West
8 Bank and Gaza Program may be made available
9 for—

10 (A) the purpose of recognizing or otherwise
11 honoring individuals who commit, or have com-
12 mitted acts of terrorism; and

13 (B) any educational institution located in
14 the West Bank or Gaza that is named after an
15 individual who the Secretary of State deter-
16 mines has committed an act of terrorism.

17 (2) SECURITY ASSISTANCE AND REPORTING RE-
18 QUIREMENT.—Notwithstanding any other provision
19 of law, none of the funds made available by this or
20 prior appropriations Acts, including funds made
21 available by transfer, may be made available for obli-
22 gation for security assistance for the West Bank and
23 Gaza until the Secretary of State reports to the
24 Committees on Appropriations on the benchmarks
25 that have been established for security assistance for

1 the West Bank and Gaza and reports on the extent
2 of Palestinian compliance with such benchmarks.

3 (d) REPORTING REQUIREMENTS.—

4 (1) ECONOMIC ASSISTANCE.—Prior to the ini-
5 tial obligation of funds made available by this Act
6 under the heading “Economic Support Fund” for
7 assistance for the West Bank and Gaza, the Sec-
8 retary of State shall report to the Committees on
9 Appropriations that the purpose of such assistance
10 is to—

11 (A) advance Middle East peace;

12 (B) improve security in the region;

13 (C) continue support for transparent and
14 accountable government institutions;

15 (D) promote a private sector economy; or

16 (E) address urgent humanitarian needs.

17 (2) SECURITY ASSISTANCE.—The reporting re-
18 quirements in section 1404 of the Supplemental Ap-
19 propriations Act, 2008 (Public Law 110–252) shall
20 apply to funds made available by this Act, including
21 a description of modifications, if any, to the security
22 strategy of the Palestinian Authority.

23 (e) PRIVATE SECTOR PARTNERSHIP PROGRAMS.—

24 Funds appropriated by this Act and prior Acts making
25 appropriations for the Department of State, foreign oper-

1 ations, and related programs may be made available for
2 private sector partnership programs for the West Bank
3 and Gaza if such funds are authorized: *Provided*, That
4 funds made available pursuant to this subsection shall be
5 subject to prior consultation with the appropriate congress-
6 sional committees, and the regular notification procedures
7 of the Committees on Appropriations.

8 (f) OVERSIGHT BY THE UNITED STATES AGENCY
9 FOR INTERNATIONAL DEVELOPMENT.—

10 (1) The Administrator of the United States
11 Agency for International Development shall ensure
12 that Federal or non-Federal audits of all contractors
13 and grantees, and significant subcontractors and
14 sub-grantees, under the West Bank and Gaza Pro-
15 gram, are conducted at least on an annual basis to
16 ensure, among other things, compliance with this
17 section.

18 (2) Of the funds appropriated by this Act, up
19 to \$1,000,000 may be used by the Office of Inspec-
20 tor General of the United States Agency for Inter-
21 national Development for audits, investigations, and
22 other activities in furtherance of the requirements of
23 this subsection: *Provided*, That such funds are in ad-
24 dition to funds otherwise available for such pur-
25 poses.

1 (g) COMPTROLLER GENERAL OF THE UNITED
2 STATES AUDIT.—Subsequent to the certification specified
3 in subsection (a), the Comptroller General of the United
4 States shall conduct an audit and an investigation of the
5 treatment, handling, and uses of all funds for the bilateral
6 West Bank and Gaza Program, including all funds pro-
7 vided as cash transfer assistance, in fiscal year 2020
8 under the heading “Economic Support Fund”, and such
9 audit shall address—

10 (1) the extent to which such Program complies
11 with the requirements of subsections (b) and (c);
12 and

13 (2) an examination of all programs, projects,
14 and activities carried out under such Program, in-
15 cluding both obligations and expenditures.

16 (h) NOTIFICATION PROCEDURES.—Funds made
17 available in this Act for West Bank and Gaza shall be
18 subject to the regular notification procedures of the Com-
19 mittees on Appropriations.

20 MIDDLE EAST AND NORTH AFRICA

21 SEC. 7041. (a) ARAB LEAGUE BOYCOTT OF
22 ISRAEL.—It is the sense of the Congress that—

23 (1) the Arab League boycott of Israel, and the sec-
24 ondary boycott of American firms that have commercial
25 ties with Israel, is an impediment to peace in the region

1 and to United States investment and trade in the Middle
2 East and North Africa;

3 (2) the Arab League boycott, which was regrettably
4 reinstated in 1997, should be immediately and publicly
5 terminated, and the Central Office for the Boycott of
6 Israel immediately disbanded;

7 (3) all Arab League states should normalize relations
8 with their neighbor Israel;

9 (4) the President and the Secretary of State should
10 continue to vigorously oppose the Arab League boycott of
11 Israel and find concrete steps to demonstrate that opposi-
12 tion by, for example, taking into consideration the partici-
13 pation of any recipient country in the boycott when deter-
14 mining to sell weapons to said country; and

15 (5) the President should report to Congress annually
16 on specific steps being taken by the United States to en-
17 courage Arab League states to normalize their relations
18 with Israel to bring about the termination of the Arab
19 League boycott of Israel, including those to encourage al-
20 lies and trading partners of the United States to enact
21 laws prohibiting businesses from complying with the boy-
22 cott and penalizing businesses that do comply.

23 (b) EGYPT.—

24 (1) CERTIFICATION AND REPORT.—Funds ap-
25 propriated by this Act that are available for assist-

1 ance for Egypt may be made available notwith-
2 standing any other provision of law restricting as-
3 sistance for Egypt, except for this subsection and
4 section 620M of the Foreign Assistance Act of 1961,
5 and may only be made available for assistance for
6 the Government of Egypt if the Secretary of State
7 certifies and reports to the Committees on Appro-
8 priations that such government is—

9 (A) sustaining the strategic relationship
10 with the United States; and

11 (B) meeting its obligations under the 1979
12 Egypt-Israel Peace Treaty.

13 (2) ECONOMIC SUPPORT FUND.—

14 (A) FUNDING.—Of the funds appropriated
15 by this Act under the headings “Development
16 Assistance” and “Economic Support Fund”, up
17 to \$102,500,000 may be made available for as-
18 sistance for Egypt, of which not less than
19 \$35,000,000 should be made available for high-
20 er education programs including not less than
21 \$15,000,000 for scholarships for Egyptian stu-
22 dents with high financial need to attend not-for-
23 profit institutions of higher education: *Provided*,
24 That such funds shall be made available for de-
25 mocracy programs, and for development pro-

1 grams in the Sinai: *Provided further*, That such
2 funds may not be made available for cash
3 transfer assistance or budget support.

4 (B) LIMITATION.—None of the funds ap-
5 propriated by this Act and prior Acts making
6 appropriations for the Department of State,
7 foreign operations, and related programs under
8 the heading “Economic Support Fund” may be
9 made available for a contribution, voluntary or
10 otherwise, to the “Civil Associations and Foun-
11 dations Support Fund”, or any similar fund, es-
12 tablished pursuant to Law 70 on Associations
13 and Other Foundations Working in the Field of
14 Civil Work published in the Official Gazette of
15 Egypt on May 29, 2017.

16 (3) FOREIGN MILITARY FINANCING PRO-
17 GRAM.—

18 (A) CERTIFICATION.—Of the funds appro-
19 priated by this Act under the heading “Foreign
20 Military Financing Program”, up to
21 \$1,300,000,000, to remain available until Sep-
22 tember 30, 2021, may be made available for as-
23 sistance for Egypt: *Provided*, That such funds
24 may be transferred to an interest bearing ac-
25 count in the Federal Reserve Bank of New

1 York, following consultation with the Commit-
2 tees on Appropriations: *Provided further*, That
3 20 percent of such funds shall be withheld from
4 obligation until the Secretary of State certifies
5 and reports to the Committees on Appropria-
6 tions that the Government of Egypt is taking,
7 on a sustained and effective basis, the steps
8 enumerated under this section in the report ac-
9 companying this Act: *Provided further*, That the
10 certification requirement of this paragraph shall
11 not apply to funds appropriated by this Act
12 under such heading for counterterrorism, bor-
13 der security, and nonproliferation programs for
14 Egypt.

15 (B) WAIVER.—(i) The Secretary of State
16 may waive the certification requirement in sub-
17 paragraph (A) with respect to 95 percent of the
18 amount withheld from obligation pursuant to
19 such subparagraph if the Secretary determines
20 and reports to the Committees on Appropria-
21 tions that to do so is important to the national
22 security interest of the United States, and in-
23 cludes in such report a detailed justification for
24 the use of such waiver and the reasons why any
25 of the certification requirements of subpara-

1 graph (A) cannot be met: *Provided*, That the
2 report required by this paragraph shall be sub-
3 mitted in unclassified form, but may be accom-
4 panied by a classified annex.

5 (ii) The remaining 5 percent may only
6 be made available for obligation if the Sec-
7 retary of State determines and reports to
8 the Committees on Appropriations that the
9 Government of Egypt has completed action
10 to provide fair and commensurate com-
11 pensation to American citizen April Corley
12 for injuries suffered by Egyptian armed
13 forces on September 13, 2015: *Provided*,
14 That none of the funds withheld pursuant
15 to subparagraph (A) shall be transferred to
16 the interest bearing account referenced in
17 subparagraph (A) until the determination
18 in the preceding sentence has been pro-
19 vided to the Committees on Appropria-
20 tions.

21 (c) IRAN.—

22 (1) FUNDING.—Funds appropriated by this Act
23 under the headings “Diplomatic Programs”, “Eco-
24 nomic Support Fund”, and “Nonproliferation, Anti-
25 terrorism, Demining and Related Programs” shall

1 be used by the Secretary of State to support the ac-
2 tivities described under this section in the report ac-
3 companying this Act.

4 (2) REPORTS.—

5 (A) SEMI-ANNUAL REPORT.—The Sec-
6 retary of State shall submit to the Committees
7 on Appropriations the semi-annual report re-
8 quired by section 135 of the Atomic Energy Act
9 of 1954 (42 U.S.C. 2160e(d)(4)), as added by
10 section 2 of the Iran Nuclear Agreement Re-
11 view Act of 2015 (Public Law 114–17).

12 (B) SANCTIONS REPORT.—Not later than
13 180 days after the date of enactment of this
14 Act, the Secretary of State, in consultation with
15 the Secretary of the Treasury, shall submit to
16 the appropriate congressional committees a re-
17 port on—

18 (i) the status of United States bilat-
19 eral sanctions on Iran;

20 (ii) the reimposition and renewed en-
21 forcement of secondary sanctions; and

22 (iii) the impact such sanctions have
23 had on Iran’s destabilizing activities
24 throughout the Middle East.

25 (d) IRAQ.—

1 (1) PURPOSES.—Funds appropriated under ti-
2 tles III and IV of this Act shall be made available
3 for assistance for Iraq for economic, stabilization,
4 and humanitarian programs described under this
5 section in the report accompanying this Act.

6 (2) BASING RIGHTS AGREEMENT.—None of the
7 funds appropriated or otherwise made available by
8 this Act may be used by the Government of the
9 United States to enter into a permanent basing
10 rights agreement between the United States and
11 Iraq.

12 (e) JORDAN.—Of the funds appropriated by this Act
13 under titles III and IV, not less than \$1,525,000,000 shall
14 be made available for assistance for Jordan, of which not
15 less than \$745,100,000 of the funds appropriated under
16 the heading “Economic Support Fund” shall be for budget
17 support for the Government of Jordan and of which not
18 less than \$425,000,000 shall be made available under the
19 heading “Foreign Military Financing Program”.

20 (f) LEBANON.—Funds appropriated by this Act that
21 are made available for assistance for Lebanon—

22 (1) under the headings “International Narcotics
23 Control and Law Enforcement” and “Foreign Mili-
24 tary Financing Program” may be made available for
25 the Lebanese Internal Security Forces (ISF) and

1 the Lebanese Armed Forces (LAF) to address secu-
2 rity and stability requirements in areas affected by
3 the conflict in Syria, following consultation with the
4 appropriate congressional committees;

5 (2) under the heading “Foreign Military Fi-
6 nancing Program” may be used only to profes-
7 sionalize the LAF and to strengthen border security
8 and combat terrorism, including training and equip-
9 ping the LAF to secure Lebanon’s borders, inter-
10 dicting arms shipments, preventing the use of Leb-
11 anon as a safe haven for terrorist groups, and to im-
12 plement United Nations Security Council Resolution
13 1701: *Provided*, That funds may not be obligated for
14 assistance for the LAF until the Secretary of State
15 submits to the Committees on Appropriations a
16 spend plan, including actions to be taken to ensure
17 equipment provided to the LAF is only used for the
18 intended purposes, except such plan may not be con-
19 sidered as meeting the notification requirements
20 under section 7015 of this Act or under section
21 634A of the Foreign Assistance Act of 1961, and
22 shall include any funds specifically intended for le-
23 thal military equipment: *Provided further*, That such
24 spend plan shall be submitted not later than Sep-
25 tember 1, 2020;

1 (3) shall not be made available for the ISF or
2 the LAF if these entities fall under control by a for-
3 foreign terrorist organization, as designated pursuant
4 to section 219 of the Immigration and Nationality
5 Act (8 U.S.C. 1189); and

6 (4) under the heading “Economic Support
7 Fund” may be made available notwithstanding sec-
8 tion 1224 of the Foreign Relations Authorization
9 Act, Fiscal Year 2003 (Public Law 107–228; 22
10 U.S.C. 2346 note).

11 (g) LIBYA.—

12 (1) ASSISTANCE.—Funds appropriated under
13 titles III and IV of this Act shall be made available
14 for stabilization assistance for Libya, including bor-
15 der security: *Provided*, That the limitation on the
16 uses of funds for certain infrastructure projects in
17 section 7041(f)(2) of the Department of State, For-
18 eign Operations, and Related Programs Appropria-
19 tions Act, 2014 (division K of Public Law 113–76)
20 shall apply to such funds.

21 (2) CERTIFICATION.—Prior to the initial obliga-
22 tion of funds made available by this Act for assist-
23 ance for Libya, the Secretary of State shall certify
24 and report to the Committees on Appropriations
25 that all practicable steps have been taken to ensure

1 that mechanisms are in place for monitoring, over-
2 sight, and control of such funds.

3 (3) COOPERATION ON THE SEPTEMBER 2012 AT-
4 TACK ON UNITED STATES PERSONNEL AND FACILI-
5 TIES.—None of the funds appropriated by this Act
6 may be made available for assistance for the central
7 Government of Libya unless the Secretary of State
8 certifies and reports to the Committees on Appro-
9 priations that such government is cooperating with
10 United States Government efforts to investigate and
11 bring to justice those responsible for the attack on
12 United States personnel and facilities in Benghazi,
13 Libya in September 2012: *Provided*, That the limita-
14 tion in this paragraph shall not apply to funds made
15 available for the purpose of protecting United States
16 Government personnel or facilities.

17 (h) MOROCCO.—

18 (1) AVAILABILITY AND CONSULTATION RE-
19 QUIREMENT.—Funds appropriated under the head-
20 ings “Development Assistance” and “Economic Sup-
21 port Fund” in this Act shall be made available for
22 assistance for the Western Sahara: *Provided*, That
23 not later than 90 days after enactment of this Act
24 and prior to the obligation of such funds, the Sec-
25 retary of State, in consultation with the USAID Ad-

1 administrator, shall consult with the Committees on
2 Appropriations on the proposed uses of such funds.

3 (2) FOREIGN MILITARY FINANCING PRO-
4 GRAM.—Funds appropriated by this Act under the
5 heading “Foreign Military Financing Program” that
6 are available for assistance for Morocco may only be
7 used for the purposes requested in the Congressional
8 Budget Justification, Foreign Operations, Fiscal
9 Year 2017.

10 (i) SAUDI ARABIA.—None of the funds appropriated
11 by this Act should be used to support the sale of nuclear
12 technology to Saudi Arabia.

13 (j) SYRIA.—

14 (1) NON-LETHAL ASSISTANCE.—Funds appro-
15 priated by this Act under the headings “Economic
16 Support Fund”, “International Narcotics Control
17 and Law Enforcement”, and “Peacekeeping Oper-
18 ations” may be made available, notwithstanding any
19 other provision of law, for non-lethal stabilization as-
20 sistance for Syria, including for emergency medical
21 and rescue response and chemical weapons use in-
22 vestigations.

23 (2) LIMITATIONS.—Funds made available pur-
24 suant to paragraph (1) of this subsection—

1 (A) may not be made available for a
2 project or activity that supports or otherwise le-
3 gitimizes the Government of Iran, the Govern-
4 ment of the Russian Federation, foreign ter-
5 rorist organizations (as designated pursuant to
6 section 219 of the Immigration and Nationality
7 Act (8 U.S.C. 1189)), or a proxy of Iran in
8 Syria; and

9 (B) should not be used in areas of Syria
10 controlled by a government led by Bashar al-
11 Assad or associated forces.

12 (3) MONITORING AND OVERSIGHT.—Prior to
13 the obligation of any funds appropriated by this Act
14 and made available for assistance for Syria, the Sec-
15 retary of State shall take all practicable steps to en-
16 sure that mechanisms are in place for monitoring,
17 oversight, and control of such assistance inside
18 Syria.

19 (4) CONSULTATION AND NOTIFICATION.—
20 Funds made available pursuant to this subsection
21 may only be made available following consultation
22 with the appropriate congressional committees, and
23 shall be subject to the regular notification proce-
24 dures of the Committees on Appropriations.

1 (k) TUNISIA.—Of the funds appropriated under titles
2 III and IV of this Act, not less than \$191,400,000 shall
3 be made available for assistance for Tunisia.

4 (l) YEMEN.—Funds appropriated by this Act under
5 the heading “Economic Support Fund” shall be made
6 available for stabilization assistance for Yemen.

7 AFRICA

8 SEC. 7042. (a) AFRICAN GREAT LAKES REGION AS-
9 SISTANCE RESTRICTION.—Funds appropriated by this Act
10 under the heading “International Military Education and
11 Training” for the central government of a country in the
12 African Great Lakes region may be made available only
13 for Expanded International Military Education and Train-
14 ing and professional military education until the Secretary
15 of State determines and reports to the Committees on Ap-
16 propriations that such government is not facilitating or
17 otherwise participating in destabilizing activities in a
18 neighboring country, including aiding and abetting armed
19 groups.

20 (b) CENTRAL AFRICAN REPUBLIC.—Of the funds ap-
21 propriated by this Act under the heading “Economic Sup-
22 port Fund”, not less than \$3,000,000 shall be made avail-
23 able for a contribution to the Special Criminal Court in
24 Central African Republic.

1 (c) MALAWI.—Of the funds appropriated by this Act
2 under the heading “Development Assistance”, not less
3 than \$56,000,000 shall be made available for assistance
4 for Malawi, of which up to \$10,000,000 shall be made
5 available for higher education programs.

6 (d) SOUTH SUDAN.—Funds appropriated by this Act
7 that are made available for assistance for the central Gov-
8 ernment of South Sudan may only be made available, fol-
9 lowing consultation with the Committees on Appropria-
10 tions, for the purposes described under this section in the
11 report accompanying this Act: *Provided*, That prior to the
12 initial obligation of funds to support South Sudan peace
13 negotiations or to implement a peace agreement, the Sec-
14 retary of State shall consult with the Committees on Ap-
15 propriations on the intended uses of such funds and steps
16 taken by such government to advance or implement a
17 peace agreement.

18 (e) SUDAN.—

19 (1) LIMITATIONS.—

20 (A) ASSISTANCE.—Notwithstanding any
21 other provision of law, none of the funds appro-
22 priated by this Act may be made available for
23 assistance for the Government of Sudan.

24 (B) LOANS.—None of the funds appro-
25 priated by this Act may be made available for

1 the cost, as defined in section 502 of the Con-
2 gressional Budget Act of 1974, of modifying
3 loans and loan guarantees held by the Govern-
4 ment of Sudan, including the cost of selling, re-
5 ducing, or canceling amounts owed to the
6 United States, and modifying concessional
7 loans, guarantees, and credit agreements.

8 (2) EXCLUSIONS.—The limitations of para-
9 graph (1) shall not apply to funds made available for
10 assistance described under this section in the report
11 accompanying this Act.

12 (f) ZIMBABWE.—None of the funds appropriated by
13 this Act shall be made available for assistance for the cen-
14 tral Government of Zimbabwe, except for health and edu-
15 cation, unless the Secretary of State certifies and reports
16 that the rule of law and freedom of expression, association,
17 and assembly are restored, except that funds may be made
18 available for macroeconomic growth assistance if the Sec-
19 retary reports to the Committees on Appropriations that
20 such government is implementing transparent fiscal poli-
21 cies, including public disclosure of revenues from the ex-
22 traction of natural resources.

23 EAST ASIA AND THE PACIFIC

24 SEC. 7043. (a) BURMA.—

25 (1) BILATERAL ECONOMIC ASSISTANCE.—

1 (A) AUTHORITY.—Funds appropriated by
2 this Act under the headings “Development As-
3 sistance” and “Economic Support Fund” for
4 assistance for Burma may be made available
5 notwithstanding any other provision of law, ex-
6 cept for this subsection, and following consulta-
7 tion with the appropriate congressional commit-
8 tees: *Provided*, That such funds may be made
9 available for ethnic groups and civil society in
10 Burma to help sustain ceasefire agreements and
11 further prospects for reconciliation and peace,
12 which may include support to representatives of
13 ethnic armed groups for this purpose.

14 (B) LIMITATIONS.—Funds appropriated by
15 this Act under titles III and IV to carry out the
16 provisions of part I of the Foreign Assistance
17 Act of 1961 and made available for assistance
18 for Burma shall be subject to the limitations
19 enumerated under this section in the report ac-
20 companying this Act.

21 (2) INTERNATIONAL SECURITY ASSISTANCE.—
22 None of the funds appropriated by this Act under
23 the headings “International Military Education and
24 Training” and “Foreign Military Financing Pro-
25 gram” may be made available for assistance for

1 Burma: *Provided*, That the Department of State
2 may continue consultations with the armed forces of
3 Burma only on human rights and disaster response
4 in a manner consistent with the prior fiscal year,
5 and following consultation with the appropriate con-
6 gressional committees.

7 (b) CAMBODIA.—

8 (1) LIMITATION.—None of the funds appro-
9 priated by this Act that are made available for as-
10 sistance for the Government of Cambodia may be
11 obligated or expended unless the Secretary of State
12 certifies and reports to the Committees on Appro-
13 priations that such Government is meeting the con-
14 ditions described under this section in the report ac-
15 companying this Act.

16 (2) USES.—Funds appropriated by this Act
17 under the heading “Development Assistance” and
18 made available for assistance for Cambodia shall be
19 made available for the purposes described under this
20 section in the report accompanying this Act.

21 (c) INDO-PACIFIC STRATEGY.—Of the funds appro-
22 priated by this Act, \$160,000,000 shall be made available
23 to support the implementation of the Indo-Pacific Strat-
24 egy.

25 (d) NORTH KOREA.—

1 (1) LIMITATION.—None of the funds appro-
2 priated by this Act may be made available for assist-
3 ance for the Government of North Korea: *Provided*,
4 That the Secretary of State may waive the limitation
5 in this paragraph, and the limitation on assistance
6 for North Korea contained in section 7007 of this
7 Act, if the Secretary determines and reports to the
8 Committees on Appropriations that to do so is im-
9 portant to the national security interest of the
10 United States, and submits in such report a detailed
11 justification.

12 (2) HUMAN RIGHTS.—Funds appropriated by
13 this Act under the headings “Democracy Fund” and
14 “Economic Support Fund” shall be made available
15 for the promotion of human rights in North Korea:
16 *Provided*, That the authority of section 7032(b) of
17 this Act shall apply to such funds.

18 (e) PEOPLE’S REPUBLIC OF CHINA.—

19 (1) LIMITATION ON USE OF FUNDS.—None of
20 the funds appropriated under the heading “Diplo-
21 matic Programs” in this Act may be obligated or ex-
22 pended for processing licenses for the export of sat-
23 ellites of United States origin (including commercial
24 satellites and satellite components) to the People’s
25 Republic of China (PRC) unless, at least 15 days in

1 advance, the Committees on Appropriations are noti-
2 fied of such proposed action.

3 (2) PEOPLE'S LIBERATION ARMY.—The terms
4 and requirements of section 620(h) of the Foreign
5 Assistance Act of 1961 shall apply to foreign assist-
6 ance projects or activities of the People's Liberation
7 Army (PLA) of the PRC, to include such projects or
8 activities by any entity that is owned or controlled
9 by, or an affiliate of, the PLA: *Provided*, That none
10 of the funds appropriated or otherwise made avail-
11 able pursuant to this Act may be used to finance
12 any grant, contract, or cooperative agreement with
13 the PLA, or any entity that the Secretary of State
14 has reason to believe is owned or controlled by, or
15 an affiliate of, the PLA.

16 (f) PHILIPPINES.—None of the funds appropriated
17 by this Act under the heading “International Narcotics
18 Control and Law Enforcement” may be made available for
19 counternarcotics assistance for the Philippines, except for
20 drug demand reduction, maritime law enforcement, or
21 transnational interdiction.

22 (g) TIBET.—

23 (1) FINANCING OF PROJECTS IN TIBET.—The
24 Secretary of the Treasury should instruct the United
25 States executive director of each international finan-

1 cial institution to use the voice and vote of the
2 United States to support financing of projects in
3 Tibet if such projects do not provide incentives for
4 the migration and settlement of non-Tibetans into
5 Tibet or facilitate the transfer of ownership of Ti-
6 betan land and natural resources to non-Tibetans,
7 are based on a thorough needs-assessment, foster
8 self-sufficiency of the Tibetan people and respect Ti-
9 betan culture and traditions, and are subject to ef-
10 fective monitoring.

11 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—
12 Of the funds appropriated under the heading “Eco-
13 nomic Support Fund”, not less than—

14 (A) TIBET AUTONOMOUS REGION.—
15 \$8,000,000 shall be made available to non-
16 governmental organizations to support activities
17 which preserve cultural traditions and promote
18 sustainable development, education, and envi-
19 ronmental conservation in Tibetan communities
20 in the Tibet Autonomous Region and in other
21 Tibetan communities in China, notwithstanding
22 any other provision of law;

23 (B) INDIA AND NEPAL.—\$6,000,000 shall
24 be made available for programs to promote and
25 preserve Tibetan culture, development, and the

1 resilience of Tibetan communities in India and
2 Nepal, and to assist in the education and devel-
3 opment of the next generation of Tibetan lead-
4 ers from such communities: *Provided*, That
5 such funds are in addition to amounts made
6 available in subparagraph (A) for programs in-
7 side Tibet; and

8 (C) TIBETAN GOVERNANCE.—\$3,000,000
9 shall be made available for programs to
10 strengthen the capacity of Tibetan institutions
11 and governance.

12 (h) VIETNAM.—Notwithstanding any other provision
13 of law, funds appropriated by this Act under the heading
14 “Economic Support Fund” shall be made available for re-
15 mediation of dioxin contaminated sites in Vietnam and
16 may be made available for assistance for the Government
17 of Vietnam, including the military, for such purposes.

18 SOUTH AND CENTRAL ASIA

19 SEC. 7044. (a) AFGHANISTAN.—

20 (1) AUTHORITIES.—

21 (A) Funds appropriated by this Act under
22 titles III through VI that are made available for
23 assistance for Afghanistan may be made avail-
24 able—

1 (i) notwithstanding section 7012 of
2 this Act or any similar provision of law
3 and section 660 of the Foreign Assistance
4 Act of 1961;

5 (ii) for reconciliation programs and
6 disarmament, demobilization, and re-
7 integration activities for former combat-
8 ants who have renounced violence against
9 the Government of Afghanistan, including
10 in accordance with section
11 7046(a)(2)(B)(ii) of the Department of
12 State, Foreign Operations, and Related
13 Programs Appropriations Act, 2012 (divi-
14 sion I of Public Law 112–74); and

15 (iii) for an endowment to empower
16 women and girls.

17 (B) Section 7046(a)(2)(A) of the Depart-
18 ment of State, Foreign Operations, and Related
19 Programs Appropriations Act, 2012 (division I
20 of Public Law 112–74) shall apply to funds ap-
21 propriated by this Act for assistance for Af-
22 ghanistan.

23 (2) BASING RIGHTS AGREEMENT.—None of the
24 funds made available by this Act may be used by the
25 United States Government to enter into a perma-

1 nent basing rights agreement between the United
2 States and Afghanistan.

3 (b) PAKISTAN.—

4 (1) AUTHORITY AND USES OF FUNDS.—

5 (A) Funds appropriated by this Act for as-
6 sistance for Pakistan may be made available
7 notwithstanding any other provision of law, ex-
8 cept for section 620M of the Foreign Assistance
9 Act of 1961.

10 (B) Funds appropriated by this Act for as-
11 sistance for Pakistan that are made available
12 for infrastructure projects shall be implemented
13 in a manner consistent with section 507(6) of
14 the Trade Act of 1974 (19 U.S.C. 2467(6)).

15 (C) The authorities and directives of sec-
16 tion 7044(d)(4) of the Department of State,
17 Foreign Operations, and Related Programs Ap-
18 propriations Act, 2015 (division J of Public
19 Law 113–235) regarding scholarships for
20 women shall apply to funds appropriated by
21 this Act for assistance for Pakistan, following
22 consultation with the Committees on Appropria-
23 tions.

24 (D) Funds appropriated by this Act under
25 the headings “Economic Support Fund” and

1 “Nonproliferation, Anti-terrorism, Demining
2 and Related Programs” that are made available
3 for assistance for Pakistan shall be made avail-
4 able to interdict precursor materials from Paki-
5 stan to Afghanistan that are used to manufac-
6 ture improvised explosive devices and for agri-
7 culture extension programs that encourage al-
8 ternative fertilizer use among Pakistani farmers
9 to decrease the dual use of fertilizer in the
10 manufacturing of improvised explosive devices.

11 (2) WITHHOLDING.—Of the funds appropriated
12 under titles III and IV of this Act that are made
13 available for assistance for Pakistan, \$33,000,000
14 shall be withheld from obligation until the Secretary
15 of State reports to the Committees on Appropria-
16 tions that Dr. Shakil Afridi has been released from
17 prison and cleared of all charges relating to the as-
18 sistance provided to the United States in locating
19 Osama bin Laden.

20 (c) SRI LANKA.—

21 (1) CERTIFICATION.—Funds appropriated by
22 this Act for assistance for the central Government of
23 Sri Lanka, except for funds made available for hu-
24 manitarian assistance and victims of trauma, may be
25 made available only if the Secretary of State certifies

1 and reports to the Committees on Appropriations
2 that the Government of Sri Lanka is taking actions
3 as described under this section in the report accom-
4 panying this Act.

5 (2) INTERNATIONAL SECURITY ASSISTANCE.—
6 Funds appropriated under title IV of this Act that
7 are available for assistance for Sri Lanka shall be
8 subject to the following conditions—

9 (A) not to exceed \$500,000 under the
10 heading “Foreign Military Financing Program”
11 may only be made available for programs to
12 support counterterrorism, humanitarian and
13 disaster response preparedness, and maritime
14 security, including professionalization and train-
15 ing for the navy and coast guard; and

16 (B) funds under the heading “Peace-
17 keeping Operations” may only be made avail-
18 able for training and equipment related to
19 international peacekeeping operations and im-
20 provements to peacekeeping-related facilities,
21 and only if the Government of Sri Lanka is tak-
22 ing effective steps to bring to justice Sri
23 Lankan peacekeeping troops who have engaged
24 in sexual exploitation and abuse.

1 LATIN AMERICA AND THE CARIBBEAN

2 SEC. 7045. (a) CENTRAL AMERICA.—

3 (1) ASSISTANCE.—

4 (A) FISCAL YEAR 2020.—Of the funds appro-
5 priated by this Act under titles III and IV, not less
6 than \$540,850,000 shall be made available for as-
7 sistance for the countries of Central America, in-
8 cluding to implement the United States Strategy for
9 Engagement in Central America: *Provided*, That
10 such assistance shall be prioritized for programs and
11 activities that addresses the key factors that con-
12 tribute to the migration of unaccompanied, undocu-
13 mented minors to the United States: *Provided fur-*
14 *ther*, That not less than \$45,000,000 shall be for
15 support of Attorneys General and other activities to
16 combat corruption and impunity in such countries.

17 (B) PRIOR FISCAL YEARS.—

18 (i) Section 7045(a) of the Department of
19 State, Foreign Operations, and Related Pro-
20 grams Appropriations Act, 2017 (division J of
21 Public Law 115–31) is amended by striking in
22 paragraph (2), “\$655,000,000 should” and in-
23 serting in lieu thereof, “not less than
24 \$655,000,000 shall”.

1 (ii) Section 7045(a) of the Department of
2 State, Foreign Operations, and Related Pro-
3 grams Appropriations Act, 2018 (division K of
4 Public Law 115–141) is amended by striking in
5 paragraph (1), “up to \$615,000,000 may” and
6 inserting in lieu thereof, “not less than
7 \$615,000,000 shall”.

8 (iii) Section 7045(a) of the Department of
9 State, Foreign Operations, and Related Pro-
10 grams Appropriations Act, 2019 (division F of
11 Public Law 116–6) is amended—

12 (I) by redesignating paragraphs (1),
13 (2), (3), and (4) as paragraphs (2), (3),
14 (4), and (5), respectively;

15 (II) by inserting before paragraph (2),
16 as redesignated, the following new para-
17 graph:

18 “(1) ASSISTANCE.—Of the funds appropriated
19 under titles III and IV of this Act, not less than
20 \$527,600,000 shall be made available for assistance
21 for the countries of Central America to implement
22 the United States Strategy for Engagement in Cen-
23 tral America.”;

24 (III) in paragraph (3), as redesign-
25 nated, by striking “paragraph (1)” each

1 place it appears and inserting “paragraph
2 (2)”;

3 (IV) in paragraph (4) as redesign-
4 nated—

5 (aa) by striking “subsection
6 (a)(1)” and inserting “paragraph
7 (2)”;

8 (bb) by striking “subsection
9 (a)(2)” and inserting “paragraph
10 (3)”.

11 (2) NORTHERN TRIANGLE.—

12 (A) ASSISTANCE TO THE CENTRAL GOVERN-
13 MENTS.—Of funds made available pursuant to para-
14 graph (1)(A) under title IV of this Act that are
15 made available for assistance for each of the central
16 governments of El Salvador, Guatemala, and Hon-
17 duras, 50 percent may only be obligated after the
18 Secretary of State certifies and reports to the appro-
19 priate congressional committees that such govern-
20 ment is meeting the requirements enumerated under
21 this section in the report accompanying this Act.

22 (B) REPROGRAMMING.—If the Secretary is un-
23 able to make the certification required by subpara-
24 graph (A) for one or more of the governments, such
25 assistance for such central government shall be re-

1 programmed for assistance for other countries in
2 Latin America and the Caribbean, notwithstanding
3 the minimum funding requirements of this sub-
4 section and of section 7019 of this Act: *Provided*,
5 That any such reprogramming shall be subject to
6 the regular notification procedures of the Commit-
7 tees on Appropriations.

8 (C) EXCEPTIONS.—The limitation of subpara-
9 graph (A) shall not apply to funds appropriated by
10 this Act that are made available for—

11 (i) the International Commission against
12 Impunity in Guatemala, the Mission to Support
13 the Fight Against Corruption and Impunity in
14 Honduras, assistance for support of Attorneys
15 General, and other activities to combat corrup-
16 tion and impunity;

17 (ii) programs to combat gender-based vio-
18 lence;

19 (iii) humanitarian assistance; and

20 (iv) global food security programs.

21 (b) COLOMBIA.—

22 (1) ASSISTANCE.—Of the funds appropriated by
23 this Act under titles III and IV, not less than
24 \$457,253,000 shall be made available for assistance
25 for Colombia: *Provided*, That such funds shall be

1 made available for the programs and activities de-
2 scribed under this section in the report accom-
3 panying this Act.

4 (2) WITHHOLDING OF FUNDS.—

5 (A) Of the funds appropriated by this Act
6 under the heading “Foreign Military Financing
7 Program” and made available for assistance for
8 Colombia, 20 percent may be obligated only
9 after the Secretary of State submits to the
10 Committees on Appropriation the certification
11 and report regarding such funds described
12 under this section in the report accompanying
13 this Act.

14 (B) Of the funds appropriated by this Act
15 under the heading “International Narcotics
16 Control and Law Enforcement” and made
17 available for assistance for Colombia, 20 per-
18 cent may be obligated only after the Secretary
19 of State certifies and reports to the Committees
20 on Appropriations that the Government of Co-
21 lombia has reduced overall illicit drug cultiva-
22 tion and trafficking.

23 (3) AUTHORITY.—Aircraft supported by funds
24 appropriated by this Act and prior Acts making ap-
25 propriations for the Department of State, foreign

1 operations, and related programs and made available
2 for assistance for Colombia may be used to trans-
3 port personnel and supplies involved in drug eradi-
4 cation and interdiction, including security for such
5 activities, and to provide transport in support of al-
6 ternative development programs and investigations
7 by civilian judicial authorities.

8 (c) HAITI.—

9 (1) CERTIFICATION.—Funds appropriated by
10 this Act under the headings “Economic Support
11 Fund” that are made available for assistance for
12 Haiti may not be made available for assistance for
13 the central Government of Haiti unless the Sec-
14 retary of State certifies and reports to the Commit-
15 tees on Appropriations that such government is tak-
16 ing the steps described under this section in the re-
17 port accompanying this Act.

18 (2) HAITIAN COAST GUARD.—The Government
19 of Haiti shall be eligible to purchase defense articles
20 and services under the Arms Export Control Act (22
21 U.S.C. 2751 et seq.) for the Coast Guard.

22 (d) THE CARIBBEAN.—Of the funds appropriated by
23 this Act under title IV, not less than \$58,000,000 shall
24 be made available for the Caribbean Basin Security Initia-
25 tive.

1 (b) SECTION 907 OF THE FREEDOM SUPPORT
2 ACT.—Section 907 of the FREEDOM Support Act (22
3 U.S.C. 5812 note) shall not apply to—

4 (1) activities to support democracy or assist-
5 ance under title V of the FREEDOM Support Act
6 (22 U.S.C. 5851 et seq.) and section 1424 of the
7 Defense Against Weapons of Mass Destruction Act
8 of 1996 (50 U.S.C. 2333) or non-proliferation as-
9 sistance;

10 (2) any assistance provided by the Trade and
11 Development Agency under section 661 of the For-
12 eign Assistance Act of 1961 (22 U.S.C. 2421);

13 (3) any activity carried out by a member of the
14 United States and Foreign Commercial Service while
15 acting within his or her official capacity;

16 (4) any insurance, reinsurance, guarantee, or
17 other assistance provided by the United States
18 International Development Finance Corporation as
19 authorized by the BUILD Act of 2018 (division F
20 of Public Law 115–254);

21 (5) any financing provided under the Export-
22 Import Bank Act of 1945 (Public Law 79–173); or

23 (6) humanitarian assistance.

24 (c) COUNTERING RUSSIAN INFLUENCE AND AGGRES-
25 SION.—

1 (1) LIMITATION.—None of the funds appro-
2 priated by this Act may be made available for assist-
3 ance for the central Government of the Russian Fed-
4 eration.

5 (2) ANNEXATION OF CRIMEA.—

6 (A) None of the funds appropriated by this
7 Act may be made available for assistance for
8 the central government of a country that the
9 Secretary of State determines and reports to
10 the Committees on Appropriations has taken af-
11 firmative steps intended to support or be sup-
12 portive of the Russian Federation annexation of
13 Crimea or other territory in Ukraine: *Provided,*
14 That except as otherwise provided in subsection
15 (a), the Secretary may waive the restriction on
16 assistance required by this subparagraph if the
17 Secretary determines and reports to such Com-
18 mittees that to do so is in the national interest
19 of the United States, and includes a justifica-
20 tion for such interest.

21 (B) None of the funds appropriated by this
22 Act may be made available for—

23 (i) the implementation of any action
24 or policy that recognizes the sovereignty of

1 the Russian Federation over Crimea or
2 other territory in Ukraine;

3 (ii) the facilitation, financing, or guar-
4 antee of United States Government invest-
5 ments in Crimea or other territory in
6 Ukraine under the control of Russian-
7 backed separatists, if such activity includes
8 the participation of Russian Government
9 officials, or other Russian owned or con-
10 trolled financial entities; or

11 (iii) assistance for Crimea or other
12 territory in Ukraine under the control of
13 Russian-backed separatists, if such assist-
14 ance includes the participation of Russian
15 Government officials, or other Russian
16 owned or controlled financial entities.

17 (C) The Secretary of the Treasury shall in-
18 struct the United States executive directors of
19 each international financial institution to vote
20 against any assistance by such institution (in-
21 cluding any loan, credit, or guarantee) for any
22 program that violates the sovereignty or terri-
23 torial integrity of Ukraine.

24 (D) The requirements and limitations of
25 this subsection shall cease to be in effect if the

1 Secretary of State determines and reports to
2 the Committees on Appropriations that the
3 Government of Ukraine has reestablished sov-
4 ereignty over Crimea and other territory in
5 Ukraine under the control of Russian-backed
6 separatists.

7 (3) OCCUPATION OF THE GEORGIAN TERRITORIES
8 OF ABKHAZIA AND TSKHINVALI REGION/SOUTH
9 OSSETIA.—

10 (A) None of the funds appropriated by this Act
11 may be made available for assistance for the central
12 government of a country that the Secretary of State
13 determines and reports to the Committees on Appro-
14 priations has recognized the independence of, or has
15 established diplomatic relations with, the Russian oc-
16 cupied Georgian territories of Abkhazia and
17 Tskhinvali Region/South Ossetia: *Provided*, That the
18 Secretary shall publish on the Department of State
19 website a list of any such central governments in a
20 timely manner: *Provided further*, That the Secretary
21 may waive the restriction on assistance required by
22 this subparagraph if the Secretary determines and
23 reports to the Committees on Appropriations that to
24 do so is in the national interest of the United States,
25 and includes a justification for such interest.

1 (B) None of the funds appropriated by this Act
2 may be made available to support the Russian occu-
3 pation of the Georgian territories of Abkhazia and
4 Tskhinvali Region/South Ossetia.

5 (C) The Secretary of the Treasury shall in-
6 struct the United States executive directors of each
7 international financial institution to vote against any
8 assistance by such institution (including any loan,
9 credit, or guarantee) for any program that violates
10 the sovereignty and territorial integrity of Georgia.

11 (4) COUNTERING RUSSIAN INFLUENCE FUND.—

12 (A) Of the funds appropriated by this Act
13 under titles III and IV, not less than \$280,000,000
14 shall be made available to carry out the purposes of
15 the Countering Russian Influence Fund, as author-
16 ized by section 254 of the Countering Russian Infl-
17 uence in Europe and Eurasia Act of 2017 (Public
18 Law 115–44; 22 U.S.C. 9543) and notwithstanding
19 the country limitation in subsection (b) of such sec-
20 tion, and programs to enhance the capacity of law
21 enforcement and security forces in countries in Eu-
22 rope and Eurasia and strengthen security coopera-
23 tion between such countries and the United States
24 and the North Atlantic Treaty Organization, as ap-
25 propriate.

1 (B) Funds appropriated by this Act and made
2 available for assistance for the Eastern Partnership
3 countries shall be made available to advance the im-
4 plementation of Association Agreements and trade
5 agreements with the European Union, and to reduce
6 their vulnerability to external economic and political
7 pressure from the Russian Federation.

8 (5) DEMOCRACY PROGRAMS.—Funds appropriated
9 by this Act shall be made available to support democracy
10 programs, as defined in section 7032(c) of this Act, in the
11 Russian Federation, countries along the Russian periph-
12 ery, and other countries in Europe and Eurasia targeted
13 by, or potentially vulnerable to, the malign influence cam-
14 paigns of the Russian Federation: *Provided*, That not later
15 than 90 days after the enactment of this Act, the Sec-
16 retary of State, in consultation with the Administrator of
17 the United States Agency for International Development,
18 shall submit to the Committees on Appropriations a multi-
19 year strategy for such programs in the manner described
20 under this section in the report accompanying this Act.

21 (d) TURKEY.—None of the funds appropriated or
22 otherwise made available by this Act and prior Acts mak-
23 ing appropriations for the Department of State, foreign
24 operations, and related programs, may be made available
25 to transfer or deliver, or to facilitate the transfer or deliv-

1 ery of, F-35 aircraft to Turkey, including any defense arti-
2 cles or services related to such aircraft, until the Secretary
3 of State certifies to the appropriate congressional commit-
4 tees that the Government of Turkey is not purchasing the
5 S-400 missile defense system from Russia and will not ac-
6 cept the delivery of such system.

7 STABILIZATION AND DEVELOPMENT IN REGIONS

8 IMPACTED BY EXTREMISM AND CONFLICT

9 SEC. 7047. (a) COUNTERING FOREIGN FIGHTERS
10 AND EXTREMIST ORGANIZATIONS.—Funds appropriated
11 under titles III and IV of this Act shall be made available
12 for programs and activities to counter and defeat violent
13 extremism and foreign fighters abroad.

14 (b) RELIEF AND RECOVERY FUND.—

15 (1) FUNDS AND TRANSFER AUTHORITY.—Of
16 the funds appropriated by this Act under the head-
17 ings “Economic Support Fund”, “International Nar-
18 cotics Control and Law Enforcement”, “Non-
19 proliferation, Anti-terrorism, Demining and Related
20 Programs”, “Peacekeeping Operations”, and “For-
21 eign Military Financing Program”, not less than
22 \$195,000,000 shall be made available for the Relief
23 and Recovery Fund for assistance for areas liberated
24 or at risk from, or under the control of, the Islamic
25 State of Iraq and Syria, other terrorist organiza-

1 tions, or violent extremist organizations, including
2 for stabilization assistance for vulnerable ethnic and
3 religious minority communities affected by conflict:
4 *Provided*, That such funds are in addition to
5 amounts otherwise made available for such purposes
6 and to amounts specifically designated in this Act or
7 in the report accompanying this Act for assistance
8 for countries: *Provided further*, That such funds ap-
9 propriated under such headings may be transferred
10 to, and merged with, funds appropriated under such
11 headings: *Provided further*, That such transfer au-
12 thority is in addition to any other transfer authority
13 provided by this Act or any other Act, and is subject
14 to the regular notification procedures of the Com-
15 mittees on Appropriations.

16 (2) TRANSITIONAL JUSTICE.—Of the funds ap-
17 propriated by this Act under the heading “Inter-
18 national Narcotics Control and Law Enforcement”
19 that are made available for the Relief and Recovery
20 Fund, not less than \$5,000,000 shall be made avail-
21 able for programs to promote accountability in Iraq
22 and Syria for genocide, crimes against humanity,
23 and war crimes, which shall be in addition to any
24 other funds made available by this Act for such pur-
25 poses: *Provided*, That such programs shall include

1 components to develop local investigative and judi-
2 cial skills, and to collect and preserve evidence and
3 maintain the chain of custody of evidence, including
4 for use in prosecutions: *Provided further*, That such
5 funds shall be administered by the Special Coordi-
6 nator for the Office of Global Criminal Justice, De-
7 partment of State: *Provided further*, That funds
8 made available by this paragraph shall only be made
9 available on an open and competitive basis.

10 (d) FRAGILE STATES AND EXTREMISM.—Funds ap-
11 propriated by this Act shall be made available for the pur-
12 poses of section 7080 of the Department of State, Foreign
13 Operations, and Related Programs Appropriations Act,
14 2017 (division J of Public Law 115–31), subject to the
15 regular notification procedures of the Committees on Ap-
16 propriations.

17 UNITED NATIONS

18 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
19 ABILITY.—

20 (1) RESTRICTIONS.—Of the funds appropriated
21 under title I and under the heading “International
22 Organizations and Programs” in title V of this Act
23 that are available for contributions to the United
24 Nations (including the Department of Peacekeeping
25 Operations), any United Nations agency, or the Or-

1 organization of American States, 15 percent may not
2 be obligated for such organization, department, or
3 agency until the Secretary of State determines and
4 reports to the Committees on Appropriations that
5 the organization, department, or agency is meeting
6 the transparency and accountability requirements
7 detailed in the report accompanying this Act.

8 (2) WAIVER.—The restrictions imposed by or
9 pursuant to paragraph (1) may be waived on a case-
10 by-case basis if the Secretary of State determines
11 and reports to the Committees on Appropriations
12 that such waiver is necessary to avert or respond to
13 a humanitarian crisis.

14 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
15 TIONS AND ORGANIZATIONS.—

16 (1) LIMITATION.—None of the funds made
17 available by this Act may be used to pay expenses
18 for any United States delegation to any specialized
19 agency, body, or commission of the United Nations
20 or may be made available as a contribution to any
21 organization, agency, commission, or program within
22 the United Nations system if such agency, body,
23 commission, program, or organization is chaired or
24 presided over by a country, the government of which
25 the Secretary of State has determined for purposes

1 of section 620A of the Foreign Assistance Act of
2 1961, section 40 of the Arms Export Control Act,
3 section 6(j)(1) of the Export Administration Act of
4 1979 as continued in effect pursuant to the Inter-
5 national Emergency Economic Powers Act (50
6 U.S.C. App. 24 2405(j)(1)), or any other provision
7 of law is a government that has repeatedly provided
8 support for acts of international terrorism.

9 (2) WAIVER.—The Secretary of State may
10 waive the restriction in this subsection if the Sec-
11 retary determines and reports to the Committees on
12 Appropriations that to do so is important to the na-
13 tional interest of the United States, including a de-
14 scription of the national interest served.

15 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
16 Funds appropriated by this Act shall be made available
17 in support of the United Nations Human Rights Council
18 unless the Secretary of State determines and reports to
19 the Committees on Appropriations that participation in
20 the Council does not serve the national interest of the
21 United States and that the Council is not taking signifi-
22 cant steps to remove Israel as a permanent agenda item
23 nor taking actions to ensure integrity in the election of
24 members to such Council: *Provided*, That such report shall
25 include a description of how the national interest is better

1 served by our withdrawal from the Council: *Provided fur-*
2 *ther*, That the Secretary of State shall report to the Com-
3 mittees on Appropriations not later than September 30,
4 2020, on the resolutions considered in the United Nations
5 Human Rights Council during the previous 12 months,
6 and on steps taken to remove Israel as a permanent agen-
7 da item and ensure integrity in the election of members
8 to such Council.

9 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
10 CY.—Funds appropriated by this Act under title III shall
11 be made available to the United Nations Relief and Works
12 Agency (UNRWA), unless the Secretary of State deter-
13 mines and reports to the Committees on Appropriations
14 that UNRWA—

15 (1) inappropriately utilizes Operations Support
16 Officers in the West Bank, Gaza, and other fields of
17 operation to inspect UNRWA installations;

18 (2) is not promptly acting to address any staff
19 or beneficiary violation of its own policies (including
20 the policies on neutrality and impartiality of employ-
21 ees) and the legal requirements under section 301(c)
22 of the Foreign Assistance Act of 1961;

23 (3) is not implementing procedures to maintain
24 the neutrality of its facilities, including imple-
25 menting a no-weapons policy, and conducting reg-

1 ular inspections of its installations, to ensure they
2 are only used for humanitarian or other appropriate
3 purposes;

4 (4) is not taking necessary and appropriate
5 measures to ensure it is operating in compliance
6 with the conditions of section 301(c) of the Foreign
7 Assistance Act of 1961 and continuing regular re-
8 porting to the Department of State on actions it has
9 taken to ensure conformance with such conditions;

10 (5) is not taking steps to ensure the content of
11 all educational materials currently taught in
12 UNRWA-administered schools and summer camps is
13 consistent with the values of human rights, dignity,
14 and tolerance and does not induce incitement;

15 (6) is engaging in operations with financial in-
16 stitutions or related entities in violation of relevant
17 United States law, and is not taking steps to im-
18 prove the financial transparency of the organization;
19 and

20 (7) is not in compliance with the United Na-
21 tions Board of Auditors' biennial audit requirements
22 and is not implementing in a timely fashion the
23 Board's recommendations.

24 (e) REPORT.—Not later than 45 days after enact-
25 ment of this Act, the Secretary of State shall submit a

1 report to the Committees on Appropriations detailing the
2 amount of funds available for obligation or expenditure in
3 fiscal year 2020 for contributions to any organization, de-
4 partment, agency, or program within the United Nations
5 system or any international program that are withheld
6 from obligation or expenditure due to any provision of law:
7 *Provided*, That the Secretary shall update such report
8 each time additional funds are withheld by operation of
9 any provision of law: *Provided further*, That the re-
10 programming of any withheld funds identified in such re-
11 port, including updates thereof, shall be subject to prior
12 consultation with, and the regular notification procedures
13 of, the Committees on Appropriations.

14 (f) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
15 KEEPING OPERATIONS.—The Secretary of State should
16 withhold assistance to any unit of the security forces of
17 a foreign country if the Secretary has credible information
18 that such unit has engaged in sexual exploitation or abuse,
19 including while serving in a United Nations peacekeeping
20 operation, until the Secretary determines that the govern-
21 ment of such country is taking effective steps to hold the
22 responsible members of such unit accountable and to pre-
23 vent future incidents: *Provided*, That the Secretary shall
24 promptly notify the government of each country subject
25 to any withholding of assistance pursuant to this sub-

1 section, and shall notify the appropriate congressional
2 committees of such withholding not later than 10 days
3 after a determination to withhold such assistance is made:
4 *Provided further*, That the Secretary shall, to the max-
5 imum extent practicable, assist such government in bring-
6 ing the responsible members of such unit to justice.

7 (g) ADDITIONAL AVAILABILITY.—Subject to the reg-
8 ular notification procedures of the Committees on Appro-
9 priations, funds appropriated by this Act which are re-
10 turned or not made available due to the implementation
11 of subsection (a), the second proviso under the heading
12 “Contributions for International Peacekeeping Activities”
13 in title I of this Act, or section 307(a) of the Foreign As-
14 sistance Act of 1961 (22 U.S.C. 2227(a)), shall remain
15 available for obligation until September 30, 2021: *Pro-*
16 *vided*, That the requirement to withhold funds for pro-
17 grams in Burma under section 307(a) of the Foreign As-
18 sistance Act of 1961 shall not apply to funds appropriated
19 by this Act.

20 (h) PRIOR YEAR PEACEKEEPING ASSESSMENTS.—
21 Section 404(b)(2)(B) of the Foreign Relations Authoriza-
22 tion Act, Fiscal Years 1994 and 1995, (22 U.S.C. 287e
23 note) is amended at the end by adding the following:

24 “(vii) For assessments made during
25 calendar year 2016, 28.5738 percent.

1 “(viii) For assessments made during
2 calendar year 2017, 28.4691 percent.

3 “(ix) For assessments made during
4 calendar year 2018, 28.4344 percent.”.

5 INSPECTORS GENERAL

6 SEC. 7049. (a) PROHIBITION ON USE OF FUNDS.—

7 None of the funds appropriated by this Act may be used
8 to deny an Inspector General funded under this Act timely
9 access to any records, documents, or other materials avail-
10 able to the department or agency of the United States
11 Government over which such Inspector General has re-
12 sponsibilities under the Inspector General Act of 1978 (5
13 U.S.C. App.), or to prevent or impede the access of such
14 Inspector General to such records, documents, or other
15 materials, under any provision of law, except a provision
16 of law that expressly refers to such Inspector General and
17 expressly limits the right of access of such Inspector Gen-
18 eral.

19 (b) REPORT.—Each Inspector General covered by
20 this section shall report to the Committees on Appropria-
21 tions within 5 calendar days of any failure by any depart-
22 ment or agency of the United States Government to pro-
23 vide its Inspector General access to all requested records,
24 documents, and other materials.

1 GLOBAL INTERNET FREEDOM

2 SEC. 7050. (a) FUNDING.—Of the funds available for
3 obligation during fiscal year 2020 under the headings
4 “International Broadcasting Operations”, “Economic
5 Support Fund”, “Democracy Fund”, and “Assistance for
6 Europe, Eurasia and Central Asia”, not less than
7 \$60,500,000 shall be made available for programs to pro-
8 mote Internet freedom globally.

9 (b) COORDINATION AND SPEND PLANS.—After con-
10 sultation among the relevant agency heads to coordinate
11 and de-conflict planned activities, but not later than 90
12 days after enactment of this Act, the Secretary of State
13 and the Chief Executive Officer of the United States
14 Agency for Global Media shall submit to the Committees
15 on Appropriations spend plans for funds made available
16 by this Act for programs to promote Internet freedom
17 globally, which shall include a description of safeguards
18 established by relevant agencies to ensure that such pro-
19 grams are not used for illicit purposes.

20 (c) SECURITY AUDITS.—Funds made available pur-
21 suant to this section to promote Internet freedom globally
22 may only be made available to support technologies that
23 undergo comprehensive security audits conducted by the
24 Bureau of Democracy, Human Rights, and Labor, De-
25 partment of State to ensure that such technology is secure

1 and has not been compromised in a manner detrimental
2 to the interest of the United States or to individuals and
3 organizations benefiting from programs supported by such
4 funds.

5 TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
6 TREATMENT OR PUNISHMENT

7 SEC. 7051. (a) LIMITATION.—None of the funds
8 made available by this Act may be used to support or jus-
9 tify the use of torture and other cruel, inhuman, or de-
10 grading treatment or punishment by any official or con-
11 tract employee of the United States Government.

12 (b) ASSISTANCE.—Funds appropriated under titles
13 III and IV of this Act shall be made available, notwith-
14 standing section 660 of the Foreign Assistance Act of
15 1961 and following consultation with the Committees on
16 Appropriations, for assistance to eliminate torture and
17 other cruel, inhuman, or degrading treatment or punish-
18 ment by foreign police, military or other security forces
19 in countries receiving assistance from funds appropriated
20 by this Act.

21 AIRCRAFT TRANSFER, COORDINATION, AND USE

22 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
23 standing any other provision of law or regulation, aircraft
24 procured with funds appropriated by this Act and prior
25 Acts making appropriations for the Department of State,

1 foreign operations, and related programs under the head-
2 ings “Diplomatic Programs”, “International Narcotics
3 Control and Law Enforcement”, “Andean Counterdrug
4 Initiative”, and “Andean Counterdrug Programs” may be
5 used for any other program and in any region.

6 (b) PROPERTY DISPOSAL.—The authority provided
7 in subsection (a) shall apply only after the Secretary of
8 State determines and reports to the Committees on Appro-
9 priations that the equipment is no longer required to meet
10 programmatic purposes in the designated country or re-
11 gion: *Provided*, That any such transfer shall be subject
12 to prior consultation with, and the regular notification
13 procedures of, the Committees on Appropriations.

14 (c) AIRCRAFT COORDINATION.—

15 (1) AUTHORITY.—The uses of aircraft pur-
16 chased or leased by the Department of State and the
17 United States Agency for International Development
18 with funds made available in this Act or prior Acts
19 making appropriations for the Department of State,
20 foreign operations, and related programs shall be co-
21 ordinated under the authority of the appropriate
22 Chief of Mission: *Provided*, That notwithstanding
23 section 7006(b) of this Act, such aircraft may be
24 used to transport, on a reimbursable or non-reim-
25 bursable basis, Federal and non-Federal personnel

1 supporting Department of State and USAID pro-
2 grams and activities: *Provided further*, That official
3 travel for other agencies for other purposes may be
4 supported on a reimbursable basis, or without reim-
5 bursement when traveling on a space available basis:
6 *Provided further*, That funds received by the Depart-
7 ment of State in connection with the use of aircraft
8 owned, leased, or chartered by the Department of
9 State may be credited to the Working Capital Fund
10 of the Department and shall be available for ex-
11 penses related to the purchase, lease, maintenance,
12 chartering, or operation of such aircraft.

13 (2) SCOPE.—The requirement and authorities
14 of this subsection shall only apply to aircraft, the
15 primary purpose of which is the transportation of
16 personnel.

17 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—
18 To the maximum extent practicable, the costs of oper-
19 ations and maintenance, including fuel, of aircraft funded
20 by this Act shall be borne by the recipient country.

21 PARKING FINES AND REAL PROPERTY TAXES OWED BY
22 FOREIGN GOVERNMENTS

23 SEC. 7053. The terms and conditions of section 7055
24 of the Department of State, Foreign Operations, and Re-
25 lated Programs Appropriations Act, 2010 (division F of

1 Public Law 111–117) shall apply to this Act: *Provided*,
2 That the date “September 30, 2009” in subsection
3 (f)(2)(B) of such section shall be deemed to be “Sep-
4 tember 30, 2019”.

5 INTERNATIONAL MONETARY FUND

6 SEC. 7054. The terms and conditions of sections
7 7086(b) (1) and (2) and 7090(a) of the Department of
8 State, Foreign Operations, and Related Programs Appro-
9 priations Act, 2010 (division F of Public Law 111–117)
10 shall apply to this Act.

11 EXTRADITION

12 SEC. 7055. (a) LIMITATION.—None of the funds ap-
13 propriated in this Act may be used to provide assistance
14 (other than funds provided under the headings “Inter-
15 national Disaster Assistance”, “Complex Crises Fund”,
16 “International Narcotics Control and Law Enforcement”,
17 “Migration and Refugee Assistance”, “United States
18 Emergency Refugee and Migration Assistance Fund”, and
19 “Nonproliferation, Anti-terrorism, Demining and Related
20 Assistance”) for the central government of a country
21 which has notified the Department of State of its refusal
22 to extradite to the United States any individual indicted
23 for a criminal offense for which the maximum penalty is
24 life imprisonment without the possibility of parole or for

1 killing a law enforcement officer, as specified in a United
2 States extradition request.

3 (b) CLARIFICATION.—Subsection (a) shall only apply
4 to the central government of a country with which the
5 United States maintains diplomatic relations and with
6 which the United States has an extradition treaty and the
7 government of that country is in violation of the terms
8 and conditions of the treaty.

9 (c) WAIVER.—The Secretary of State may waive the
10 restriction in subsection (a) on a case-by-case basis if the
11 Secretary certifies to the Committees on Appropriations
12 that such waiver is important to the national interest of
13 the United States.

14 IMPACT ON JOBS IN THE UNITED STATES

15 SEC. 7056. None of the funds appropriated or other-
16 wise made available under titles III through VI of this
17 Act may be obligated or expended to provide—

18 (1) any financial incentive to a business enter-
19 prise currently located in the United States for the
20 purpose of inducing such an enterprise to relocate
21 outside the United States if such incentive or in-
22 ducement is likely to reduce the number of employ-
23 ees of such business enterprise in the United States
24 because United States production is being replaced
25 by such enterprise outside the United States;

1 (2) assistance for any program, project, or ac-
2 tivity that contributes to the violation of internation-
3 ally recognized workers' rights, as defined in section
4 507(4) of the Trade Act of 1974, of workers in the
5 recipient country, including any designated zone or
6 area in that country: *Provided*, That the application
7 of section 507(4)(D) and (E) of such Act should be
8 commensurate with the level of development of the
9 recipient country and sector, and shall not preclude
10 assistance for the informal sector in such country,
11 micro and small-scale enterprise, and smallholder
12 agriculture; or

13 (3) any assistance to an entity outside the
14 United States if such assistance is for the purpose
15 of directly relocating or transferring jobs from the
16 United States to other countries and adversely im-
17 pacts the labor force in the United States.

18 UNITED NATIONS POPULATION FUND

19 SEC. 7057. (a) CONTRIBUTION.—Of the funds made
20 available under the heading “International Organizations
21 and Programs” in this Act for fiscal year 2020,
22 \$55,500,000 shall be made available for the United Na-
23 tions Population Fund (UNFPA).

24 (b) AVAILABILITY OF FUNDS.—Funds appropriated
25 by this Act for UNFPA, that are not made available for

1 UNFPA because of the operation of any provision of law,
2 shall be transferred to the “Global Health Programs” ac-
3 count and shall be made available for family planning, ma-
4 ternal, and reproductive health activities, subject to the
5 regular notification procedures of the Committees on Ap-
6 propriations.

7 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—
8 None of the funds made available by this Act may be used
9 by UNFPA for a country program in the People’s Repub-
10 lic of China.

11 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—
12 Funds made available by this Act for UNFPA may not
13 be made available unless—

14 (1) UNFPA maintains funds made available by
15 this Act in an account separate from other accounts
16 of UNFPA and does not commingle such funds with
17 other sums; and

18 (2) UNFPA does not fund abortions.

19 (e) REPORT TO CONGRESS AND DOLLAR-FOR-DOL-
20 LAR WITHHOLDING OF FUNDS.—

21 (1) Not later than 4 months after the date of
22 enactment of this Act, the Secretary of State shall
23 submit a report to the Committees on Appropria-
24 tions indicating the amount of funds that UNFPA
25 is budgeting for the year in which the report is sub-

1 mitted for a country program in the People’s Repub-
2 lic of China.

3 (2) If a report under paragraph (1) indicates
4 that UNFPA plans to spend funds for a country
5 program in the People’s Republic of China in the
6 year covered by the report, then the amount of such
7 funds UNFPA plans to spend in the People’s Re-
8 public of China shall be deducted from the funds
9 made available to UNFPA after March 1 for obliga-
10 tion for the remainder of the fiscal year in which the
11 report is submitted.

12 GLOBAL HEALTH ACTIVITIES

13 SEC. 7058. (a) IN GENERAL.—Funds appropriated
14 by titles III and IV of this Act that are made available
15 for global health programs, including activities relating to
16 research on, and the prevention, treatment and control of,
17 HIV/AIDS, may be made available notwithstanding any
18 other provision of law except for provisions under the
19 heading “Global Health Programs” and the United States
20 Leadership Against HIV/AIDS, Tuberculosis, and Malaria
21 Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as
22 amended: *Provided*, That of the funds appropriated under
23 the heading “Global Health Programs” in this Act, not
24 less than \$750,000,000 shall be made available for family
25 planning/reproductive health, including in areas where

1 population growth threatens biodiversity or endangered
2 species: *Provided further*, That none of the funds made
3 available by this Act or prior Acts making appropriations
4 for the Department of State, foreign operations, and re-
5 lated programs shall be made available to implement the
6 Presidential Memorandum on Mexico City Policy dated
7 January 23, 2017: *Provided further*, That none of the
8 funds made available by this Act may be used in con-
9 travention of the conditions of section 7018 of this Act
10 and section 104(f)(1) of the Foreign Assistance Act of
11 1961.

12 (b) CONTAGIOUS INFECTIOUS DISEASE OUT-
13 BREAKS.—

14 (1) EXTRAORDINARY MEASURES.—If the Sec-
15 retary of State determines and reports to the Com-
16 mittees on Appropriations that an international in-
17 fectious disease outbreak is sustained, severe, and is
18 spreading internationally, or that it is in the na-
19 tional interest to respond to a Public Health Emer-
20 gency of International Concern, funds appropriated
21 by this Act under the headings “Global Health Pro-
22 grams”, “Development Assistance”, “International
23 Disaster Assistance”, “Complex Crises Fund”,
24 “Economic Support Fund”, “Democracy Fund”,
25 “Assistance for Europe, Eurasia and Central Asia”,

1 “Migration and Refugee Assistance”, and “Millen-
2 nium Challenge Corporation” may be made available
3 to combat such infectious disease or public health
4 emergency, and may be transferred to, and merged
5 with, funds appropriated under such headings for
6 the purposes of this paragraph.

7 (2) EMERGENCY RESERVE FUND.—Up to
8 \$10,000,000 of the funds made available under the
9 heading “Global Health Programs” may be made
10 available for the Emergency Reserve Fund estab-
11 lished pursuant to section 7058(c)(1) of the Depart-
12 ment of State, Foreign Operations, and Related Pro-
13 grams Appropriations Act, 2017 (division J of Pub-
14 lic Law 115–31): *Provided*, That such funds shall be
15 made available under the same terms and conditions
16 of such section.

17 (3) CONSULTATION AND NOTIFICATION.—
18 Funds made available by this subsection shall be
19 subject to prior consultation with the appropriate
20 congressional committees, and the regular notifica-
21 tion procedures of the Committees on Appropria-
22 tions.

23 GENDER EQUALITY

24 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-
25 priated by this Act shall be made available to promote gen-

1 der equality in United States Government diplomatic and
2 development efforts by raising the status, increasing the
3 participation, and protecting the rights of women and girls
4 worldwide.

5 (b) WOMEN'S LEADERSHIP.—Of the funds appro-
6 priated by title III of this Act, not less than \$50,000,000
7 shall be made available for programs specifically designed
8 to increase leadership opportunities for women in coun-
9 tries where women and girls suffer discrimination due to
10 law, policy, or practice, by strengthening protections for
11 women's political status, expanding women's participation
12 in political parties and elections, and increasing women's
13 opportunities for leadership positions in the public and
14 private sectors at the local, provincial, and national levels.

15 (c) GENDER-BASED VIOLENCE.—Of the funds appro-
16 priated under titles III and IV of this Act, not less than
17 \$165,000,000 shall be made available to implement a
18 multi-year strategy to prevent and respond to gender-
19 based violence in countries where it is common in conflict
20 and non-conflict settings.

21 (d) WOMEN AND GIRLS AT RISK FROM EXTRE-
22 MISM.—Of the funds appropriated by this Act under the
23 heading “Development Assistance”, not less than
24 \$15,000,000 shall be made available to support women
25 and girls who are at risk from extremism and conflict, and

1 (B) Of the funds appropriated under title
2 III of this Act for assistance for basic education
3 programs, not less than \$125,000,000 shall be
4 made available for contributions to multilateral
5 partnerships that support education.

6 (2) HIGHER EDUCATION.—Of the funds appro-
7 priated by title III of this Act, not less than
8 \$235,000,000 shall be made available for assistance
9 for higher education: *Provided*, That such funds may
10 be made available notwithstanding any other provi-
11 sion of law that restricts assistance to foreign coun-
12 tries, and shall be subject to the regular notification
13 procedures of the Committees on Appropriations.

14 (b) ENVIRONMENT PROGRAMS.—

15 (1) AUTHORITY, NOTIFICATION, AND LIMITA-
16 TION.—

17 (A) Funds appropriated by this Act to
18 carry out the provisions of sections 103 through
19 106, and chapter 4 of part II, of the Foreign
20 Assistance Act of 1961 may be used, notwith-
21 standing any other provision of law, except for
22 the provisions of this subsection, to support en-
23 vironment programs.

24 (B) Funds made available pursuant to this
25 subsection shall be subject to the regular notifi-

1 cation procedures of the Committees on Appro-
2 priations.

3 (C) Funds in this Act and prior Acts may
4 be made available for a contribution, grant, or
5 any other payment for the Paris Agreement:
6 *Provided*, That any such use of funds shall be
7 subject to prior consultation with, and the reg-
8 ular notification procedures of, the Committees
9 on Appropriations.

10 (D) None of the funds appropriated or oth-
11 erwise made available by this Act, or prior Acts
12 making appropriations for the Department of
13 State, foreign operations, and related programs,
14 may be used to provide formal notification
15 under Article 28 of the Paris Agreement of the
16 withdrawal of the United States from such
17 Agreement.

18 (2) CONSERVATION PROGRAMS.—

19 (A) Of the funds appropriated under title
20 III of this Act, not less than \$295,000,000
21 shall be made available for biodiversity con-
22 servation programs.

23 (B) Not less than \$100,664,000 of the
24 funds appropriated under titles III and IV of
25 this Act shall be made available to combat the

1 transnational threat of wildlife poaching and
2 trafficking.

3 (3) SUSTAINABLE LANDSCAPES.—Of the funds
4 appropriated under title III of this Act, not less than
5 \$135,000,000 shall be made available for sustainable
6 landscapes programs.

7 (4) ADAPTATION.—Of the funds appropriated
8 under title III of this Act, not less than
9 \$177,000,000 shall be made available for adaptation
10 programs.

11 (5) RENEWABLE ENERGY.—Of the funds appro-
12 priated under title III of this Act, not less than
13 \$179,000,000 shall be made available for renewable
14 energy programs.

15 (c) FOOD SECURITY AND AGRICULTURAL DEVELOP-
16 MENT.—Of the funds appropriated by title III of this Act,
17 not less than \$1,005,600,000 shall be made available for
18 food security and agricultural development programs to
19 carry out the purposes of the Global Food Security Act
20 of 2016 (Public Law 114–195): *Provided*, That funds may
21 be made available for a contribution as authorized by sec-
22 tion 3202 of the Food, Conservation, and Energy Act of
23 2008 (Public Law 110–246), as amended by section 3310
24 of the Agriculture Improvement Act of 2018 (Public Law
25 115–334).

1 (d) MICRO, SMALL, AND MEDIUM-SIZED ENTER-
2 PRISES.—Of the funds appropriated by this Act, not less
3 than \$265,000,000 shall be made available to support the
4 development of, and access to financing for, micro, small,
5 and medium-sized enterprises that benefit the poor, espe-
6 cially women.

7 (e) PROGRAMS TO COMBAT TRAFFICKING IN PER-
8 SONS.—Of the funds appropriated by this Act under the
9 headings “Development Assistance”, “Economic Support
10 Fund”, “Assistance for Europe, Eurasia and Central
11 Asia”, and “International Narcotics Control and Law En-
12 forcement”, not less than \$67,000,000 shall be made
13 available for activities to combat trafficking in persons
14 internationally.

15 (f) RECONCILIATION PROGRAMS.—Funds appro-
16 priated by this Act under the heading “Development As-
17 sistance” shall be made available to support people-to-peo-
18 ple reconciliation programs which bring together individ-
19 uals of different ethnic, religious, and political back-
20 grounds from areas of civil strife and war: *Provided*, That
21 the USAID Administrator shall consult with the Commit-
22 tees on Appropriations, prior to the initial obligation of
23 funds, on the uses of such funds, and such funds shall
24 be subject to the regular notification procedures of the
25 Committees on Appropriations.

1 (g) WATER AND SANITATION.—Of the funds appro-
2 priated by this Act, not less than \$435,000,000 shall be
3 made available for water supply and sanitation projects
4 pursuant to section 136 of the Foreign Assistance Act of
5 1961, of which not less than \$195,000,000 shall be for
6 programs in sub-Saharan Africa, and of which not less
7 than \$15,000,000 shall be made available to support ini-
8 tiatives by local communities in developing countries to
9 build and maintain safe latrines.

10 BUDGET DOCUMENTS

11 SEC. 7061. (a) OPERATING PLANS.—Not later than
12 45 days after the date of enactment of this Act, each de-
13 partment, agency, or organization funded in titles I, II,
14 and VI of this Act, and the Department of the Treasury
15 and Independent Agencies funded in title III of this Act,
16 including the Inter-American Foundation and the United
17 States African Development Foundation, shall submit to
18 the Committees on Appropriations an operating plan for
19 funds appropriated to such department, agency, or organi-
20 zation in such titles of this Act, or funds otherwise avail-
21 able for obligation in fiscal year 2020, that provides de-
22 tails of the uses of such funds at the program, project,
23 and activity level: *Provided*, That operating plans that in-
24 clude changes in levels of funding for programs, projects,
25 and activities specified in the congressional budget jus-

1 tification, in this Act, or amounts specifically designated
2 in the respective tables included in the report accom-
3 panying this Act, as applicable, shall be subject to the no-
4 tification and reprogramming requirements of section
5 7015 of this Act.

6 (b) SPEND PLANS.—

7 (1) Not later than 60 days after enactment of
8 this Act, the Secretary of State or Administrator of
9 the United States Agency for International Develop-
10 ment, as appropriate, shall submit to the Commit-
11 tees on Appropriations a spend plan for funds made
12 available by this Act, for—

13 (A) assistance for Afghanistan, Iraq, Leb-
14 anon, Pakistan, Colombia, and countries in
15 Central America;

16 (B) assistance made available pursuant to
17 section 7046(c) of this Act to counter Russian
18 influence and aggression, except that such plan
19 shall be on a country-by-country basis;

20 (C) assistance made available pursuant to
21 section 7059 of this Act;

22 (D) the Indo-Pacific Strategy;

23 (E) democracy programs, Power Africa,
24 programs to support section 7047(a) of this
25 Act, and sectors enumerated in subsections (a),

1 (b), (c), (d), (e), and (g) of section 7060 of this
2 Act; and

3 (F) funds provided under the heading
4 “International Narcotics Control and Law En-
5 forcement” for International Organized Crime
6 and for Cybercrime and Intellectual Property
7 Rights: *Provided*, That the spend plans shall in-
8 clude bilateral and global programs funded
9 under such heading along with a brief descrip-
10 tion of the activities planned for each country.

11 (2) Not later than 45 days after enactment of
12 this Act, the Secretary of the Treasury shall submit
13 to the Committees on Appropriations a detailed
14 spend plan for funds made available by this Act
15 under the heading “Department of the Treasury,
16 International Affairs Technical Assistance” in title
17 III.

18 (c) CLARIFICATION.—The spend plans referenced in
19 subsection (b) shall not be considered as meeting the noti-
20 fication requirements in this Act or under section 634A
21 of the Foreign Assistance Act of 1961.

22 (d) CONGRESSIONAL BUDGET JUSTIFICATION.—

23 (1) The congressional budget justification for
24 Department of State operations and foreign oper-
25 ations shall be provided to the Committees on Ap-

1 propriations concurrent with the date of submission
2 of the President’s budget for fiscal year 2021: *Pro-*
3 *vided*, That the appendices for such justification
4 shall be provided to the Committees on Appropria-
5 tions not later than 10 calendar days thereafter:
6 *Provided further*, That if the appendices referenced
7 in the preceding proviso are not provided to such
8 Committee by the date specified, none of the funds
9 made available under the heading “Diplomatic Pro-
10 grams” and designated in paragraph (3) for Diplo-
11 matic Policy and Support shall be available for trav-
12 el and related expenses of the Secretary of State
13 until such budget appendices are provided to the
14 Committees on Appropriations.

15 (2) The Secretary of State and the USAID Ad-
16 ministrator shall include in the congressional budget
17 justification a detailed justification for multi-year
18 availability for any funds requested under the head-
19 ings “Diplomatic Programs” and “Operating Ex-
20 penses”.

21 (e) CHANGE IN ALLOCATION OF FOREIGN ASSIST-
22 ANCE.—The Department of State shall fully comply with
23 the notification requirement pursuant to section 653(a) of
24 the Foreign Assistance Act of 1961 (Public Law 87–195)
25 not later than the period of time specified in such section:

1 *Provided*, That if the report accompanying the notification
2 referenced in the preceding sentence is not provided to the
3 Committees on Appropriations within the specified time,
4 none of the funds made available under the heading “Dip-
5 lomatic Programs” and designated in paragraph (3) for
6 Diplomatic Policy and Support shall be available for travel
7 and related expenses of the Secretary of State until such
8 report is provided to the Committees on Appropriations.

9 REORGANIZATION

10 SEC. 7062. (a) PRIOR CONSULTATION AND NOTIFI-
11 CATION.—Funds appropriated by this Act, prior Acts
12 making appropriations for the Department of State, for-
13 eign operations, and related programs, or any other Act
14 may not be used to implement a reorganization, redesign,
15 or other plan described in paragraph (2) by the Depart-
16 ment of State, the United States Agency for International
17 Development, or any other Federal department, agency,
18 or organization funded by this Act without prior consulta-
19 tion by the head of such department, agency, or organiza-
20 tion with the appropriate congressional committees: *Pro-*
21 *vided*, That such funds shall be subject to the regular noti-
22 fication procedures of the Committees on Appropriations:
23 *Provided further*, That any such notification submitted to
24 such Committees shall include a detailed justification for

1 any proposed action, including the information specified
2 under this section in the report accompanying this Act.

3 (b) DESCRIPTION OF ACTIVITIES.—Pursuant to
4 paragraph (1), a reorganization, redesign, or other plan
5 shall include any action to—

6 (1) expand, eliminate, consolidate, or downsize cov-
7 ered departments, agencies, or organizations, including
8 bureaus and offices within or between such departments,
9 agencies, or organizations, including the transfer to other
10 agencies of the authorities and responsibilities of such bu-
11 reaus and offices; or

12 (2) expand, eliminate, consolidate, or downsize the
13 United States official presence overseas including at bilat-
14 eral, regional, and multilateral diplomatic facilities and
15 other platforms.

16 DESIGNATION

17 SEC. 7063. Each amount designated in this Act by
18 the Congress for Overseas Contingency Operations/Global
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985 shall be available (or rescinded, if applicable) only
22 if the President subsequently so designates all such
23 amounts and transmits such designations to the Congress.

1 ASSISTANCE FOR FOREIGN NONGOVERNMENTAL
2 ORGANIZATIONS

3 SEC. 7064. The Foreign Assistance Act of 1961 (22
4 U.S.C. 2151 et seq.) is amended by inserting after section
5 104C the following:

6 **“SEC. 104D ELIGIBILITY FOR ASSISTANCE.**

7 “Notwithstanding any other provision of law, regula-
8 tion, or policy, in determining eligibility for assistance
9 under sections 104, 104A, 104B, and 104C, a foreign non-
10 governmental organization—

11 “(1) shall not be ineligible for such assistance
12 solely on the basis of health or medical services, in-
13 cluding counseling and referral services, provided by
14 such organization with non-United States Govern-
15 ment funds if such services—

16 “(A) are permitted in the country in which
17 they are being provided; and

18 “(B) would not violate United States law if
19 provided in the United States; and

20 “(2) shall not be subject to requirements relat-
21 ing to the use of non-United States Government
22 funds for advocacy and lobbying activities other than
23 those that apply to United States nongovernmental
24 organizations receiving assistance under this part.”.

1 REFERENCES TO ACT

2 SEC. 7065. Except as expressly provided otherwise,
3 any reference to “this Act” contained in this division shall
4 be treated as referring only to the provisions of this divi-
5 sion.

6 REFERENCE TO REPORT

7 SEC. 7066. Any reference to a “report accompanying
8 this Act” contained in this division shall be treated as a
9 reference to House Report 116-78. The effect of such Re-
10 port shall be limited to this division and shall apply for
11 purposes of determining the allocation of funds provided
12 by, and the implementation of, this division.

13 This Act may be cited as the “Department of State,
14 Foreign Operations, and Related Programs Appropria-
15 tions Act, 2020”.

16 **DIVISION E—ENERGY AND WATER DEVELOP-**
17 **MENT AND RELATED AGENCIES AP-**
18 **PROPRIATIONS ACT, 2020**

19 The following sums are appropriated, out of any
20 money in the Treasury not otherwise appropriated, for en-
21 ergy and water development and related agencies for the
22 fiscal year ending September 30, 2020, and for other pur-
23 poses, namely:

1 TITLE I
2 CORPS OF ENGINEERS—CIVIL
3 DEPARTMENT OF THE ARMY
4 CORPS OF ENGINEERS—CIVIL

5 The following appropriations shall be expended under
6 the direction of the Secretary of the Army and the super-
7 vision of the Chief of Engineers for authorized civil func-
8 tions of the Department of the Army pertaining to river
9 and harbor, flood and storm damage reduction, shore pro-
10 tection, aquatic ecosystem restoration, and related efforts.

11 INVESTIGATIONS

12 For expenses necessary where authorized by law for
13 the collection and study of basic information pertaining
14 to river and harbor, flood and storm damage reduction,
15 shore protection, aquatic ecosystem restoration, and re-
16 lated needs; for surveys and detailed studies, and plans
17 and specifications of proposed river and harbor, flood and
18 storm damage reduction, shore protection, and aquatic
19 ecosystem restoration projects, and related efforts prior to
20 construction; for restudy of authorized projects; and for
21 miscellaneous investigations, and, when authorized by law,
22 surveys and detailed studies, and plans and specifications
23 of projects prior to construction, \$135,000,000, to remain
24 available until expended: *Provided*, That the Secretary
25 shall initiate six new study starts during fiscal year 2020:

1 *Provided further*, That the Secretary shall not deviate from
2 the new starts proposed in the work plan, once the plan
3 has been submitted to the Committees on Appropriations
4 of both Houses of Congress.

5 CONSTRUCTION

6 For expenses necessary for the construction of river
7 and harbor, flood and storm damage reduction, shore pro-
8 tection, aquatic ecosystem restoration, and related
9 projects authorized by law; for conducting detailed studies,
10 and plans and specifications, of such projects (including
11 those involving participation by States, local governments,
12 or private groups) authorized or made eligible for selection
13 by law (but such detailed studies, and plans and specifica-
14 tions, shall not constitute a commitment of the Govern-
15 ment to construction); \$2,337,000,000, to remain avail-
16 able until expended; of which such sums as are necessary
17 to cover the Federal share of construction costs for facili-
18 ties under the Dredged Material Disposal Facilities pro-
19 gram shall be derived from the Harbor Maintenance Trust
20 Fund as authorized by Public Law 104–303; and of which
21 such sums as are necessary to cover one-half of the costs
22 of construction, replacement, rehabilitation, and expansion
23 of inland waterways projects shall be derived from the In-
24 land Waterways Trust Fund, except as otherwise specifi-
25 cally provided for in law: *Provided*, That the Secretary

1 shall initiate six new construction starts during fiscal year
2 2020: *Provided further*, That for new construction
3 projects, project cost sharing agreements shall be executed
4 as soon as practicable but no later than September 30,
5 2020: *Provided further*, That no allocation for a new start
6 shall be considered final and no work allowance shall be
7 made until the Secretary provides to the Committees on
8 Appropriations of both Houses of Congress an out-year
9 funding scenario demonstrating the affordability of the se-
10 lected new starts and the impacts on other projects: *Pro-*
11 *vided further*, That the Secretary may not deviate from
12 the new starts proposed in the work plan, once the plan
13 has been submitted to the Committees on Appropriations
14 of both Houses of Congress.

15 MISSISSIPPI RIVER AND TRIBUTARIES

16 For expenses necessary for flood damage reduction
17 projects and related efforts in the Mississippi River allu-
18 vial valley below Cape Girardeau, Missouri, as authorized
19 by law, \$350,000,000, to remain available until expended,
20 of which such sums as are necessary to cover the Federal
21 share of eligible operation and maintenance costs for in-
22 land harbors shall be derived from the Harbor Mainte-
23 nance Trust Fund.

1 OPERATION AND MAINTENANCE

2 For expenses necessary for the operation, mainte-
3 nance, and care of existing river and harbor, flood and
4 storm damage reduction, aquatic ecosystem restoration,
5 and related projects authorized by law; providing security
6 for infrastructure owned or operated by the Corps, includ-
7 ing administrative buildings and laboratories; maintaining
8 harbor channels provided by a State, municipality, or
9 other public agency that serve essential navigation needs
10 of general commerce, where authorized by law; surveying
11 and charting northern and northwestern lakes and con-
12 necting waters; clearing and straightening channels; and
13 removing obstructions to navigation, \$3,923,000,000, to
14 remain available until expended, of which such sums as
15 are necessary to cover the Federal share of eligible oper-
16 ation and maintenance costs for coastal harbors and chan-
17 nels, and for inland harbors shall be derived from the Har-
18 bor Maintenance Trust Fund; of which such sums as be-
19 come available from the special account for the Corps of
20 Engineers established by the Land and Water Conserva-
21 tion Fund Act of 1965 shall be derived from that account
22 for resource protection, research, interpretation, and
23 maintenance activities related to resource protection in the
24 areas at which outdoor recreation is available; and of
25 which such sums as become available from fees collected

1 under section 217 of Public Law 104–303 shall be used
2 to cover the cost of operation and maintenance of the
3 dredged material disposal facilities for which such fees
4 have been collected: *Provided*, That 1 percent of the total
5 amount of funds provided for each of the programs,
6 projects, or activities funded under this heading shall not
7 be allocated to a field operating activity prior to the begin-
8 ning of the fourth quarter of the fiscal year and shall be
9 available for use by the Chief of Engineers to fund such
10 emergency activities as the Chief of Engineers determines
11 to be necessary and appropriate, and that the Chief of En-
12 gineers shall allocate during the fourth quarter any re-
13 maining funds which have not been used for emergency
14 activities proportionally in accordance with the amounts
15 provided for the programs, projects, or activities.

16 REGULATORY PROGRAM

17 For expenses necessary for administration of laws
18 pertaining to regulation of navigable waters and wetlands,
19 \$210,000,000, to remain available until September 30,
20 2021.

21 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

22 For expenses necessary to clean up contamination
23 from sites in the United States resulting from work per-
24 formed as part of the Nation’s early atomic energy pro-
25 gram, \$155,000,000, to remain available until expended.

1 FLOOD CONTROL AND COASTAL EMERGENCIES

2 For expenses necessary to prepare for flood, hurri-
3 cane, and other natural disasters and support emergency
4 operations, repairs, and other activities in response to
5 such disasters as authorized by law, \$37,500,000, to re-
6 main available until expended.

7 EXPENSES

8 For expenses necessary for the supervision and gen-
9 eral administration of the civil works program in the head-
10 quarters of the Corps of Engineers and the offices of the
11 Division Engineers; and for costs of management and op-
12 eration of the Humphreys Engineer Center Support Activ-
13 ity, the Institute for Water Resources, the United States
14 Army Engineer Research and Development Center, and
15 the United States Army Corps of Engineers Finance Cen-
16 ter allocable to the civil works program, \$203,000,000, to
17 remain available until September 30, 2021, of which not
18 to exceed \$5,000 may be used for official reception and
19 representation purposes and only during the current fiscal
20 year: *Provided*, That no part of any other appropriation
21 provided in this title shall be available to fund the civil
22 works activities of the Office of the Chief of Engineers
23 or the civil works executive direction and management ac-
24 tivities of the division offices: *Provided further*, That any
25 Flood Control and Coastal Emergencies appropriation

1 may be used to fund the supervision and general adminis-
2 tration of emergency operations, repairs, and other activi-
3 ties in response to any flood, hurricane, or other natural
4 disaster.

5 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
6 FOR CIVIL WORKS

7 For the Office of the Assistant Secretary of the Army
8 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
9 \$5,000,000, to remain available until September 30, 2021:
10 *Provided*, That not more than 25 percent of such amount
11 may be obligated or expended until the Assistant Sec-
12 retary submits to the Committees on Appropriations of
13 both Houses of Congress a work plan that allocates at
14 least 95 percent of the additional funding provided under
15 each heading in this title, as designated under such head-
16 ing in the report of the Committee on Appropriations ac-
17 companying this Act, to specific programs, projects, or ac-
18 tivities.

19 GENERAL PROVISIONS—CORPS OF
20 ENGINEERS—CIVIL
21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 101. (a) None of the funds provided in this title
23 shall be available for obligation or expenditure through a
24 reprogramming of funds that—

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

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

4 (3) increases funds or personnel for any pro-
5 gram, project, or activity for which funds have been
6 denied or restricted by this Act;

7 (4) reduces funds that are directed to be used
8 for a specific program, project, or activity by this
9 Act;

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

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

16 (b) Subsection (a)(1) shall not apply to any project
17 or activity authorized under section 205 of the Flood Con-
18 trol Act of 1948, section 14 of the Flood Control Act of
19 1946, section 208 of the Flood Control Act of 1954, sec-
20 tion 107 of the River and Harbor Act of 1960, section
21 103 of the River and Harbor Act of 1962, section 111
22 of the River and Harbor Act of 1968, section 1135 of the
23 Water Resources Development Act of 1986, section 206
24 of the Water Resources Development Act of 1996, or sec-

1 tion 204 of the Water Resources Development Act of
2 1992.

3 (c) The Corps of Engineers shall submit reports on
4 a quarterly basis to the Committees on Appropriations of
5 both Houses of Congress detailing all the funds repro-
6 grammed between programs, projects, activities, or cat-
7 egories of funding. The first quarterly report shall be sub-
8 mitted not later than 60 days after the date of enactment
9 of this Act.

10 SEC. 102. None of the funds made available in this
11 title may be used to award or modify any contract that
12 commits funds beyond the amounts appropriated for that
13 program, project, or activity that remain unobligated, ex-
14 cept that such amounts may include any funds that have
15 been made available through reprogramming pursuant to
16 section 101.

17 SEC. 103. The Secretary of the Army may transfer
18 to the Fish and Wildlife Service, and the Fish and Wildlife
19 Service may accept and expend, up to \$5,400,000 of funds
20 provided in this title under the heading “Operation and
21 Maintenance” to mitigate for fisheries lost due to Corps
22 of Engineers projects.

23 SEC. 104. None of the funds in this Act shall be used
24 for an open lake placement alternative for dredged mate-
25 rial, after evaluating the least costly, environmentally ac-

1 ceptable manner for the disposal or management of
2 dredged material originating from Lake Erie or tributaries
3 thereto, unless it is approved under a State water quality
4 certification pursuant to section 401 of the Federal Water
5 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
6 until an open lake placement alternative for dredged mate-
7 rial is approved under a State water quality certification,
8 the Corps of Engineers shall continue upland placement
9 of such dredged material consistent with the requirements
10 of section 101 of the Water Resources Development Act
11 of 1986 (33 U.S.C. 2211).

12 SEC. 105. None of the funds made available by this
13 Act may be used to carry out any water supply reallocation
14 study under the Wolf Creek Dam, Lake Cumberland, Ken-
15 tucky, project authorized under the Act of July 24, 1946
16 (60 Stat. 636, ch. 595).

17 SEC. 106. None of the funds made available by this
18 Act or any other Act may be used to reorganize or to
19 transfer the Civil Works functions or authority of the
20 Corps of Engineers or the Secretary of the Army to an-
21 other department or agency.

22 SEC. 107. Additional funding provided in this Act
23 shall be allocated only to projects determined to be eligible
24 by the Chief of Engineers.

1 use an amount not to exceed \$1,500,000 for administra-
2 tive expenses.

3 BUREAU OF RECLAMATION

4 The following appropriations shall be expended to
5 execute authorized functions of the Bureau of Reclama-
6 tion:

7 WATER AND RELATED RESOURCES

8 (INCLUDING TRANSFERS OF FUNDS)

9 For management, development, and restoration of
10 water and related natural resources and for related activi-
11 ties, including the operation, maintenance, and rehabilita-
12 tion of reclamation and other facilities, participation in
13 fulfilling related Federal responsibilities to Native Ameri-
14 cans, and related grants to, and cooperative and other
15 agreements with, State and local governments, federally
16 recognized Indian tribes, and others, \$1,485,000,000, to
17 remain available until expended, of which \$70,332,000
18 shall be available for transfer to the Upper Colorado River
19 Basin Fund and \$5,023,000 shall be available for transfer
20 to the Lower Colorado River Basin Development Fund;
21 of which such amounts as may be necessary may be ad-
22 vanced to the Colorado River Dam Fund: *Provided*, That
23 such transfers may be increased or decreased within the
24 overall appropriation under this heading: *Provided further*,
25 That of the total appropriated, the amount for program

1 activities that can be financed by the Reclamation Fund
2 or the Bureau of Reclamation special fee account estab-
3 lished by 16 U.S.C. 6806 shall be derived from that Fund
4 or account: *Provided further*, That funds contributed
5 under 43 U.S.C. 395 are available until expended for the
6 purposes for which the funds were contributed: *Provided*
7 *further*, That funds advanced under 43 U.S.C. 397a shall
8 be credited to this account and are available until ex-
9 pended for the same purposes as the sums appropriated
10 under this heading: *Provided further*, That of the amounts
11 provided herein, funds may be used for high-priority
12 projects which shall be carried out by the Youth Conserva-
13 tion Corps, as authorized by 16 U.S.C. 1706: *Provided*
14 *further*, That in accordance with section 4009(c) of Public
15 Law 114–322 and as recommended by the Secretary in
16 a letter dated February 13, 2019, funding provided for
17 such purpose in fiscal year 2018 shall be made available
18 to the Expanding Recycled Water Delivery Project
19 (VenturaWaterPure), the Pure Water Monterey-Ground-
20 water Replenishment Project, the Groundwater Reliability
21 Improvement Program (GRIP) Recycled Water Project,
22 the North Valley Regional Recycled Water Program, the
23 South Sacramento County Agriculture and Habitat Lands
24 Recycled Water Program, and the Central Coast Blue
25 Project: *Provided further*, That in accordance with section

1 4007 of Public Law 114–322 and as recommended by the
2 Secretary in a letter dated February 13, 2019, funding
3 provided for such purpose in fiscal years 2017 and 2018
4 shall be made available to the Cle Elum Pool Raise, the
5 Boise River Basin Feasibility Study, the Del Puerto Water
6 District, the Los Vaqueros Reservoir Phase 2 Expansion
7 Project, the North-of-the-Delta Off stream storage (Sites
8 Reservoir Project), and the Friant-Kern Canal Capacity
9 Correction Resulting Subsidence: *Provided further*, That
10 in accordance with section 4009(a) of Public Law 114–
11 322 and as recommended by the Secretary in a letter
12 dated February 13, 2019, funding provided for such pur-
13 pose in fiscal years 2017 and 2018 shall be made available
14 to the Doheny Ocean Desalination Project, the Kay Bailey
15 Hutchison Desalination Plant, the North Pleasant Valley
16 Desalter Facility and the Mission Basin Groundwater Pu-
17 rification Facility Well Expansion and Brine Minimization.
18 tion.

19 CENTRAL VALLEY PROJECT RESTORATION FUND

20 For carrying out the programs, projects, plans, habi-
21 tat restoration, improvement, and acquisition provisions of
22 the Central Valley Project Improvement Act, \$54,849,000,
23 to be derived from such sums as may be collected in the
24 Central Valley Project Restoration Fund pursuant to sec-
25 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law

1 102–575, to remain available until expended: *Provided*,
2 That the Bureau of Reclamation is directed to assess and
3 collect the full amount of the additional mitigation and
4 restoration payments authorized by section 3407(d) of
5 Public Law 102–575: *Provided further*, That none of the
6 funds made available under this heading may be used for
7 the acquisition or leasing of water for in-stream purposes
8 if the water is already committed to in-stream purposes
9 by a court adopted decree or order.

10 CALIFORNIA BAY-DELTA RESTORATION
11 (INCLUDING TRANSFERS OF FUNDS)

12 For carrying out activities authorized by the Water
13 Supply, Reliability, and Environmental Improvement Act,
14 consistent with plans to be approved by the Secretary of
15 the Interior, \$33,000,000, to remain available until ex-
16 pended, of which such amounts as may be necessary to
17 carry out such activities may be transferred to appropriate
18 accounts of other participating Federal agencies to carry
19 out authorized purposes: *Provided*, That funds appro-
20 priated herein may be used for the Federal share of the
21 costs of CALFED Program management: *Provided fur-*
22 *ther*, That CALFED implementation shall be carried out
23 in a balanced manner with clear performance measures
24 demonstrating concurrent progress in achieving the goals
25 and objectives of the Program.

1 POLICY AND ADMINISTRATION

2 For expenses necessary for policy, administration,
3 and related functions in the Office of the Commissioner,
4 the Denver office, and offices in the five regions of the
5 Bureau of Reclamation, to remain available until Sep-
6 tember 30, 2021, \$60,000,000, to be derived from the
7 Reclamation Fund and be nonreimbursable as provided in
8 43 U.S.C. 377: *Provided*, That no part of any other appro-
9 priation in this Act shall be available for activities or func-
10 tions budgeted as policy and administration expenses.

11 ADMINISTRATIVE PROVISION

12 Appropriations for the Bureau of Reclamation shall
13 be available for purchase of not to exceed five passenger
14 motor vehicles, which are for replacement only.

15 GENERAL PROVISIONS—DEPARTMENT OF THE

16 INTERIOR

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

20 (1) creates or initiates a new program, project,
21 or activity;

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

23 (3) increases funds for any program, project, or
24 activity for which funds have been denied or re-
25 stricted by this Act;

1 (4) restarts or resumes any program, project,
2 or activity for which funds are not provided in this
3 Act, unless prior approval is received from the Com-
4 mittees on Appropriations of both Houses of Con-
5 gress;

6 (5) transfers funds in excess of the following
7 limits—

8 (A) 15 percent for any program, project,
9 or activity for which \$2,000,000 or more is
10 available at the beginning of the fiscal year; or

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

14 (6) transfers more than \$500,000 from either
15 the Facilities Operation, Maintenance, and Rehabili-
16 tation category or the Resources Management and
17 Development category to any program, project, or
18 activity in the other category; or

19 (7) transfers, where necessary to discharge legal
20 obligations of the Bureau of Reclamation, more than
21 \$5,000,000 to provide adequate funds for settled
22 contractor claims, increased contractor earnings due
23 to accelerated rates of operations, and real estate de-
24 ficiency judgments.

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

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

7 (d) The Bureau of Reclamation shall submit reports
8 on a quarterly basis to the Committees on Appropriations
9 of both Houses of Congress detailing all the funds repro-
10 grammed between programs, projects, activities, or cat-
11 egories of funding. The first quarterly report shall be sub-
12 mitted not later than 60 days after the date of enactment
13 of this Act.

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

23 (b) The costs of the Kesterson Reservoir Cleanup
24 Program and the costs of the San Joaquin Valley Drain-
25 age Program shall be classified by the Secretary of the

1 Interior as reimbursable or nonreimbursable and collected
2 until fully repaid pursuant to the “Cleanup Program—
3 Alternative Repayment Plan” and the “SJVDP—Alter-
4 native Repayment Plan” described in the report entitled
5 “Repayment Report, Kesterson Reservoir Cleanup Pro-
6 gram and San Joaquin Valley Drainage Program, Feb-
7 ruary 1995”, prepared by the Department of the Interior,
8 Bureau of Reclamation. Any future obligations of funds
9 by the United States relating to, or providing for, drainage
10 service or drainage studies for the San Luis Unit shall
11 be fully reimbursable by San Luis Unit beneficiaries of
12 such service or studies pursuant to Federal reclamation
13 law.

14 SEC. 203. Section 9504(e) of the Omnibus Public
15 Land Management Act of 2009 (42 U.S.C. 10364(e)) is
16 amended by striking “\$480,000,000” and inserting
17 “\$510,000,000”.

18 SEC. 204. Title I of Public Law 108–361 (the
19 CALFED Bay-Delta Authorization Act) (118 Stat. 1681)
20 is amended by striking “2019” each place it appears and
21 inserting “2020”.

22 SEC. 205. Section 9106(g)(2) of Public Law 111–11
23 (Omnibus Public Land Management Act of 2009) is
24 amended by striking “2019” and inserting “2020”.

1 ital equipment, and other expenses necessary for energy
2 sector cybersecurity, energy security, and emergency re-
3 sponse activities in carrying out the purposes of the De-
4 partment of Energy Organization Act (42 U.S.C. 7101 et
5 seq.), including the acquisition or condemnation of any
6 real property or any facility or for plant or facility acquisi-
7 tion, construction, or expansion, \$150,000,000, to remain
8 available until expended: *Provided*, That of such amount,
9 \$13,000,000 shall be available until September 30, 2021,
10 for program direction.

11 ELECTRICITY

12 For Department of Energy expenses including the
13 purchase, construction, and acquisition of plant and cap-
14 ital equipment, and other expenses necessary for elec-
15 tricity delivery activities in carrying out the purposes of
16 the Department of Energy Organization Act (42 U.S.C.
17 7101 et seq.), including the acquisition or condemnation
18 of any real property or any facility or for plant or facility
19 acquisition, construction, or expansion, \$200,000,000, to
20 remain available until expended: *Provided*, That of such
21 amount, \$19,600,000 shall be available until September
22 30, 2021, for program direction.

23 NUCLEAR ENERGY

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

1 ital equipment, and other expenses necessary for nuclear
2 energy activities in carrying out the purposes of the De-
3 partment of Energy Organization Act (42 U.S.C. 7101 et
4 seq.), including the acquisition or condemnation of any
5 real property or any facility or for plant or facility acquisi-
6 tion, construction, or expansion, \$1,317,808,000, to re-
7 main available until expended: *Provided*, That of such
8 amount, \$80,000,000 shall be available until September
9 30, 2021, for program direction.

10 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

11 For Department of Energy expenses necessary in car-
12 rying out fossil energy research and development activi-
13 ties, under the authority of the Department of Energy Or-
14 ganization Act (42 U.S.C. 7101 et seq.), including the ac-
15 quisition of interest, including defeasible and equitable in-
16 terests in any real property or any facility or for plant
17 or facility acquisition or expansion, and for conducting in-
18 quiries, technological investigations and research con-
19 cerning the extraction, processing, use, and disposal of
20 mineral substances without objectionable social and envi-
21 ronmental costs (30 U.S.C. 3, 1602, and 1603),
22 \$740,000,000, to remain available until expended: *Pro-*
23 *vided*, That of such amount \$61,045,000 shall be available
24 until September 30, 2021, for program direction.

1 NAVAL PETROLEUM AND OIL SHALE RESERVES

2 For Department of Energy expenses necessary to
3 carry out naval petroleum and oil shale reserve activities,
4 \$14,000,000, to remain available until expended: *Pro-*
5 *vided*, That notwithstanding any other provision of law,
6 unobligated funds remaining from prior years shall be
7 available for all naval petroleum and oil shale reserve ac-
8 tivities.

9 STRATEGIC PETROLEUM RESERVE

10 For Department of Energy expenses necessary for
11 Strategic Petroleum Reserve facility development and op-
12 erations and program management activities pursuant to
13 the Energy Policy and Conservation Act (42 U.S.C. 6201
14 et seq.), \$214,000,000, to remain available until expended:
15 *Provided*, That, as authorized by section 404 of the Bipar-
16 tisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C.
17 6239 note), the Secretary of Energy shall draw down and
18 sell not to exceed \$450,000,000 of crude oil from the Stra-
19 tegic Petroleum Reserve in fiscal year 2020: *Provided fur-*
20 *ther*, That the proceeds from such drawdown and sale shall
21 be deposited into the “Energy Security and Infrastructure
22 Modernization Fund” during fiscal year 2020: *Provided*
23 *further*, That such amounts shall be made available and
24 shall remain available until expended for necessary ex-

1 penses to carry out the Life Extension II project for the
2 Strategic Petroleum Reserve.

3 SPR PETROLEUM ACCOUNT

4 For the acquisition, transportation, and injection of
5 petroleum products, and for other necessary expenses pur-
6 suant to the Energy Policy and Conservation Act of 1975,
7 as amended (42 U.S.C. 6201 et seq.), sections 403 and
8 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.
9 6241, 6239 note), and section 5010 of the 21st Century
10 Cures Act (Public Law 114–255), \$10,200,000, to remain
11 available until expended.

12 NORTHEAST HOME HEATING OIL RESERVE

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

18 ENERGY INFORMATION ADMINISTRATION

19 For Department of Energy expenses necessary in car-
20 rying out the activities of the Energy Information Admin-
21 istration, \$128,000,000, to remain available until ex-
22 pended.

23 NON-DEFENSE ENVIRONMENTAL CLEANUP

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

1 ital equipment and other expenses necessary for non-de-
2 fense environmental cleanup activities in carrying out the
3 purposes of the Department of Energy Organization Act
4 (42 U.S.C. 7101 et seq.), including the acquisition or con-
5 demnation of any real property or any facility or for plant
6 or facility acquisition, construction, or expansion,
7 \$308,000,000, to remain available until expended.

8 URANIUM ENRICHMENT DECONTAMINATION AND
9 DECOMMISSIONING FUND

10 For Department of Energy expenses necessary in car-
11 rying out uranium enrichment facility decontamination
12 and decommissioning, remedial actions, and other activi-
13 ties of title II of the Atomic Energy Act of 1954, and
14 title X, subtitle A, of the Energy Policy Act of 1992,
15 \$873,479,000, to be derived from the Uranium Enrich-
16 ment Decontamination and Decommissioning Fund, to re-
17 main available until expended, of which \$30,514,000 shall
18 be available in accordance with title X, subtitle A, of the
19 Energy Policy Act of 1992.

20 SCIENCE

21 For Department of Energy expenses including the
22 purchase, construction, and acquisition of plant and cap-
23 ital equipment, and other expenses necessary for science
24 activities in carrying out the purposes of the Department
25 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-

1 \$33,000,000 of fees collected in fiscal year 2020 pursuant
2 to section 1702(h) of the Energy Policy Act of 2005 shall
3 be credited as offsetting collections under this heading and
4 used for necessary administrative expenses in this appro-
5 priation and shall remain available until September 30,
6 2021: *Provided further*, That to the extent that fees col-
7 lected in fiscal year 2020 exceed \$33,000,000, those ex-
8 cess amounts shall be credited as offsetting collections
9 under this heading and available in future fiscal years only
10 to the extent provided in advance in appropriations Acts:
11 *Provided further*, That the sum herein appropriated from
12 the general fund shall be reduced (1) as such fees are re-
13 ceived during fiscal year 2020 (estimated at \$3,000,000)
14 and (2) to the extent that any remaining general fund ap-
15 propriations can be derived from fees collected in previous
16 fiscal years that are not otherwise appropriated, so as to
17 result in a final fiscal year 2020 appropriation from the
18 general fund estimated at \$0: *Provided further*, That the
19 Department of Energy shall not subordinate any loan obli-
20 gation to other financing in violation of section 1702 of
21 the Energy Policy Act of 2005 or subordinate any Guarant-
22 eed Obligation to any loan or other debt obligations in
23 violation of section 609.10 of title 10, Code of Federal
24 Regulations.

1 hire of passenger motor vehicles and official reception and
2 representation expenses not to exceed \$30,000, plus such
3 additional amounts as necessary to cover increases in the
4 estimated amount of cost of work for others notwith-
5 standing the provisions of the Anti-Deficiency Act (31
6 U.S.C. 1511 et seq.): *Provided*, That such increases in
7 cost of work are offset by revenue increases of the same
8 or greater amount: *Provided further*, That moneys received
9 by the Department for miscellaneous revenues estimated
10 to total \$93,378,000 in fiscal year 2020 may be retained
11 and used for operating expenses within this account, as
12 authorized by section 201 of Public Law 95-238, notwith-
13 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
14 *ther*, That the sum herein appropriated shall be reduced
15 as collections are received during the fiscal year so as to
16 result in a final fiscal year 2020 appropriation from the
17 general fund estimated at not more than \$171,000,000.

18 OFFICE OF THE INSPECTOR GENERAL

19 For expenses necessary for the Office of the Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, \$54,215,000, to remain available
22 until September 30, 2021.

1 ATOMIC ENERGY DEFENSE ACTIVITIES

2 NATIONAL NUCLEAR SECURITY

3 ADMINISTRATION

4 WEAPONS ACTIVITIES

5 For Department of Energy expenses, including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment and other incidental expenses necessary for
8 atomic energy defense weapons activities in carrying out
9 the purposes of the Department of Energy Organization
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or
11 condemnation of any real property or any facility or for
12 plant or facility acquisition, construction, or expansion,
13 and the purchase of not to exceed one ambulance for re-
14 placement only, \$11,760,800,000, to remain available
15 until expended: *Provided*, That of such amount,
16 \$107,660,000 shall be available until September 30, 2021,
17 for program direction.

18 DEFENSE NUCLEAR NONPROLIFERATION

19 For Department of Energy expenses, including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment and other incidental expenses necessary for
22 defense nuclear nonproliferation activities, in carrying out
23 the purposes of the Department of Energy Organization
24 Act (42 U.S.C. 7101 et seq.), including the acquisition or
25 condemnation of any real property or any facility or for

1 plant or facility acquisition, construction, or expansion,
2 and the purchase of not to exceed two aircraft,
3 \$2,079,930,000, to remain available until expended.

4 NAVAL REACTORS

5 (INCLUDING TRANSFER OF FUNDS)

6 For Department of Energy expenses necessary for
7 naval reactors activities to carry out the Department of
8 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
9 ing the acquisition (by purchase, condemnation, construc-
10 tion, or otherwise) of real property, plant, and capital
11 equipment, facilities, and facility expansion,
12 \$1,628,551,000, to remain available until expended, of
13 which, \$88,500,000 shall be transferred to “Department
14 of Energy—Energy Programs—Nuclear Energy”, for the
15 Advanced Test Reactor: *Provided*, That of such amount,
16 \$50,500,000 shall be available until September 30, 2021,
17 for program direction.

18 FEDERAL SALARIES AND EXPENSES

19 For expenses necessary for Federal Salaries and Ex-
20 penses in the National Nuclear Security Administration,
21 \$425,000,000, to remain available until September 30,
22 2021, including official reception and representation ex-
23 penses not to exceed \$17,000.

1 ENVIRONMENTAL AND OTHER DEFENSE
2 ACTIVITIES

3 DEFENSE ENVIRONMENTAL CLEANUP

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses necessary for atomic
7 energy defense environmental cleanup activities in car-
8 rying out the purposes of the Department of Energy Orga-
9 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
10 sition or condemnation of any real property or any facility
11 or for plant or facility acquisition, construction, or expan-
12 sion, \$5,993,650,000, to remain available until expended:
13 *Provided*, That of such amount, \$298,500,000 shall be
14 available until September 30, 2021, for program direction.

15 OTHER DEFENSE ACTIVITIES

16 For Department of Energy expenses, including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment and other expenses, necessary for atomic
19 energy defense, other defense activities, and classified ac-
20 tivities, in carrying out the purposes of the Department
21 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
22 cluding the acquisition or condemnation of any real prop-
23 erty or any facility or for plant or facility acquisition, con-
24 struction, or expansion, \$901,261,000, to remain available
25 until expended: *Provided*, That of such amount,

1 \$324,798,000 shall be available until September 30, 2021,
2 for program direction.

3 POWER MARKETING ADMINISTRATIONS

4 BONNEVILLE POWER ADMINISTRATION FUND

5 Expenditures from the Bonneville Power Administra-
6 tion Fund, established pursuant to Public Law 93–454,
7 are approved for the Steigerwald Floodplain Restoration
8 Project and, in addition, for official reception and rep-
9 resentation expenses in an amount not to exceed \$5,000:
10 *Provided*, That during fiscal year 2020, no new direct loan
11 obligations may be made: *Provided further*, Expenditures
12 from the Bonneville Power Administration Fund, estab-
13 lished pursuant to Public Law 93–454 are authorized and
14 approved, without fiscal year limitation, for the cost of
15 current and future year purchases or payments of emis-
16 sions expenses associated with Bonneville Power Adminis-
17 tration power and transmission operations in states with
18 clean energy programs: *Provided further*, This expenditure
19 authorization is limited solely to Bonneville Power Admin-
20 istration’s voluntary purchase or payments made in con-
21 junction with state clean energy programs and is not a
22 broader waiver of Bonneville Power Administration’s sov-
23 ereign immunity.

1 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
2 ADMINISTRATION

3 For expenses necessary for operation and mainte-
4 nance of power transmission facilities and for marketing
5 electric power and energy, including transmission wheeling
6 and ancillary services, pursuant to section 5 of the Flood
7 Control Act of 1944 (16 U.S.C. 825s), as applied to the
8 southeastern power area, \$6,597,000, including official re-
9 ception and representation expenses in an amount not to
10 exceed \$1,500, to remain available until expended: *Pro-*
11 *vided*, That notwithstanding 31 U.S.C. 3302 and section
12 5 of the Flood Control Act of 1944, up to \$6,597,000 col-
13 lected by the Southeastern Power Administration from the
14 sale of power and related services shall be credited to this
15 account as discretionary offsetting collections, to remain
16 available until expended for the sole purpose of funding
17 the annual expenses of the Southeastern Power Adminis-
18 tration: *Provided further*, That the sum herein appro-
19 priated for annual expenses shall be reduced as collections
20 are received during the fiscal year so as to result in a final
21 fiscal year 2020 appropriation estimated at not more than
22 \$0: *Provided further*, That notwithstanding 31 U.S.C.
23 3302, up to \$56,000,000 collected by the Southeastern
24 Power Administration pursuant to the Flood Control Act
25 of 1944 to recover purchase power and wheeling expenses

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

8 OPERATION AND MAINTENANCE, SOUTHWESTERN
9 POWER ADMINISTRATION

10 For expenses necessary for operation and mainte-
11 nance of power transmission facilities and for marketing
12 electric power and energy, for construction and acquisition
13 of transmission lines, substations and appurtenant facili-
14 ties, and for administrative expenses, including official re-
15 ception and representation expenses in an amount not to
16 exceed \$1,500 in carrying out section 5 of the Flood Con-
17 trol Act of 1944 (16 U.S.C. 825s), as applied to the
18 Southwestern Power Administration, \$47,775,000, to re-
19 main available until expended: *Provided*, That notwith-
20 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
21 trol Act of 1944 (16 U.S.C. 825s), up to \$37,375,000 col-
22 lected by the Southwestern Power Administration from
23 the sale of power and related services shall be credited to
24 this account as discretionary offsetting collections, to re-
25 main available until expended, for the sole purpose of

1 funding the annual expenses of the Southwestern Power
2 Administration: *Provided further*, That the sum herein ap-
3 propriated for annual expenses shall be reduced as collec-
4 tions are received during the fiscal year so as to result
5 in a final fiscal year 2020 appropriation estimated at not
6 more than \$10,400,000: *Provided further*, That notwith-
7 standing 31 U.S.C. 3302, up to \$15,000,000 collected by
8 the Southwestern Power Administration pursuant to the
9 Flood Control Act of 1944 to recover purchase power and
10 wheeling expenses shall be credited to this account as off-
11 setting collections, to remain available until expended for
12 the sole purpose of making purchase power and wheeling
13 expenditures: *Provided further*, That for purposes of this
14 appropriation, annual expenses means expenditures that
15 are generally recovered in the same year that they are in-
16 curred (excluding purchase power and wheeling expenses).

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

20 (INCLUDING RESCISSION OF FUNDS)

21 For carrying out the functions authorized by title III,
22 section 302(a)(1)(E) of the Act of August 4, 1977 (42
23 U.S.C. 7152), and other related activities including con-
24 servation and renewable resources programs as author-
25 ized, \$262,959,000, including official reception and rep-

1 resentation expenses in an amount not to exceed \$1,500,
2 to remain available until expended, of which \$262,959,000
3 shall be derived from the Department of the Interior Rec-
4 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
5 3302, section 5 of the Flood Control Act of 1944 (16
6 U.S.C. 825s), and section 1 of the Interior Department
7 Appropriation Act, 1939 (43 U.S.C. 392a), up to
8 \$173,587,000 collected by the Western Area Power Ad-
9 ministration from the sale of power and related services
10 shall be credited to this account as discretionary offsetting
11 collections, to remain available until expended, for the sole
12 purpose of funding the annual expenses of the Western
13 Area Power Administration: *Provided further*, That the
14 sum herein appropriated for annual expenses shall be re-
15 duced as collections are received during the fiscal year so
16 as to result in a final fiscal year 2020 appropriation esti-
17 mated at not more than \$89,372,000, of which
18 \$89,372,000 is derived from the Reclamation Fund: *Pro-*
19 *vided further*, That notwithstanding 31 U.S.C. 3302, up
20 to \$168,000,000 collected by the Western Area Power Ad-
21 ministration pursuant to the Flood Control Act of 1944
22 and the Reclamation Project Act of 1939 to recover pur-
23 chase power and wheeling expenses shall be credited to
24 this account as offsetting collections, to remain available
25 until expended for the sole purpose of making purchase

1 power and wheeling expenditures: *Provided further*, That
2 for purposes of this appropriation, annual expenses means
3 expenditures that are generally recovered in the same year
4 that they are incurred (excluding purchase power and
5 wheeling expenses): *Provided further*, That of the unobli-
6 gated balances from prior year appropriations available
7 under this heading, \$176,000 is hereby permanently can-
8 celled.

9 FALCON AND AMISTAD OPERATING AND MAINTENANCE
10 FUND

11 For operation, maintenance, and emergency costs for
12 the hydroelectric facilities at the Falcon and Amistad
13 Dams, \$3,160,000, to remain available until expended,
14 and to be derived from the Falcon and Amistad Operating
15 and Maintenance Fund of the Western Area Power Ad-
16 ministration, as provided in section 2 of the Act of June
17 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
18 the provisions of that Act and of 31 U.S.C. 3302, up to
19 \$2,932,000 collected by the Western Area Power Adminis-
20 tration from the sale of power and related services from
21 the Falcon and Amistad Dams shall be credited to this
22 account as discretionary offsetting collections, to remain
23 available until expended for the sole purpose of funding
24 the annual expenses of the hydroelectric facilities of these
25 Dams and associated Western Area Power Administration

1 activities: *Provided further*, That the sum herein appro-
2 priated for annual expenses shall be reduced as collections
3 are received during the fiscal year so as to result in a final
4 fiscal year 2020 appropriation estimated at not more than
5 \$228,000: *Provided further*, That for purposes of this ap-
6 propriation, annual expenses means expenditures that are
7 generally recovered in the same year that they are in-
8 curred: *Provided further*, That for fiscal year 2020, the
9 Administrator of the Western Area Power Administration
10 may accept up to \$1,187,000 in funds contributed by
11 United States power customers of the Falcon and Amistad
12 Dams for deposit into the Falcon and Amistad Operating
13 and Maintenance Fund, and such funds shall be available
14 for the purpose for which contributed in like manner as
15 if said sums had been specifically appropriated for such
16 purpose: *Provided further*, That any such funds shall be
17 available without further appropriation and without fiscal
18 year limitation for use by the Commissioner of the United
19 States Section of the International Boundary and Water
20 Commission for the sole purpose of operating, maintain-
21 ing, repairing, rehabilitating, replacing, or upgrading the
22 hydroelectric facilities at these Dams in accordance with
23 agreements reached between the Administrator, Commis-
24 sioner, and the power customers.

1 FEDERAL ENERGY REGULATORY COMMISSION
2 SALARIES AND EXPENSES

3 For expenses necessary for the Federal Energy Regu-
4 latory Commission to carry out the provisions of the De-
5 partment of Energy Organization Act (42 U.S.C. 7101 et
6 seq.), including services as authorized by 5 U.S.C. 3109,
7 official reception and representation expenses not to ex-
8 ceed \$3,000, and the hire of passenger motor vehicles,
9 \$382,000,000, to remain available until expended: *Pro-*
10 *vided*, That notwithstanding any other provision of law,
11 not to exceed \$382,000,000 of revenues from fees and an-
12 nual charges, and other services and collections in fiscal
13 year 2020 shall be retained and used for expenses nec-
14 essary in this account, and shall remain available until ex-
15 pended: *Provided further*, That the sum herein appro-
16 priated from the general fund shall be reduced as revenues
17 are received during fiscal year 2020 so as to result in a
18 final fiscal year 2020 appropriation from the general fund
19 estimated at not more than \$0.

20 GENERAL PROVISIONS—DEPARTMENT OF
21 ENERGY

22 (INCLUDING TRANSFERS OF FUNDS)

23 SEC. 301. (a) No appropriation, funds, or authority
24 made available by this title for the Department of Energy
25 shall be used to initiate or resume any program, project,

1 or activity or to prepare or initiate Requests For Proposals
2 or similar arrangements (including Requests for
3 Quotations, Requests for Information, and Funding Op-
4 portunity Announcements) for a program, project, or ac-
5 tivity if the program, project, or activity has not been
6 funded by Congress.

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

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

13 (B) make a discretionary contract award or
14 Other Transaction Agreement totaling \$1,000,000
15 or more, including a contract covered by the Federal
16 Acquisition Regulation;

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

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

23 (2) The Secretary of Energy shall submit to the Com-
24 mittees on Appropriations of both Houses of Congress
25 within 15 days of the conclusion of each quarter a report

1 detailing each grant allocation or discretionary grant
2 award totaling less than \$1,000,000 provided during the
3 previous quarter.

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

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

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

21 (2) the contract, grant, or cooperative agree-
22 ment includes a clause conditioning the Federal Gov-
23 ernment’s obligation on the availability of future
24 year budget authority and the Secretary notifies the

1 Committees on Appropriations of both Houses of
2 Congress at least 3 days in advance.

3 (d) Except as provided in subsections (e), (f), and (g),
4 the amounts made available by this title shall be expended
5 as authorized by law for the programs, projects, and ac-
6 tivities specified in the “Bill” column in the “Department
7 of Energy” table included under the heading “Title III—
8 Department of Energy” in the report of the Committee
9 on Appropriations accompanying this Act.

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

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

22 (1) creates, initiates, or eliminates a program,
23 project, or activity;

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

4 (3) reduces funds that are directed to be used
5 for a specific program, project, or activity by this
6 Act.

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

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

20 (h) The unexpended balances of prior appropriations
21 provided for activities in this Act may be available to the
22 same appropriation accounts for such activities established
23 pursuant to this title. Available balances may be merged
24 with funds in the applicable established accounts and

1 thereafter may be accounted for as one fund for the same
2 time period as originally enacted.

3 SEC. 302. Funds appropriated by this or any other
4 Act, or made available by the transfer of funds in this
5 Act, for intelligence activities are deemed to be specifically
6 authorized by the Congress for purposes of section 504
7 of the National Security Act of 1947 (50 U.S.C. 3094)
8 during fiscal year 2020 until the enactment of the Intel-
9 ligence Authorization Act for fiscal year 2020.

10 SEC. 303. None of the funds made available in this
11 title shall be used for the construction of facilities classi-
12 fied as high-hazard nuclear facilities under 10 CFR Part
13 830 unless independent oversight is conducted by the Of-
14 fice of Enterprise Assessments to ensure the project is in
15 compliance with nuclear safety requirements.

16 SEC. 304. None of the funds made available in this
17 title may be used to approve critical decision-2 or critical
18 decision-3 under Department of Energy Order 413.3B, or
19 any successive departmental guidance, for construction
20 projects where the total project cost exceeds
21 \$100,000,000, until a separate independent cost estimate
22 has been developed for the project for that critical deci-
23 sion.

24 SEC. 305. (a) None of the funds made available in
25 this or any prior Act under the heading “Defense Nuclear

1 Nonproliferation” may be made available to enter into new
2 contracts with, or new agreements for Federal assistance
3 to, the Russian Federation.

4 (b) The Secretary of Energy may waive the prohibi-
5 tion in subsection (a) if the Secretary determines that
6 such activity is in the national security interests of the
7 United States. This waiver authority may not be dele-
8 gated.

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

14 SEC. 306. Notwithstanding section 161 of the Energy
15 Policy and Conservation Act (42 U.S.C. 6241), upon a
16 determination by the President in this fiscal year that a
17 regional supply shortage of refined petroleum product of
18 significant scope and duration exists, that a severe in-
19 crease in the price of refined petroleum product will likely
20 result from such shortage, and that a draw down and sale
21 of refined petroleum product would assist directly and sig-
22 nificantly in reducing the adverse impact of such shortage,
23 the Secretary of Energy may draw down and sell refined
24 petroleum product from the Strategic Petroleum Reserve.
25 Proceeds from a sale under this section shall be deposited

1 into the SPR Petroleum Account established in section
2 167 of the Energy Policy and Conservation Act (42 U.S.C.
3 6247), and such amounts shall be available for obligation,
4 without fiscal year limitation, consistent with that section.

5 SEC. 307. Of the offsetting collections, including un-
6 obligated balances of such collections, in the “Department
7 of Energy—Power Marketing Administration—Colorado
8 River Basins Power Marketing Fund, Western Area
9 Power Administration”, \$21,400,000 shall be transferred
10 to the “Department of Interior—Bureau of Reclama-
11 tion—Upper Colorado River Basin Fund” for the Bureau
12 of Reclamation to carry out environmental stewardship
13 and endangered species recovery efforts.

14 SEC. 308. Section 5(b) of Public Law 110–414 is
15 amended by adding after paragraph (2) the following new
16 paragraph: “(3) MERCURY STORAGE REVOLVING
17 FUND. There is hereby established the Mercury Storage
18 Revolving Fund which shall be available without fiscal
19 year limitation. Notwithstanding section 3302 of title 31,
20 United States Code, receipts received from fees described
21 under this subsection shall be credited to this account as
22 offsetting collections, to be available for carrying out the
23 long-term management and storage of elemental mercury
24 generated within the United States without further appro-
25 priation.”.

1 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary for the Defense Nuclear Fa-
4 cilities Safety Board in carrying out activities authorized
5 by the Atomic Energy Act of 1954, as amended by Public
6 Law 100–456, section 1441, \$31,000,000, to remain
7 available until September 30, 2021.

8 DELTA REGIONAL AUTHORITY

9 SALARIES AND EXPENSES

10 For expenses necessary for the Delta Regional Au-
11 thority and to carry out its activities, as authorized by
12 the Delta Regional Authority Act of 2000, \$15,000,000,
13 to remain available until expended.

14 DENALI COMMISSION

15 For expenses necessary for the Denali Commission
16 including the purchase, construction, and acquisition of
17 plant and capital equipment as necessary and other ex-
18 penses, \$15,000,000, to remain available until expended,
19 notwithstanding the limitations contained in section
20 306(g) of the Denali Commission Act of 1998: *Provided*,
21 That funds shall be available for construction projects in
22 an amount not to exceed 80 percent of total project cost
23 for distressed communities, as defined by section 307 of
24 the Denali Commission Act of 1998 (division C, title III,
25 Public Law 105–277), as amended by section 701 of ap-

1 pendix D, title VII, Public Law 106–113 (113 Stat.
2 1501A–280), and an amount not to exceed 50 percent for
3 non-distressed communities: *Provided further*, That not-
4 withstanding any other provision of law regarding pay-
5 ment of a non-Federal share in connection with a grant-
6 in-aid program, amounts under this heading shall be avail-
7 able for the payment of such a non-Federal share for pro-
8 grams undertaken to carry out the purposes of the Com-
9 mission.

10 NORTHERN BORDER REGIONAL COMMISSION

11 For expenses necessary for the Northern Border Re-
12 gional Commission in carrying out activities authorized by
13 subtitle V of title 40, United States Code, \$22,000,000,
14 to remain available until expended: *Provided*, That such
15 amounts shall be available for administrative expenses,
16 notwithstanding section 15751(b) of title 40, United
17 States Code.

18 SOUTHEAST CRESCENT REGIONAL COMMISSION

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

1 NUCLEAR REGULATORY COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary for the Commission in car-
4 rying out the purposes of the Energy Reorganization Act
5 of 1974 and the Atomic Energy Act of 1954,
6 \$885,236,000, including official representation expenses
7 not to exceed \$25,000, to remain available until expended:
8 *Provided*, That of the amount appropriated herein, not
9 more than \$9,500,000 may be made available for salaries,
10 travel, and other support costs for the Office of the Com-
11 mission, to remain available until September 30, 2021, of
12 which, notwithstanding section 201(a)(2)(c) of the Energy
13 Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)),
14 the use and expenditure shall only be approved by a major-
15 ity vote of the Commission: *Provided further*, That reve-
16 nues from licensing fees, inspection services, and other
17 services and collections estimated at \$757,589,000 in fis-
18 cal year 2020 shall be retained and used for necessary
19 salaries and expenses in this account, notwithstanding 31
20 U.S.C. 3302, and shall remain available until expended:
21 *Provided further*, That of the amounts appropriated under
22 this heading, not less than \$15,478,000 shall be for activi-
23 ties related to the development of regulatory infrastruc-
24 ture for advanced nuclear technologies, and \$12,492,000
25 shall be for international activities, except that the

1 amounts provided under this proviso shall not be derived
2 from fee revenues, notwithstanding 42 U.S.C. 2214: *Pro-*
3 *vided further*, That the sum herein appropriated shall be
4 reduced by the amount of revenues received during fiscal
5 year 2020 so as to result in a final fiscal year 2020 appro-
6 priation estimated at not more than \$127,647,000: *Pro-*
7 *vided further*, That of the amounts appropriated under
8 this heading, \$10,500,000 shall be for university research
9 and development in areas relevant to the Commission's
10 mission, and \$5,500,000 shall be for a Nuclear Science
11 and Engineering Grant Program that will support
12 multiyear projects that do not align with programmatic
13 missions but are critical to maintaining the discipline of
14 nuclear science and engineering.

15 OFFICE OF INSPECTOR GENERAL

16 For expenses necessary for the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, \$13,314,000, to remain available
19 until September 30, 2021: *Provided*, That revenues from
20 licensing fees, inspection services, and other services and
21 collections estimated at \$10,929,000 in fiscal year 2020
22 shall be retained and be available until September 30,
23 2021, for necessary salaries and expenses in this account,
24 notwithstanding section 3302 of title 31, United States
25 Code: *Provided further*, That the sum herein appropriated

1 shall be reduced by the amount of revenues received dur-
2 ing fiscal year 2020 so as to result in a final fiscal year
3 2020 appropriation estimated at not more than
4 \$2,385,000: *Provided further*, That of the amounts appro-
5 priated under this heading, \$1,171,000 shall be for In-
6 spector General services for the Defense Nuclear Facilities
7 Safety Board, which shall not be available from fee reve-
8 nues.

9 NUCLEAR WASTE TECHNICAL REVIEW BOARD

10 SALARIES AND EXPENSES

11 For expenses necessary for the Nuclear Waste Tech-
12 nical Review Board, as authorized by Public Law 100-
13 203, section 5051, \$3,600,000, to be derived from the Nu-
14 clear Waste Fund, to remain available until September 30,
15 2021.

16 GENERAL PROVISIONS—INDEPENDENT

17 AGENCIES

18 SEC. 401. The Nuclear Regulatory Commission shall
19 comply with the July 5, 2011, version of Chapter VI of
20 its Internal Commission Procedures when responding to
21 Congressional requests for information, consistent with
22 Department of Justice guidance for all federal agencies.

23 SEC. 402. (a) The amounts made available by this
24 title for the Nuclear Regulatory Commission may be re-
25 programmed for any program, project, or activity, and the

1 Commission shall notify the Committees on Appropria-
2 tions of both Houses of Congress at least 30 days prior
3 to the use of any proposed reprogramming that would
4 cause any program funding level to increase or decrease
5 by more than \$500,000 or 10 percent, whichever is less,
6 during the time period covered by this Act.

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

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

22 (c) Except as provided in subsections (a), (b), and
23 (d), the amounts made available by this title for “Nuclear
24 Regulatory Commission—Salaries and Expenses” shall be

1 expended as directed in the report of the Committee on
2 Appropriations accompanying this Act.

3 (d) None of the funds provided for the Nuclear Regu-
4 latory Commission shall be available for obligation or ex-
5 penditure through a reprogramming of funds that in-
6 creases funds or personnel for any program, project, or
7 activity for which funds are denied or restricted by this
8 Act.

9 (e) The Commission shall provide a monthly report
10 to the Committees on Appropriations of both Houses of
11 Congress, which includes the following for each program,
12 project, or activity, including any prior year appropria-
13 tions—

- 14 (1) total budget authority;
15 (2) total unobligated balances; and
16 (3) total unliquidated obligations.

17 TITLE V

18 GENERAL PROVISIONS

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 501. None of the funds appropriated by this Act
21 may be used in any way, directly or indirectly, to influence
22 congressional action on any legislation or appropriation
23 matters pending before Congress, other than to commu-
24 nicate to Members of Congress as described in 18 U.S.C.
25 1913.

1 SEC. 502. (a) None of the funds made available in
2 title III of this Act may be transferred to any department,
3 agency, or instrumentality of the United States Govern-
4 ment, except pursuant to a transfer made by or transfer
5 authority provided in this Act or any other appropriations
6 Act for any fiscal year, transfer authority referenced in
7 the report of the Committee on Appropriations accom-
8 panying this Act, or any authority whereby a department,
9 agency, or instrumentality of the United States Govern-
10 ment may provide goods or services to another depart-
11 ment, agency, or instrumentality.

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

23 (c) The head of any relevant department or agency
24 funded in this Act utilizing any transfer authority shall
25 submit to the Committees on Appropriations of both

1 Houses of Congress a semiannual report detailing the
2 transfer authorities, except for any authority whereby a
3 department, agency, or instrumentality of the United
4 States Government may provide goods or services to an-
5 other department, agency, or instrumentality, used in the
6 previous 6 months and in the year-to-date. This report
7 shall include the amounts transferred and the purposes
8 for which they were transferred, and shall not replace or
9 modify existing notification requirements for each author-
10 ity.

11 SEC. 503. None of the funds made available by this
12 Act may be used in contravention of Executive Order No.
13 12898 of February 11, 1994 (Federal Actions to Address
14 Environmental Justice in Minority Populations and Low-
15 Income Populations).

16 SEC. 504. (a) None of the funds made available in
17 this Act may be used to maintain or establish a computer
18 network unless such network blocks the viewing,
19 downloading, and exchanging of pornography.

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

24 SEC. 505. Except as expressly provided otherwise,
25 any reference to “this Act” contained in this division shall

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

3 SEC. 506. Any reference to a “report accompanying
4 this Act” contained in this division shall be treated as a
5 reference to House Report 116-83. The effect of such Re-
6 port shall be limited to this division and shall apply for
7 purposes of determining the allocation of funds provided
8 by, and the implementation of, this division.

9 This Act may be cited as the “Energy and Water De-
10 velopment and Related Agencies Appropriations Act,
11 2020”.

