

In the House of Representatives, U. S.,

December 8, 2016.

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 2028) entitled “An Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.”, with the following

HOUSE AMENDMENT TO SENATE AMENDMENT:

In lieu of the matter proposed to be inserted by the Senate, insert the following:

1 SECTION 1. SHORT TITLE.

2 *This Act may be cited the “Further Continuing and*
3 *Security Assistance Appropriations Act, 2017”.*

4 SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

Sec. 4. Availability of funds.

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2017

DIVISION B—SECURITY ASSISTANCE APPROPRIATIONS ACT, 2017

Title I—Department of Defense

Title II—Department of State, Foreign Operations, and Related Agencies

5 SEC. 3. REFERENCES.

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

1 **SEC. 4. AVAILABILITY OF FUNDS.**

2 (a) *Each amount designated in this Act, or in an*
3 *amendment made by this Act, by the Congress as an emer-*
4 *gency requirement pursuant to section 251(b)(2)(A) of the*
5 *Balanced Budget and Emergency Deficit Control Act of*
6 *1985 shall be available only if the President subsequently*
7 *so designates all such amounts and transmits such designa-*
8 *tions to the Congress.*

9 (b) *Each amount designated in this Act by the Con-*
10 *gress for Overseas Contingency Operations/Global War on*
11 *Terrorism pursuant to section 251(b)(2)(A) of the Balanced*
12 *Budget and Emergency Deficit Control Act of 1985 shall*
13 *be available (or rescinded, if applicable) only if the Presi-*
14 *dent subsequently so designates all such amounts and trans-*
15 *mits such designations to the Congress.*

16 **DIVISION A—FURTHER CON-**
17 **TINUING APPROPRIATIONS**
18 **ACT, 2017**

19 *SEC. 101. The Continuing Appropriations Act, 2017*
20 *(division C of Public Law 114–223) is amended by—*

21 (1) *striking the date specified in section 106(3)*
22 *and inserting “April 28, 2017”;*

23 (2) *striking “0.496 percent” in section 101(b)*
24 *and inserting “0.1901 percent”; and*

25 (3) *inserting after section 145 the following new*
26 *sections:*

1 “*SEC. 146. Amounts made available by section 101 for*
2 *‘Department of Agriculture—Farm Service Agency—Agri-*
3 *cultural Credit Insurance Fund Program Account’ may be*
4 *apportioned up to the rate for operations necessary to fund*
5 *loans for which applications are approved.*

6 “*SEC. 147. Amounts made available by section 101 for*
7 *‘Department of Agriculture—Food and Nutrition Service—*
8 *Child Nutrition Programs’ to carry out section 749(g) of*
9 *the Agriculture Appropriations Act of 2010 (Public Law*
10 *111–80) may be apportioned up to the rate for operations*
11 *necessary to ensure that the program can be fully oper-*
12 *ational by May, 2017.*

13 “*SEC. 148. Section 26(d) of the Richard B. Russell Na-*
14 *tional School Lunch Act (42 U.S.C. 1769g(d)) is amended*
15 *in the first sentence by striking ‘2010 through 2016’ and*
16 *inserting ‘2010 through 2017’.*

17 “*SEC. 149. Amounts made available by section 101 for*
18 *‘Department of Agriculture—Rural Utilities Service’ may*
19 *be transferred between appropriations under such heading*
20 *as necessary for the cost of direct telecommunications loans*
21 *authorized by section 305 of the Rural Electrification Act*
22 *of 1936 (7 U.S.C. 935).*

23 “*SEC. 150. Amounts made available by Section 101*
24 *for ‘Department of Agriculture—Rural Housing Service—*
25 *Rural Housing Insurance Fund Program Account’ for the*

1 *section 538 Guaranteed Multi-Family Housing Loan Pro-*
2 *gram may be apportioned up to the rate necessary to fund*
3 *loans for which applications are approved.*

4 *“SEC. 151. Amounts made available by section 101 for*
5 *‘Department of Commerce—National Oceanic and Atmos-*
6 *pheric Administration—Procurement, Acquisition and*
7 *Construction’ may be apportioned up to the rate for oper-*
8 *ations necessary to maintain the planned launch schedules*
9 *for the Joint Polar Satellite System.*

10 *“SEC. 152. Amounts made available by section 101 for*
11 *‘Department of Commerce—Bureau of the Census—Peri-*
12 *odic Censuses and Programs’ may be apportioned up to the*
13 *rate for operations necessary to maintain the schedule and*
14 *deliver the required data according to statutory deadlines*
15 *in the 2020 Decennial Census Program.*

16 *“SEC. 153. Amounts made available by section 101 for*
17 *‘National Aeronautics and Space Administration—Explo-*
18 *ration’ may be apportioned up to the rate for operations*
19 *necessary to maintain the planned launch capability sched-*
20 *ules for the Space Launch System launch vehicle, Explo-*
21 *ration Ground Systems, and Orion Multi-Purpose Crew Ve-*
22 *hicle programs.*

23 *“SEC. 154. In addition to the amount otherwise pro-*
24 *vided by section 101, and notwithstanding section 104 and*
25 *section 109, for ‘Department of Justice—State and Local*

1 *Law Enforcement Activities—Office of Justice Programs—*
2 *State and Local Law Enforcement Assistance*, there is ap-
3 propriated \$7,000,000, for an additional amount for the
4 *Edward Byrne Memorial Justice Assistance Grant program*
5 *for the purpose of providing reimbursement of extraor-*
6 *dinary law enforcement overtime costs directly and solely*
7 *associated with protection of the President-elect incurred*
8 *from November 9, 2016 until the inauguration of the Presi-*
9 *dent-elect as President: Provided, That reimbursement shall*
10 *be provided only for overtime costs that a State or local*
11 *law enforcement agency can document as being over and*
12 *above normal law enforcement operations and directly at-*
13 *tributable to security for the President-elect.*

14 “*SEC. 155. Notwithstanding sections 101, 102, and*
15 *104 of this Act, from within amounts provided for ‘Depart-*
16 *ment of Defense—Procurement—Shipbuilding and Conver-*
17 *sion, Navy*, funds are provided for *‘Ohio Replacement Sub-*
18 *marine (AP)’ at a rate for operations of \$773,138,000.*

19 “*SEC. 156. (a) Notwithstanding sections 102 and 104*
20 *of this Act, amounts made available pursuant to section 101*
21 *may be used for multiyear procurement contracts, including*
22 *advance procurement, for the AH–64E Attack Helicopter*
23 *and the UH–60M Black Hawk Helicopter.*

24 “(b) *The Secretary of the Army may exercise the au-*
25 *thority conferred in subsection (a) notwithstanding sub-*

1 *section (i)(1) of section 2306b of title 10, United States*
2 *Code, until the date of enactment of an Act authorizing ap-*
3 *propriations for fiscal year 2017 for military activities of*
4 *the Department of Defense, subject to satisfaction of all*
5 *other requirements of such section 2306b.*

6 “*SEC. 157. Notwithstanding section 102, funds made*
7 *available pursuant to section 101 for ‘Department of De-*
8 *fense—Procurement—Aircraft Procurement, Air Force’ are*
9 *provided for the KC-46A Tanker up to the rate for oper-*
10 *ations necessary to support the production rate specified in*
11 *the President’s fiscal year 2017 budget request.*

12 “*SEC. 158. Notwithstanding section 101, section*
13 *301(d) of division D of Public Law 114–113 shall not apply*
14 *to amounts made available by this Act for ‘Department of*
15 *Energy—Atomic Energy Defense Activities—National Nu-*
16 *clear Security Administration—Weapons Activities’: Pro-*
17 *vided, That the Secretary of Energy shall notify the Com-*
18 *mittees on Appropriations of the House of Representatives*
19 *and the Senate not later than 15 days after funds made*
20 *available by this Act for such account are allotted to a De-*
21 *partment of Energy program, project, or activity at a rate*
22 *for operations that differs from that provided under such*
23 *heading in division D of Public Law 114–113 by more than*
24 *\$5,000,000 or 10 percent.*

1 “*SEC. 159. As authorized by section 404 of the Bipar-*
2 *tisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C.*
3 *6239 note), the Secretary of Energy shall draw down and*
4 *sell not to exceed \$375,400,000 of crude oil from the Stra-*
5 *tegic Petroleum Reserve in fiscal year 2017: Provided, That*
6 *the proceeds from such drawdown and sale shall be depos-*
7 *ited into the ‘Energy Security and Infrastructure Mod-*
8 *ernization Fund’ (in this section referred to as the ‘Fund’)*
9 *during fiscal year 2017: Provided further, That in addition*
10 *to amounts otherwise made available by section 101, and*
11 *notwithstanding section 104, any amounts deposited in the*
12 *Fund shall be made available and shall remain available*
13 *until expended at a rate for operations of \$375,400,000, for*
14 *necessary expenses in carrying out the Life Extension II*
15 *project for the Strategic Petroleum Reserve.*

16 “*SEC. 160. (a) Notwithstanding section 101, amounts*
17 *are provided for ‘Department of Energy—Energy Pro-*
18 *grams—Uranium Enrichment Decontamination and De-*
19 *commissioning Fund’ at a rate for operations of*
20 *\$767,014,000: Provided, That such amounts may not be re-*
21 *programmed below the levels provided in the table referred*
22 *to in section 301(d) of division D of Public Law 114–113.*

23 “*(b) As of the date of the enactment of this section,*
24 *section 123 of this Act shall not be in effect.*

1 “*SEC. 161. In addition to amounts provided by section*
2 *101, amounts are provided for ‘General Services Adminis-*
3 *tration—Allowances and Office Staff for Former Presi-*
4 *dents’ for the pension of the outgoing President at a rate*
5 *for operations of \$157,000.*

6 “*SEC. 162. (a) SHORT TITLE.—This section may be*
7 *cited as the ‘SOAR Funding Availability Act’.*

8 “*(b) REQUIRING USE OF FUNDS REMAINING UNOBLI-*
9 *GATED FROM PREVIOUS FISCAL YEARS.—Section 3007 of*
10 *the Scholarships for Opportunity and Results Act (sec. 38-*
11 *1853.07, D.C. Official Code) is amended by adding at the*
12 *end the following:*

13 “*‘(e) REQUIRING USE OF FUNDS REMAINING UNOBLI-*
14 *GATED FROM PREVIOUS FISCAL YEARS.—*

15 “*‘(1) IN GENERAL.—To the extent that any*
16 *funds appropriated for the opportunity scholarship*
17 *program under this division for any fiscal year re-*
18 *main available for subsequent fiscal years under sec-*
19 *tion 3014(c), the Secretary shall make such funds*
20 *available to eligible entities receiving grants under*
21 *section 3004(a) for the uses described in paragraph*
22 *(2)—*

23 “*‘(A) in the case of any remaining funds*
24 *that were appropriated before the date of enact-*
25 *ment of the SOAR Funding Availability Act, be-*

1 *ginning on the date of enactment of such Act;*
2 *and*

3 ““(B) *in the case of any remaining funds*
4 *appropriated on or after the date of enactment*
5 *of such Act, by the first day of the first subse-*
6 *quent fiscal year.*

7 ““(2) *USE OF FUNDS.—If an eligible entity to*
8 *which the Secretary provided additional funds under*
9 *paragraph (1) elects to use such funds during a fiscal*
10 *year, the eligible entity shall use—*

11 ““(A) *not less than 95 percent of such addi-*
12 *tional funds to provide additional scholarships*
13 *for eligible students under subsection (a), or to*
14 *increase the amount of the scholarships, during*
15 *such year; and*

16 ““(B) *not more than a total of 5 percent of*
17 *such additional funds for administrative ex-*
18 *penses, parental assistance, or tutoring, as de-*
19 *scribed in subsections (b), (c), and (d), during*
20 *such year.*

21 ““(3) *SPECIAL RULE.—Any amounts made*
22 *available for administrative expenses, parental assist-*
23 *ance, or tutoring under paragraph (2)(B) shall be in*
24 *addition to any other amounts made available for*

1 *such purposes in accordance with subsections (b), (c),*
2 *and (d).’.*

3 “(c) *AVAILABILITY OF FUNDS.—Section 3014 of such*
4 *Act (sec. 38–1853.14, D.C. Official Code) is amended by*
5 *adding at the end the following:*

6 “(c) *AVAILABILITY.—Amounts appropriated under*
7 *subsection (a)(1), including amounts appropriated and*
8 *available under such subsection before the date of enactment*
9 *of the SOAR Funding Availability Act, shall remain avail-*
10 *able until expended.’.*

11 “(d) *EFFECTIVE DATE.—The amendments made by*
12 *this section shall take effect on the date of enactment of this*
13 *section.*

14 “*SEC. 163. Amounts made available by section 101 for*
15 *‘U.S. Customs and Border Protection—Operations and*
16 *Support’, ‘U.S. Immigration and Customs Enforcement—*
17 *Operations and Support’, ‘Transportation Security Admin-*
18 *istration—Operations and Support’, and ‘United States*
19 *Secret Service—Operations and Support’ accounts of the*
20 *Department of Homeland Security shall be apportioned at*
21 *a rate for operations as necessary, and apportioned to pro-*
22 *vide staffing levels as necessary, to ensure border security,*
23 *fulfill immigration enforcement priorities, maintain avia-*
24 *tion security activities, and carry out the mission associ-*
25 *ated with the protection of the President-elect.*

1 “*SEC. 164. Amounts made available by section 101 for*
2 *‘National Gallery of Art—Salaries and Expenses’ may be*
3 *apportioned up to the rate for operations necessary to pro-*
4 *vide for staffing, maintenance, security, and administrative*
5 *expenses for the recently reopened galleries.*

6 “*SEC. 165. Amounts made available by section 101 for*
7 *‘Smithsonian Institution—Salaries and Expenses’ may be*
8 *apportioned up to the rate for operations necessary to pro-*
9 *vide for facilities maintenance, facilities operations, secu-*
10 *rity, and support at the National Museum of African Amer-*
11 *ican History and Culture.*

12 “*SEC. 166. Amounts made available by section 101 for*
13 *‘Department of Health and Human Services—Indian*
14 *Health Service—Indian Health Services’ and for ‘Depart-*
15 *ment of Health and Human Services—Indian Health Serv-*
16 *ice—Indian Health Facilities’, respectively, may be appor-*
17 *tioned up to the rate for operations necessary to provide*
18 *for costs of staffing and operating newly constructed facili-*
19 *ties.*

20 “*SEC. 167. MINERS HEALTH BENEFITS.—*

21 “*(a) IN GENERAL.—This section may be cited as the*
22 *‘Continued Health Benefits for Miners Act’.*

23 “*(b) INCLUSION OF CERTAIN RETIREES IN THE MUL-*
24 *TIEMPLOYER HEALTH BENEFIT PLAN.—Section*

1 402(h)(2)(C) of the Surface Mining Control and Reclama-
2 tion Act of 1977 (30 U.S.C. 1232(h)(2)(C)) is amended—

3 “(1) by striking ‘A transfer’ and inserting the
4 following:

5 “‘(i) TRANSFER TO THE PLAN.—A
6 transfer’;

7 “(2) by redesignating clauses (i) and (ii) as sub-
8 clauses (I) and (II), respectively, and moving such
9 subclauses 2 ems to the right; and

10 “(3) by striking the matter following such sub-
11 clause (II) (as so redesignated) and inserting the fol-
12 lowing:

13 “‘(ii) CALCULATION OF EXCESS.—The
14 excess determined under clause (i) shall be
15 calculated—

16 “‘(I) except as provided in sub-
17 clause (II), by taking into account only
18 those beneficiaries actually enrolled in
19 the Plan as of December 31, 2006, who
20 are eligible to receive health benefits
21 under the Plan on the first day of the
22 calendar year for which the transfer is
23 made; and

24 “‘(II) for purposes of the transfer
25 made for fiscal year 2017, as if, for the

1 *period beginning January 1, 2017,*
2 *and ending April 30, 2017, only—*

3 “*(aa) those beneficiaries ac-*
4 *tually enrolled in the Plan as of*
5 *the date of the enactment of the*
6 *Continued Health Benefits for*
7 *Miners Act who are eligible to re-*
8 *ceive health benefits under the*
9 *Plan on January 1, 2017, other*
10 *than those beneficiaries enrolled*
11 *in the Plan under the terms of a*
12 *participation agreement with the*
13 *current or former employer of*
14 *such beneficiaries; and*

15 “*(bb) those beneficiaries*
16 *whose health benefits, defined as*
17 *those benefits payable directly fol-*
18 *lowing death or retirement or*
19 *upon a finding of disability by an*
20 *employer in the bituminous coal*
21 *industry under a coal wage agree-*
22 *ment (as defined in section*
23 *9701(b)(1) of the Internal Rev-*
24 *enue Code of 1986), would be de-*
25 *nied or reduced as a result of a*

1 *bankruptcy proceeding commenced*
2 *in 2012 or 2015,*
3 *were taken into account, and for any*
4 *other period during such fiscal year,*
5 *only the beneficiaries described in sub-*
6 *clause (I) were taken into account.*

7 “‘(iii) *ELIGIBILITY OF CERTAIN RE-*
8 *TIREES.—Individuals referred to in clause*
9 *(ii)(II)(bb) shall be treated as eligible to re-*
10 *ceive health benefits under the Plan for the*
11 *plan year that includes January 1, 2017.*

12 “‘(iv) *REQUIREMENTS FOR TRANS-*
13 *FER.—The amount of the transfer otherwise*
14 *determined under this subparagraph for fis-*
15 *cal year 2017 shall be reduced by any*
16 *amount transferred for the fiscal year to the*
17 *Plan, to pay benefits required under the*
18 *Plan, from a voluntary employees’ bene-*
19 *ficiary association established as a result of*
20 *a bankruptcy proceeding described in clause*
21 *(ii)(II).*

22 “‘(v) *VEBA TRANSFER.—The admin-*
23 *istrator of such voluntary employees’ bene-*
24 *ficiary association shall transfer to the Plan*
25 *any amounts received as a result of such*

1 *bankruptcy proceeding, reduced by an*
2 *amount for administrative costs of such as-*
3 *sociation.’.*

4 “(c) *PRESERVATION OF PAYMENTS TO STATES AND IN-*
5 *DIAN TRIBES.—Subparagraph (B) of section 402(i)(3) of*
6 *the Surface Mining Control and Reclamation Act of 1977*
7 *(30 U.S.C. 1232(i)(3)) is amended—*

8 “(1) *by striking ‘so that’ and inserting ‘under*
9 *paragraph (1) so that’;*

10 “(2) *by striking ‘each transfer’ in clause (i) and*
11 *inserting ‘each such transfer’; and*

12 “(3) *by striking ‘this subsection’ in clause (iii)*
13 *and inserting ‘paragraph (1)’.*

14 “(d) *BUDGETARY EFFECTS.—*

15 “(1) *STATUTORY PAYGO SCORECARDS.—The*
16 *budgetary effects of this section shall not be entered on*
17 *either PAYGO scorecard maintained pursuant to sec-*
18 *tion 4(d) of the Statutory Pay-As-You-Go Act of*
19 *2010.*

20 “(2) *SENATE PAYGO SCORECARDS.—The budg-*
21 *etary effects of this section shall not be entered on any*
22 *PAYGO scorecard maintained for purposes of section*
23 *201 of S. Con. Res. 21 (110th Congress).*

24 “(3) *CLASSIFICATION OF BUDGETARY EF-*
25 *FECTS.—Notwithstanding Rule 3 of the Budget*

1 *Scorekeeping Guidelines set forth in the joint explana-*
2 *tory statement of the committee of conference accom-*
3 *panying Conference Report 105-217 and section*
4 *250(c)(8) of the Balanced Budget and Emergency*
5 *Deficit Control Act of 1985, the budgetary effects of*
6 *this section shall not be estimated—*

7 *“(A) for purposes of section 251 of such Act;*
8 *and*

9 *“(B) for purposes of paragraph (4)(C) of*
10 *section 3 of the Statutory Pay-As-You-Go Act of*
11 *2010 as being included in an appropriation Act.*

12 *“SEC. 168. Notwithstanding section 111, the fourth*
13 *proviso under the heading ‘Department of Labor—Office of*
14 *Workers’ Compensation Programs—Special Benefits’ shall*
15 *be applied by substituting ‘\$66,675,000’ for ‘\$62,170,000’,*
16 *‘\$22,740,000’ for ‘\$21,140,000’, ‘\$16,866,000’ for*
17 *‘\$16,668,000’ and ‘\$4,101,000’ for ‘\$1,394,000’.*

18 *“SEC. 169. Section 458(a)(4) of the Higher Education*
19 *Act of 1965 (20 U.S.C. 1087h(a)(4)) shall be applied by*
20 *substituting ‘2017’ for ‘2016’.*

21 *“SEC. 170. (a) Notwithstanding any other provision*
22 *of law, the Secretary of Health and Human Services (re-*
23 *ferred to in this section as the ‘Secretary’) may transfer*
24 *up to \$300,000,000 from the Fund established by section*
25 *223 of the Department of Health and Human Services Ap-*

1 *propriations Act, 2008 (42 U.S.C. 3514a) to ‘Department*
2 *of Health and Human Services—Administration for Chil-*
3 *dren and Families—Refugee and Entrant Assistance’ only*
4 *for activities authorized under section 462 of the Homeland*
5 *Security Act of 2002 (6 U.S.C. 279) and section 235 of the*
6 *William Wilberforce Trafficking Victims Protection Reau-*
7 *thorization Act of 2008 (8 U.S.C. 1232): Provided, That*
8 *such funds transferred shall not be available for obligation*
9 *prior to February 1, 2017.*

10 “(b) *In addition to amounts provided by subsection*
11 *(a), if after March 1, 2017, and before the date specified*
12 *in section 106(3), the Secretary, in consultation with the*
13 *Secretary of Homeland Security, determines that the per-*
14 *centage increase in the cumulative number of cases trans-*
15 *ferred to the custody of the Secretary pursuant to such sec-*
16 *tions 462 and 235 for the current fiscal year over the num-*
17 *ber transferred through the comparable date in the previous*
18 *fiscal year exceeds 40 percent, an amount not to exceed*
19 *\$200,000,000 may be made available to ‘Department of*
20 *Health and Human Services—Administration for Children*
21 *and Families—Refugee and Entrant Assistance’ only for*
22 *activities authorized under such sections 462 and 235.*

23 “(c) *The Committees on Appropriations of the House*
24 *of Representatives and the Senate shall be notified at least*

1 15 days in advance of any funds being made available
2 under subsection (a).

3 “(d) Of the unobligated balances available in the Fund
4 established by section 223 of the Department of Health and
5 Human Services Appropriations Act, 2008 (42 U.S.C.
6 3514a), \$100,000,000 is hereby rescinded.

7 “SEC. 171. Notwithstanding any other provision of
8 this Act, within 10 days of the enactment of this section,
9 the Secretary of Health and Human Services shall transfer
10 funds appropriated for fiscal year 2017 under section 4002
11 of Public Law 111–148 (42 U.S.C. 300u–11) to the accounts
12 specified, in the amounts specified, and for the activities
13 specified in subsection (a) of section 221 of division H of
14 Public Law 114–113, except that the Secretary shall adjust
15 the amounts transferred to the Centers for Disease Control
16 and Prevention under this section to result in a total
17 amount transferred to such agency under this section that
18 is \$1,000,000 less than the total amount transferred to such
19 agency under such section 221: Provided, That subsections
20 (b) and (c) of such section 221 shall apply to amounts
21 transferred under this section.

22 “SEC. 172. The fifth proviso under the heading ‘Social
23 Security Administration—Limitation on Administrative
24 Expenses’ in division H of Public Law 114–113 shall be
25 applied during the period covered by this Act by sub-

1 *stituting ‘shall be used for activities to address the hearing*
2 *backlog within the Office of Disability Adjudication and*
3 *Review’ for ‘shall be for necessary expenses for the renova-*
4 *tion and modernization of the Arthur J. Altmeyer Build-*
5 *ing’.*

6 “*SEC. 173. Activities authorized under part A of title*
7 *IV and section 1108(b) of the Social Security Act (except*
8 *for activities authorized in section 403(b)) shall continue*
9 *through the date specified in section 106(3) of this Act in*
10 *the manner authorized for fiscal year 2016, and out of any*
11 *money in the Treasury of the United States not otherwise*
12 *appropriated, there are hereby appropriated such sums as*
13 *may be necessary for such purpose.*

14 “*SEC. 174. The Secretary of Health and Human Serv-*
15 *ices may use discretionary amounts appropriated in this*
16 *Act for the Department of Health and Human Services to*
17 *carry out section 399V–6 of the Public Health Service Act*
18 *(42 U.S.C. 280g–17).*

19 “*SEC. 175. Notwithstanding any other provision of*
20 *law, no adjustment shall be made under section 601(a) of*
21 *the Legislative Reorganization Act of 1946 (2 U.S.C. 4501)*
22 *(relating to cost of living adjustments for Members of Con-*
23 *gress) during fiscal year 2017.*

24 “*SEC. 176. TRANSFER OF O’NEILL BUILDING TO*
25 *HOUSE OF REPRESENTATIVES.—(a) TRANSFER.—Effective*

1 upon the expiration of the 180-day period that begins on
2 the date of the enactment of this section—

3 “(1) the building described in subsection (e) shall
4 become an office building of the House of Representa-
5 tives;

6 “(2) the Administrator of General Services shall
7 transfer custody, control, and administrative jurisdic-
8 tion over the building to the Architect of the Capitol;
9 and

10 “(3) the Architect of the Capitol shall exercise
11 custody, control, and administrative jurisdiction over
12 the building subject to the direction of the House Of-
13 fice Building Commission.

14 “(b) *TREATMENT AS HOUSE OFFICE BUILDING AND*
15 *PART OF CAPITOL GROUNDS.*—Upon the transfer of cus-
16 tody, control, and administrative jurisdiction under sub-
17 section (a), the building and grounds described in sub-
18 section (e) shall be treated as a House Office Building and
19 as part of the United States Capitol Grounds for purposes
20 of all laws, rules, and regulations applicable to the House
21 Office Buildings and the Capitol Grounds, including—

22 “(1) chapter 51 of title 40, United States Code
23 (relating to the administration of the United States
24 Capitol Buildings and Grounds); and

1 “(2) section 9 of the Act entitled ‘An Act to de-
2 fine the area of the United States Capitol Grounds,
3 to regulate the use thereof, and for other purposes’,
4 approved July 31, 1946 (2 U.S.C. 1961) (relating to
5 the authority of the United States Capitol Police to
6 police the United States Capitol Buildings and
7 Grounds).

8 “(c) *AUTHORITY OF ARCHITECT OF THE CAPITOL TO*
9 *ENTER INTO LEASES AND OTHER AGREEMENTS WITH*
10 *FEDERAL DEPARTMENTS AND AGENCIES FOR USE OF*
11 *BUILDING.—*

12 “(1) *AUTHORITY DESCRIBED.—The Architect of*
13 *the Capitol is authorized to enter into leases and*
14 *other agreements with departments and agencies of*
15 *the Federal Government for the use of the building de-*
16 *scribed in subsection (e) (or portions thereof), subject*
17 *to the approval of the House Office Building Commis-*
18 *sion.*

19 “(2) *COLLECTION OF PAYMENTS.—Pursuant to a*
20 *lease or other agreement entered into between the Ar-*
21 *chitect of the Capitol and a department or agency of*
22 *the Federal Government under the authority described*
23 *in paragraph (1), the Architect of the Capitol is au-*
24 *thorized to collect payments from such department or*
25 *agency and such department or agency is authorized*

1 to make payments to the Architect of the Capitol, in-
2 cluding payments of commercially-equivalent rent.

3 “(3) *TREATMENT OF PAYMENTS.*—Any payments
4 received by the Architect of the Capitol pursuant to
5 any lease or other agreement entered into under this
6 subsection shall be deposited to the appropriation
7 available to the Architect of the Capitol from the
8 House Office Buildings Fund established under sub-
9 section (d) and shall be subject to future appropria-
10 tion.

11 “(d) *HOUSE OFFICE BUILDINGS FUND.*—

12 “(1) *ESTABLISHMENT.*—There is established in
13 the Treasury of the United States a fund to be known
14 as the ‘House Office Buildings Fund’ (hereafter in
15 this section referred to as the ‘Fund’).

16 “(2) *CONTENTS OF FUND.*—The Fund shall con-
17 sist of the following amounts:

18 “(A) Amounts transferred by the Architect
19 of the Capitol under paragraph (3) of subsection
20 (c).

21 “(B) Interest earned on the balance of the
22 Fund.

23 “(C) Such other amounts as may be appro-
24 priated by law.

1 “(3) *USE OF FUND.*—Amounts in the Fund shall
2 be available to the Architect of the Capitol for the
3 maintenance, care, and operation of the House office
4 buildings, and may be used to reimburse the United
5 States Capitol Police, the House of Representatives, or
6 any other office of the legislative branch which pro-
7 vides goods or services for the maintenance, care, and
8 operation of the building and grounds described in
9 subsection (e), in such amounts as may be appro-
10 priated under law.

11 “(4) *NOTIFICATION TO COMMITTEE ON APPRO-*
12 *PRIATIONS.*—Upon making any obligation or expend-
13 iture of any amount in the Fund, the Architect of the
14 Capitol shall notify the Committee on Appropriations
15 of the House of Representatives of the amount and
16 purpose of the obligation or expenditure.

17 “(5) *CONTINUING AVAILABILITY OF FUNDS.*—
18 Amounts in the Fund are available without regard to
19 fiscal year limitation.

20 “(e) *DESCRIPTION OF BUILDING AND GROUNDS.*—

21 “(1) *DESCRIPTION.*—The building and grounds
22 described in this subsection is the Federal building lo-
23 cated in the District of Columbia which is commonly
24 known as the ‘Thomas P. O’Neill Jr. Federal Build-
25 ing’, and which is more particularly described as fol-

1 *lows: Square 579, Lot 827, at 200 C Street Southwest,*
2 *bounded by C Street Southwest on the north, by 2nd*
3 *Street Southwest on the east, by D Street Southwest*
4 *on the south, and by 3rd Street Southwest on the*
5 *west, and by all that area contiguous to and sur-*
6 *rounding Square 579 from the property line thereof*
7 *to the west curb of 3rd Street Southwest, the north*
8 *curb of C Street Southwest, the east curb of 2nd*
9 *Street Southwest, and the south curb of D Street*
10 *Southwest.*

11 *“(2) RETENTION OF RESPONSIBILITIES OF DIS-*
12 *TRICT OF COLUMBIA.—The Mayor of the District of*
13 *Columbia will retain responsibility for the mainte-*
14 *nance and improvement of those portions of the*
15 *streets which are situated between the curb lines of the*
16 *streets referenced in paragraph (1).*

17 *“SEC. 177. (a) During the 115th Congress—*

18 *“(1) amounts made available for the Office of the*
19 *Secretary of the Conference of the Minority of the*
20 *Senate shall be available for the Office of the Assist-*
21 *ant Minority Leader of the Senate; and*

22 *“(2) the duties and authorities of the Secretary*
23 *of the Conference of the Minority of the Senate under*
24 *section 3 of title I of division H of the Consolidated*
25 *Appropriations Act, 2008 (2 U.S.C. 6154), section*

1 *101 of chapter VIII of title I of the Supplemental Ap-*
2 *propriations Act, 1979 (2 U.S.C. 6156), or any other*
3 *provision of law shall be duties and authorities of the*
4 *Assistant Minority Leader of the Senate.*

5 *“(b) For purposes of any individual employed by the*
6 *Office of the Assistant Minority Leader of the Senate during*
7 *the 115th Congress—*

8 *“(1) section 506(e) of the Supplemental Appro-*
9 *priations Act, 1973 (2 U.S.C. 6314(e)) shall be ap-*
10 *plied by substituting ‘Assistant Minority Leader’ for*
11 *‘Secretary of the Conference of the Minority’;*

12 *“(2) section 207(e)(9)(M) of title 18, United*
13 *States Code, shall be applied by substituting ‘Assist-*
14 *ant Minority Leader’ for ‘secretary of the Conference*
15 *of the Minority’; and*

16 *“(3) subsection (b) of the first section of S. Res.*
17 *458 (98th Congress) shall be applied by substituting*
18 *‘Assistant Minority Leader’ for ‘Secretary of the Con-*
19 *ference of the Minority’.*

20 *“(c) For purposes of any individual employed by the*
21 *Office of the Assistant Minority Leader of the Senate during*
22 *the 115th Congress, with respect to any practice that occurs*
23 *during that Congress, section 220(e)(2)(C) of the Congres-*
24 *sional Accountability Act of 1995 (2 U.S.C. 1351(e)(2)(C))*
25 *shall be applied by substituting ‘the Office of the Assistant*

1 *Minority Leader of the Senate*’ for *‘the Office of the Sec-*
2 *retary of the Conference of the Minority of the Senate*’.

3 “(d) *Nothing in this section shall be construed to have*
4 *any effect on the continuation of any procedure or action*
5 *initiated under the Congressional Accountability Act of*
6 *1995 (2 U.S.C. 1301 et seq.) or section 207 of title 18,*
7 *United States Code.*

8 “SEC. 178. *Section 21(d) of Senate Resolution 64 of*
9 *the One Hundred Thirteenth Congress, 1st session (agreed*
10 *to on March 5, 2013) is amended by striking ‘December*
11 *31, 2016’ and inserting ‘December 31, 2018’.*

12 “SEC. 179. *EXPEDITED CONSIDERATION OF CERTAIN*
13 *LEGISLATION.—*

14 “(a) *QUALIFYING LEGISLATION DEFINED.—In this*
15 *section, the term ‘qualifying legislation’ means a Senate bill*
16 *or joint resolution—*

17 “(1) *that is introduced in the Senate during the*
18 *30-calendar day period beginning on the date on*
19 *which Congress convenes the First Session of the*
20 *115th Congress;*

21 “(2) *the title of which is as follows: ‘To provide*
22 *for an exception to a limitation against appointment*
23 *of persons as Secretary of Defense within seven years*
24 *of relief from active duty as a regular commissioned*
25 *officer of the Armed Forces.’; and*

1 “(3) the matter after the enacting or resolving
2 clause of which is as follows:

3 **“SECTION 1. EXCEPTION TO LIMITATION AGAINST AP-**
4 **POINTMENT OF PERSONS AS SECRETARY OF**
5 **DEFENSE WITHIN SEVEN YEARS OF RELIEF**
6 **FROM ACTIVE DUTY AS REGULAR COMMIS-**
7 **SIONED OFFICERS OF THE ARMED FORCES.**

8 “(a) *IN GENERAL.*—Notwithstanding the second sen-
9 tence of section 113(a) of title 10, United States Code, the
10 first person appointed, by and with the advice and consent
11 of the Senate, as Secretary of Defense after the date of the
12 enactment of this Act may be a person who is, on the date
13 of appointment, within seven years after relief, but not
14 within three years after relief, from active duty as a com-
15 missioned officer of a regular component of the Armed
16 Forces.

17 “(b) *LIMITED EXCEPTION.*—This section applies only
18 to the first person appointed as Secretary of Defense as de-
19 scribed in subsection (a) after the date of the enactment of
20 this Act, and to no other person.’.

21 “(b) *INTRODUCTION.*—During the 30-calendar day pe-
22 riod described in subsection (a)(1), qualifying legislation
23 may be introduced in the Senate by the Majority Leader
24 (or the Majority Leader’s designee), the Minority Leader
25 (or the Minority Leader’s designee), the Chairman of the

1 *Committee on Armed Services, or the Ranking Minority*
2 *Member of the Committee on Armed Services.*

3 “(c) *CONSIDERATION IN THE SENATE.*—

4 “(1) *COMMITTEE REFERRAL.*—*Qualifying legis-*
5 *lation introduced in the Senate shall be referred to the*
6 *Committee on Armed Services.*

7 “(2) *REPORTING AND DISCHARGE.*—*If the Com-*
8 *mittee on Armed Services has not reported the quali-*
9 *fying legislation within 5 session days after the date*
10 *of referral of the legislation, the Committee shall be*
11 *discharged from further consideration of the legisla-*
12 *tion, and the qualifying legislation shall be placed on*
13 *the appropriate calendar.*

14 “(3) *PROCEEDING TO CONSIDERATION.*—*Not-*
15 *withstanding Rule XXII of the Standing Rules of the*
16 *Senate, it is in order at any time after the Committee*
17 *on Armed Serves reports the qualifying legislation to*
18 *the Senate or has been discharged from its consider-*
19 *ation (even though a previous motion to the same ef-*
20 *fect has been disagreed to) to move to proceed to the*
21 *consideration of the qualifying legislation, and all*
22 *points of order against the qualifying legislation (and*
23 *against consideration of the qualifying legislation)*
24 *are waived. The motion to proceed is not debatable.*
25 *The motion is not subject to a motion to postpone. A*

1 *motion to reconsider the vote by which the motion is*
2 *agreed to or disagreed to shall not be in order. If a*
3 *motion to proceed to the consideration of the quali-*
4 *fying legislation is agreed to, the qualifying legisla-*
5 *tion shall remain the unfinished business until dis-*
6 *posed of.*

7 “(4) *CONSIDERATION.*—*Consideration of the*
8 *qualifying legislation, and all debate, debatable mo-*
9 *tions, and appeals in connection therewith, shall be*
10 *limited to not more than 10 hours, which shall be di-*
11 *vided equally between, and controlled by, the Majority*
12 *Leader and the Minority Leader or their designees. A*
13 *motion to further limit debate is in order and not de-*
14 *batable. An amendment to, or a motion to postpone,*
15 *or a motion to proceed to the consideration of other*
16 *business, or a motion to recommit the qualifying leg-*
17 *islation is not in order.*

18 “(5) *VOTE ON PASSAGE.*—*The vote on passage*
19 *shall occur immediately following the conclusion of*
20 *the debate on the qualifying legislation and a single*
21 *quorum call at the conclusion of the debate, if re-*
22 *quested in accordance with the rules of the Senate.*
23 *Passage of the qualifying legislation shall require an*
24 *affirmative vote of three-fifths of the Members, duly*
25 *chosen and sworn.*

1 “(6) *RULINGS OF THE CHAIR ON PROCEDURE.*—
2 *Appeals from the decisions of the Chair relating to the*
3 *application of the rules of the Senate, as the case may*
4 *be, to the procedure relating to qualifying legislation*
5 *shall be decided without debate.*

6 “(7) *CONSIDERATION OF VETO MESSAGES.*—*Con-*
7 *sideration in the Senate of any veto message with re-*
8 *spect to the qualifying legislation, including all de-*
9 *bate, debatable motions, and appeals in connection*
10 *therewith, shall be limited to 10 hours, to be equally*
11 *divided between, and controlled by, the Majority*
12 *Leader and the Minority Leader or their designees.*

13 “(d) *RULES OF THE SENATE.*—*This section is en-*
14 *acted—*

15 “(1) *as an exercise of the rulemaking power of*
16 *the Senate and as such is deemed a part of the rules*
17 *of the Senate, but applicable only with respect to the*
18 *procedure to be followed in the Senate in the case of*
19 *qualifying legislation described in subsection (a), and*
20 *supersedes other rules only to the extent that this sec-*
21 *tion is inconsistent with such rules; and*

22 “(2) *with full recognition of the constitutional*
23 *right of the Senate to change the rules (so far as relat-*
24 *ing to the procedure of the Senate) at any time, in*

1 *the same manner, and to the same extent as in the*
2 *case of any other rule of the Senate.*

3 “*SEC. 180. Section 133 of division L, title I of the Con-*
4 *solidated Appropriations Act, 2016, Public Law 114–113,*
5 *is amended to read as follows:*

6 “*“(a) None of the funds appropriated or otherwise*
7 *made available by this Act or any other Act may be used*
8 *to implement, administer, or enforce the requirement for*
9 *two off-duty periods from 1:00 a.m. to 5:00 a.m. under*
10 *paragraph 395.3(c) or the restriction on use of more than*
11 *one restart during a 168-hour period under paragraph*
12 *395.3(d) of title 49, Code of Federal Regulations, and those*
13 *provisions shall have no force or effect upon submission of*
14 *the final report issued by the Secretary of Transportation,*
15 *as required by section 133 of division K of Public Law 113–*
16 *235, unless the Secretary and the Inspector General of the*
17 *Department of Transportation each review and determine*
18 *that the final report.*

19 “*“(1) meets the statutory requirements set forth*
20 *in such section; and*

21 “*“(2) establishes that commercial motor vehicle*
22 *drivers who operated under the restart provisions in*
23 *operational effect between July 1, 2013, and the day*
24 *before the date of enactment of such Public Law dem-*
25 *onstrated statistically significant improvement in all*

1 *outcomes related to safety, operator fatigue, driver*
2 *health and longevity, and work schedules, in compari-*
3 *son to commercial motor vehicle drivers who operated*
4 *under the restart provisions in operational effect on*
5 *June 30, 2013.*

6 “‘(b) *If the Secretary and the Inspector General do*
7 *not each make the findings outlined in subsection (a) of*
8 *this section with respect to the final report, hereafter, the*
9 *34-hour restart rule in operational effect on June 30, 2013*
10 *shall be restored to full force and effect on the date that*
11 *the Secretary submits the final report to the Committees*
12 *on Appropriations of the House of Representatives and the*
13 *Senate, and funds appropriated or otherwise made avail-*
14 *able by this Act or any other Act shall be available to imple-*
15 *ment, administer, or enforce the rule.’.*

16 “*SEC. 181. (a) Funds made available by section 101*
17 *for ‘Department of Transportation—Federal Aviation Ad-*
18 *ministration—Operations’ may be apportioned up to the*
19 *rate for operations necessary to avoid disruption of con-*
20 *tinuing projects or activities funded by this appropriation.*

21 “(b) *Notwithstanding section 101, the matter pre-*
22 *ceding the first proviso under the heading ‘Department of*
23 *Transportation—Federal Aviation Administration—Fa-*
24 *cilities and Equipment’ in division L of Public Law 114—*

1 113 shall be applied by substituting ‘\$479,412,000’ for
2 ‘\$470,049,000’ and ‘\$2,375,588,000’ for ‘\$2,384,951,000’.

3 “SEC. 182. (a) Amounts available under section 101
4 for ‘Department of Transportation—Maritime Administra-
5 tion—Operations and Training’ for facilities maintenance
6 and repair, equipment, and capital improvements at the
7 United States Merchant Marine Academy, and any avail-
8 able prior year balances for the Student Incentive Program
9 at State Maritime Academies may, either in whole or part,
10 be used for costs associated with the midshipmen Sea Year
11 training program of the Academy without regard to any
12 limitations on reprogramming or transfer under division
13 L of Public Law 114–113 or otherwise applicable under a
14 provision of this Act.

15 “(b) The matter under the heading ‘Department of
16 Transportation—Maritime Administration—Operations
17 and Training’ in division L of Public Law 114–113 is
18 amended by striking the third proviso (relating to an Acad-
19 emy spending plan).

20 “SEC. 183. Amounts made available by section 101 for
21 ‘Department of Housing and Urban Development—Public
22 and Indian Housing—Tenant-Based Rental Assistance’
23 may be apportioned up to the rate for operations necessary
24 to renew grants for rental assistance and administrative
25 costs that were provided pursuant to the third through tenth

1 *provisos of paragraph (5) under such heading in title II*
2 *of division K of Public Law 113–235 (128 Stat. 2732).*

3 “*SEC. 184. Notwithstanding any other provision of*
4 *law, if not later than 10 days after the end of the Second*
5 *Session of the 114th Congress, the Office of Management*
6 *and Budget (‘OMB’) determines that the total of enacted*
7 *appropriations for fiscal year 2017 subject to the discre-*
8 *tionary spending limits in section 251(c) of the Balanced*
9 *Budget and Emergency Deficit Control Act of 1985, exclud-*
10 *ing any appropriations that would result in adjustments*
11 *under section 251(b)(2) of such Act, does not exceed the sum*
12 *of the unadjusted discretionary spending limits for fiscal*
13 *year 2017 in section 251(c)(4) of such Act and provides*
14 *written notification of that determination, then the final*
15 *sequestration report for fiscal year 2017 under section*
16 *254(f)(1) of such Act and any order for fiscal year 2017*
17 *under section 254(f)(5) of such Act shall be issued, for the*
18 *Congressional Budget Office, 10 days after the date specified*
19 *in section 106(3) of this Act and, for OMB, 15 days after*
20 *the date specified in section 106(3) of this Act: Provided,*
21 *That the written notification required by this section shall*
22 *include the total dollar amount and estimated uniform per-*
23 *centage that would be required to eliminate a breach within*
24 *a category if OMB were to issue such final sequestration*

1 report and order pursuant to the timetable in section 254(a)
2 of such Act.

3 “SEC. 185. Notwithstanding any other provision of
4 this Act, and in addition to the amount otherwise provided
5 by section 101 for the ‘Emergency Watershed Protection
6 Program’, there is appropriated \$103,140,000 for an addi-
7 tional amount for fiscal year 2017, to remain available
8 until expended, and for the ‘Emergency Conservation Pro-
9 gram’, there is appropriated \$102,978,524 for an additional
10 amount for fiscal year 2017, to remain available until ex-
11 pended: Provided, That all amounts made available by this
12 section are designated by the Congress as an emergency re-
13 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985.

15 “SEC. 186. Notwithstanding any other provision of
16 this Act, and in addition to the amount otherwise provided
17 by section 101, there is appropriated \$74,700,000 for an
18 additional amount for fiscal year 2017, to remain available
19 until expended, for ‘National Aeronautics and Space Ad-
20 ministration—Construction and Environmental Compli-
21 ance and Restoration’ for repairs at National Aeronautics
22 and Space Administration facilities damaged by Hurricane
23 Matthew: Provided, That such amount is designated by the
24 Congress as an emergency requirement pursuant to section

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

3 “*SEC. 187. Notwithstanding any other provision of*
4 *this Act, and in addition to the amount otherwise provided*
5 *by section 101, there is appropriated \$54,827,000 for ‘Corps*
6 *of Engineers-Civil—Construction’ for an additional*
7 *amount for fiscal year 2017, to remain available until ex-*
8 *pended, for necessary expenses to address emergency situa-*
9 *tions at Corps of Engineers projects, and to rehabilitate and*
10 *repair damages to Corps of Engineers projects, caused by*
11 *natural disasters: Provided, That such amount is des-*
12 *ignated by the Congress as an emergency requirement pur-*
13 *suant to section 251(b)(2)(A)(i) of the Balanced Budget and*
14 *Emergency Deficit Control Act of 1985: Provided further,*
15 *That beginning not later than 60 days after the date of en-*
16 *actment of this section, the Assistant Secretary of the Army*
17 *for Civil Works shall provide monthly reports to the Com-*
18 *mittees on Appropriations of the House of Representatives*
19 *and the Senate detailing the allocation and obligation of*
20 *these funds.*

21 “*SEC. 188. Notwithstanding any other provision of*
22 *this Act, and in addition to the amount otherwise provided*
23 *by section 101, there is appropriated \$290,708,000 for*
24 *‘Corps of Engineers-Civil—Mississippi River and Tribu-*
25 *taries’ for an additional amount for fiscal year 2017, to*

1 *remain available until expended, for necessary expenses to*
2 *dredge navigation projects in response to, and repair dam-*
3 *ages to Corps of Engineers projects caused by, natural dis-*
4 *asters: Provided, That such amount is designated by the*
5 *Congress as an emergency requirement pursuant to section*
6 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*
7 *Deficit Control Act of 1985: Provided further, That begin-*
8 *ning not later than 60 days after the date of enactment*
9 *of this section, the Assistant Secretary of the Army for Civil*
10 *Works shall provide monthly reports to the Committees on*
11 *Appropriations of the House of Representatives and the*
12 *Senate detailing the allocation and obligation of these*
13 *funds.*

14 “*SEC. 189. Notwithstanding any other provision of*
15 *this Act, and in addition to the amount otherwise provided*
16 *by section 101, there is appropriated \$259,574,000 for*
17 *‘Corps of Engineers-Civil—Operation and Maintenance’ for*
18 *an additional amount for fiscal year 2017, to remain avail-*
19 *able until expended, for necessary expenses to dredge navi-*
20 *gation projects in response to, and repair damages to Corps*
21 *of Engineers projects caused by, natural disasters: Provided,*
22 *That such amount is designated by the Congress as an emer-*
23 *gency requirement pursuant to section 251(b)(2)(A)(i) of*
24 *the Balanced Budget and Emergency Deficit Control Act*
25 *of 1985: Provided further, That beginning not later than*

1 60 days after the date of enactment of this section, the As-
2 sistant Secretary of the Army for Civil Works shall provide
3 monthly reports to the Committees on Appropriations of the
4 House of Representatives and the Senate detailing the allo-
5 cation and obligation of these funds.

6 “SEC. 190. Notwithstanding any other provision of
7 this Act, and in addition to the amount otherwise provided
8 by section 101, there is appropriated \$419,891,000 for
9 ‘Corps of Engineers-Civil—Flood Control and Coastal
10 Emergencies’, as authorized by section 5 of the Act of Au-
11 gust 18, 1941 (33 U.S.C. 701n), for an additional amount
12 for fiscal year 2017, to remain available until expended,
13 for necessary expenses to prepare for flood, hurricane and
14 other natural disasters and support emergency operations,
15 repairs, and other activities in response to such disasters
16 as authorized by law: Provided, That such amount is des-
17 ignated by the Congress as an emergency requirement pur-
18 suant to section 251(b)(2)(A)(i) of the Balanced Budget and
19 Emergency Deficit Control Act of 1985: Provided further,
20 That beginning not later than 60 days after the date of en-
21 actment of this section, the Assistant Secretary of the Army
22 for Civil Works shall provide monthly reports to the Com-
23 mittees on Appropriations of the House of Representatives
24 and the Senate detailing the allocation and obligation of
25 these funds.

1 “*SEC. 191. Notwithstanding any other provision of*
2 *this Act, and in addition to any amount otherwise provided*
3 *by section 101 for the ‘Emergency Relief Program’, as au-*
4 *thorized by section 125 of title 23, United States Code, there*
5 *is appropriated \$1,004,017,000 for fiscal year 2017, to re-*
6 *main available until expended: Provided, That such amount*
7 *is designated by the Congress as an emergency requirement*
8 *pursuant to section 251(b)(2)(A)(i) of the Balanced Budget*
9 *and Emergency Deficit Control Act of 1985.*

10 “*SEC. 192. (a) Notwithstanding any other provision*
11 *of this Act, and in addition to the amount otherwise pro-*
12 *vided by section 101 for ‘Department of Housing and*
13 *Urban Development—Community Planning and Develop-*
14 *ment—Community Development Fund’, there is appro-*
15 *priated \$1,808,976,000 for an additional amount for fiscal*
16 *year 2017, to remain available until expended, that is iden-*
17 *tical to the additional appropriation for fiscal year 2016*
18 *in section 145(a) of this Act (except that ‘enactment of this*
19 *Act’ shall be treated as referring to enactment of this sec-*
20 *tion, and except for the last proviso under such subsection),*
21 *and with respect to which the same authority and condi-*
22 *tions shall be in effect: Provided, That of the amount made*
23 *available by this subsection, \$1,416,000,000 is designated*
24 *by the Congress as being for disaster relief pursuant to sec-*
25 *tion 251(b)(2)(D) of the Balanced Budget and Emergency*

1 *Deficit Control Act of 1985, and \$392,976,000 is designated*
2 *by the Congress as an emergency requirement pursuant to*
3 *section 251(b)(2)(A)(i) of the Balanced Budget and Emer-*
4 *gency Deficit Control Act of 1985.*

5 “(b) *Of the amounts made available by subsection (a)*
6 *and designated by the Congress as an emergency require-*
7 *ment pursuant to section 251(b)(2)(A)(i) of the Balanced*
8 *Budget and Emergency Deficit Control Act of 1985, up to*
9 *\$3,000,000 may be transferred, in aggregate, to ‘Depart-*
10 *ment of Housing and Urban Development—Program Office*
11 *Salaries and Expenses—Community Planning and Devel-*
12 *opment’ for necessary costs, including information tech-*
13 *nology costs, of administering and overseeing the obligation*
14 *and expenditure of amounts in section 145 and all amounts*
15 *in this section.*

16 “SEC. 193. *Notwithstanding any other provision of*
17 *this Act, and in addition to amounts otherwise provided*
18 *by section 101, an additional amount for fiscal year 2017*
19 *of \$20,000,000, to remain available until expended, is pro-*
20 *vided for ‘Department of Health and Human Services—*
21 *Food and Drug Administration-FDA Innovation Account’*
22 *(in this section referred to as the ‘Account’): Provided, That*
23 *such amounts are appropriated pursuant to section*
24 *1002(b)(3) of the 21st Century Cures Act, are to be derived*
25 *from amounts transferred under section 1002(b)(2)(A) of*

1 *such Act, are for the necessary expenses to carry out the*
2 *purposes described under section 1002(b)(4) of such Act,*
3 *and may be transferred by the Commissioner of Food and*
4 *Drugs to the appropriation for ‘Department of Health and*
5 *Human Services—Food and Drug Administration—Sala-*
6 *ries and Expenses’ solely for the purposes provided in such*
7 *Act: Provided further, That upon a determination by the*
8 *Commissioner that funds transferred pursuant to the pre-*
9 *vious proviso are not necessary for the purposes provided,*
10 *such amounts may be transferred back to the Account: Pro-*
11 *vided further, That this transfer authority is in addition*
12 *to any other transfer authority provided by law.*

13 *“SEC. 194. Notwithstanding any other provision of*
14 *this Act, and in addition to amounts otherwise provided*
15 *by section 101, an additional amount for fiscal year 2017*
16 *of \$352,000,000, to remain available until expended, is pro-*
17 *vided for ‘Department of Health and Human Services—*
18 *National Institutes of Health—NIH Innovation Account’*
19 *(in this section referred to as the ‘Account’): Provided, That*
20 *such amounts are appropriated pursuant to section*
21 *1001(b)(3) of the 21st Century Cures Act, are to be derived*
22 *from amounts transferred under section 1001(b)(2)(A) of*
23 *such Act, are for the necessary expenses to carry out the*
24 *purposes described in section 1001(b)(4) of such Act and*
25 *in the amounts provided for fiscal year 2017 in such section*

1 1001(b)(4), and may be transferred by the Director of the
2 National 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 pre-
6 vious proviso are not necessary for the purposes provided,
7 such amounts may be transferred back to the Account: Pro-
8 vided further, That this transfer authority is in addition
9 to any other transfer authority provided by law.

10 “SEC. 195. Notwithstanding any other provision of
11 this Act, and in addition to amounts otherwise provided
12 by section 101, an additional amount for fiscal year 2017
13 of \$500,000,000, to remain available until expended, is pro-
14 vided for ‘Department of Health and Human Services—
15 Office of the Secretary—Account For the State Response to
16 the Opioid Abuse Crisis’ (in this section referred to as the
17 ‘Account’): Provided, That such amounts are appropriated
18 pursuant to section 1003(b)(3) of the 21st Century Cures
19 Act, are to be derived from amounts transferred under sec-
20 tion 1003(b)(2)(A) of such Act, are for the necessary ex-
21 penses to carry out the purposes described under section
22 1003(c) of such Act, and may be transferred by the Sec-
23 retary of Health and Human Services to other accounts of
24 the Department solely for the purposes provided in such Act:
25 Provided further, That upon a determination by the Sec-

1 *retary that funds transferred pursuant to the previous pro-*
2 *viso are not necessary for the purposes provided, such*
3 *amounts may be transferred back to the Account: Provided*
4 *further, That this transfer authority is in addition to any*
5 *other transfer authority provided by law.*

6 “*SEC. 196. (a) Notwithstanding any other provision*
7 *of this Act, in addition to the amount otherwise provided*
8 *by section 101 for ‘Environmental Protection Agency—*
9 *State and Tribal Assistance Grants’, there is appropriated*
10 *\$100,000,000 for an additional amount for fiscal year 2017,*
11 *to remain available until expended, for making capitaliza-*
12 *tion grants for the Drinking Water State Revolving Funds*
13 *under section 1452 of the Safe Drinking Water Act pursu-*
14 *ant to section 2201 of the Water and Waste Act of 2016.*

15 “*(b) The last proviso of paragraph (1) under the head-*
16 *ing ‘Environmental Protection Agency—State and Tribal*
17 *Assistance Grants’ in division G of Public Law 114–113*
18 *shall be applied to amounts made available by this section*
19 *by substituting for ‘only where such debt was incurred on*
20 *or after the date of enactment of this Act’ the following:*
21 *‘where such debt was incurred on or after the date of enact-*
22 *ment of this Act, or where such debt was incurred prior*
23 *to the date of enactment if the State, with concurrence from*
24 *the Administrator, determines that such funds could be used*
25 *to help address a threat to public health from heightened*

1 *exposure to lead in drinking water or if a Federal or State*
2 *emergency declaration has been issued due to a threat to*
3 *public health from heightened exposure to lead in a munic-*
4 *ipal drinking water supply before the date of enactment of*
5 *this Act: Provided further, That in a State in which such*
6 *an emergency declaration has been issued, the State may*
7 *use more than 20 percent of the funds made available under*
8 *this title to the State for Drinking Water State Revolving*
9 *Fund capitalization grants to provide additional subsidy*
10 *to eligible recipients’.*

11 “*SEC. 197. (a) Notwithstanding any other provision*
12 *of this Act, there is provided for ‘Environmental Protection*
13 *Agency—Water Infrastructure Finance and Innovation*
14 *Program Account’ for the cost of direct loans and for the*
15 *cost of guaranteed loans, as authorized by the Water Infra-*
16 *structure Finance and Innovation Act of 2014 (33 U.S.C.*
17 *3901 et seq.), \$20,000,000, to remain available until ex-*
18 *pended: Provided, That such costs, including the cost of*
19 *modifying such loans, shall be as defined in section 502 of*
20 *the Congressional Budget Act of 1974: Provided further,*
21 *That these funds are available to subsidize gross obligations*
22 *for the principal amount of direct loans, including capital-*
23 *ized interest, and total loan principal, including capital-*
24 *ized interest, any part of which is to be guaranteed, not*
25 *to exceed \$2,073,000,000.*

1 “(b) *In addition, fees authorized to be collected pursu-*
2 *ant to sections 5029 and 5030 of the Water Infrastructure*
3 *Finance and Innovation Act of 2014 (33 U.S.C. 3908 and*
4 *3909) shall be credited to the appropriation made by this*
5 *section to remain available until expended.*

6 “(c) *Of the amounts provided under subsection (a), not*
7 *to exceed \$3,000,000 shall be for administrative expenses*
8 *to carry out the direct and guaranteed loan programs, not-*
9 *withstanding section 5033 of the Water Infrastructure Fi-*
10 *nance and Innovation Act of 2014 (33 U.S.C. 3912).*

11 “*SEC. 198. Notwithstanding any other provision of*
12 *this Act, in addition to the amount otherwise provided by*
13 *section 101 for ‘Department of Health and Human Serv-*
14 *ices—Centers for Disease Control and Prevention—Envi-*
15 *ronmental Health’, for carrying out section 2203 of the*
16 *Water and Waste Act of 2016, there is appropriated*
17 *\$20,000,000, to remain available until September 30, 2020,*
18 *of which \$17,500,000 shall be for carrying out section*
19 *2203(b) of the Water and Waste Act of 2016 and \$2,500,000*
20 *shall be for carrying out section 2203(c) of the Water and*
21 *Waste Act of 2016: Provided, That such funds may be made*
22 *available to the Agency for Toxic Substances and Disease*
23 *Registry or the Centers for Disease Control and Prevention,*
24 *at the discretion of the Secretary of Health and Human*

1 *Services, for carrying out such sections of the Water and*
2 *Waste Act of 2016.*

3 “*SEC. 199. Notwithstanding any other provision of*
4 *this Act, in addition to the amount otherwise provided by*
5 *section 101 for ‘Department of Health and Human Serv-*
6 *ices—Centers for Disease Control and Prevention—Envi-*
7 *ronmental Health’, for carrying out section 2204(a) of the*
8 *Water and Waste Act of 2016, there is appropriated*
9 *\$15,000,000, to remain available until September 30, 2018,*
10 *for childhood lead poisoning prevention programs author-*
11 *ized under section 317A of the Public Health Service Act*
12 *(42 U.S.C. 247b–1).*

13 “*SEC. 200. Notwithstanding any other provision of*
14 *this Act, in addition to the amount otherwise provided by*
15 *section 101 for ‘Department of Health and Human Serv-*
16 *ices—Health Resources and Services Administration—Ma-*
17 *ternal and Child Health’, for carrying out section 2204(b)*
18 *of the Water and Waste Act of 2016, there is appropriated*
19 *\$15,000,000, to remain available until September 30, 2018,*
20 *for the Healthy Start Initiative authorized under section*
21 *330H of the Public Health Service Act (42 U.S.C. 254c–*
22 *8).*

23 “*SEC. 201. (a) Of any available amounts appropriated*
24 *under section 301(b)(3) of Public Law 114–10,*

1 \$170,000,000 is rescinded immediately upon enactment of
2 this section.

3 “(b) In the Senate, the budgetary effects of this section
4 shall not count for purposes of the amount in section
5 3103(b)(3) of the concurrent resolution on the budget for
6 fiscal year 2016 (S. Con. Res. 11) when determining points
7 of order pursuant to section 3103(b)(1) of that section of
8 that concurrent resolution.”.

9 This division may be cited as the “Further Continuing
10 Appropriations Act, 2017”.

11 ***DIVISION B—SECURITY ASSIST-***
12 ***ANCE APPROPRIATIONS ACT,***
13 ***2017***

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, 2017, and for other pur-
17 poses, namely:

18 ***TITLE I***

19 ***DEPARTMENT OF DEFENSE***

20 ***MILITARY PERSONNEL***

21 ***MILITARY PERSONNEL, ARMY***

22 For an additional amount for “Military Personnel,
23 Army”, \$196,964,000, of which \$94,034,000 is to support
24 counter-terrorism operations and \$102,930,000 is to sup-
25 port the European Reassurance Initiative: Provided, That

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

5 *MILITARY PERSONNEL, NAVY*

6 *For an additional amount for “Military Personnel,*
7 *Navy”, \$10,484,000, of which \$7,354,000 is to support*
8 *counter-terrorism operations and \$3,130,000 is to support*
9 *the European Reassurance Initiative: Provided, That such*
10 *amount is designated by the Congress for Overseas Contingency*
11 *Operations/Global War on Terrorism pursuant to section*
12 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
13 *Deficit Control Act of 1985.*

14 *MILITARY PERSONNEL, MARINE CORPS*

15 *For an additional amount for “Military Personnel,*
16 *Marine Corps”, \$5,840,000, to support counter-terrorism*
17 *operations: Provided, That such amount is designated 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.*

22 *MILITARY PERSONNEL, AIR FORCE*

23 *For an additional amount for “Military Personnel,*
24 *Air Force”, \$51,830,000, of which \$37,640,000 is to support*
25 *counter-terrorism operations and \$14,190,000 is to support*

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

6 *OPERATION AND MAINTENANCE*

7 *OPERATION AND MAINTENANCE, ARMY*

8 *For an additional amount for “Operation and Maintenance, Army”, \$3,173,679,000, of which \$2,734,952,000 is to support counter-terrorism operations and \$438,727,000 is to support the European Reassurance Initiative: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.*

16 *OPERATION AND MAINTENANCE, NAVY*

17 *For an additional amount for “Operation and Maintenance, Navy”, \$97,881,000, of which \$95,531,000 is to support counter-terrorism operations and \$2,350,000 is to support the European Reassurance Initiative: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.*

1 *OPERATION AND MAINTENANCE, MARINE CORPS*

2 *For an additional amount for “Operation and Mainte-*
3 *nance, Marine Corps”, \$180,546,000, of which*
4 *\$168,446,000 is to support counter-terrorism operations*
5 *and \$12,100,000 is to support the European Reassurance*
6 *Initiative: Provided, That such amount is designated by the*
7 *Congress for Overseas Contingency Operations/Global War*
8 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
9 *Balanced Budget and Emergency Deficit Control Act of*
10 *1985.*

11 *OPERATION AND MAINTENANCE, AIR FORCE*

12 *For an additional amount for “Operation and Mainte-*
13 *nance, Air Force”, \$428,046,000, of which \$382,496,000 is*
14 *to support counter-terrorism operations and \$45,550,000 is*
15 *to support the European Reassurance Initiative: Provided,*
16 *That such amount is designated by the Congress for Over-*
17 *seas Contingency Operations/Global War on Terrorism pur-*
18 *suant 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*

21 *For an additional amount for “Operation and Mainte-*
22 *nance, Defense-Wide”, \$446,283,000, of which \$412,959,000*
23 *is to support counter-terrorism operations and \$33,324,000*
24 *is to support the European Reassurance Initiative: Pro-*
25 *vided, That such amount is designated by the Congress for*

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

4 *IRAQ TRAIN AND EQUIP FUND*

5 *For an additional amount for “Iraq Train and Equip*
6 *Fund”, \$289,500,000, to support counter-terrorism oper-*
7 *ations: Provided, That such amount is designated by the*
8 *Congress for Overseas Contingency Operations/Global War*
9 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
10 *Balanced Budget and Emergency Deficit Control Act of*
11 *1985.*

12 *PROCUREMENT*

13 *MISSILE PROCUREMENT, ARMY*

14 *For an additional amount for “Missile Procurement,*
15 *Army”, \$229,100,000, to support counter-terrorism oper-*
16 *ations: Provided, That such amount is designated by the*
17 *Congress for Overseas Contingency Operations/Global War*
18 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
19 *Balanced Budget and Emergency Deficit Control Act of*
20 *1985.*

21 *OTHER PROCUREMENT, ARMY*

22 *For an additional amount for “Other Procurement,*
23 *Army”, \$72,000,000, to support counter-terrorism oper-*
24 *ations: Provided, That such amount is designated by the*
25 *Congress for Overseas Contingency Operations/Global War*

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

4 *PROCUREMENT OF AMMUNITION, AIR FORCE*

5 *For an additional amount for “Procurement of Am-*
6 *munition, Air Force”, \$201,563,000, to support counter-ter-*
7 *rorism operations: Provided, That such amount is des-*
8 *ignated by the Congress for Overseas Contingency Oper-*
9 *ations/Global War on Terrorism pursuant to section*
10 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
11 *Deficit Control Act of 1985.*

12 *MISSILE PROCUREMENT, AIR FORCE*

13 *For an additional amount for “Missile Procurement,*
14 *Air Force”, \$83,900,000, to support counter-terrorism oper-*
15 *ations: Provided, That such amount is designated by the*
16 *Congress for Overseas Contingency Operations/Global War*
17 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
18 *Balanced Budget and Emergency Deficit Control Act of*
19 *1985.*

20 *OTHER PROCUREMENT, AIR FORCE*

21 *For an additional amount for “Other Procurement,*
22 *Air Force”, \$137,884,000, to support counter-terrorism op-*
23 *erations: Provided, That such amount is designated by the*
24 *Congress for Overseas Contingency Operations/Global War*
25 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*

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

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

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

6 *For an additional amount for “Research, Develop-*
 7 *ment, Test and Evaluation, Army”, \$78,700,000, to support*
 8 *counter-terrorism operations: Provided, That such amount*
 9 *is designated by the Congress for Overseas Contingency Op-*
 10 *erations/Global War on Terrorism pursuant to section*
 11 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
 12 *Deficit Control Act of 1985.*

13 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*
 14 *DEFENSE-WIDE*

15 *For an additional amount for “Research, Develop-*
 16 *ment, Test and Evaluation, Defense-Wide”, \$3,000,000, to*
 17 *support counter-terrorism operations: Provided, That such*
 18 *amount is designated by the Congress for Overseas Contin-*
 19 *gency Operations/Global War on Terrorism pursuant to sec-*
 20 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
 21 *gency Deficit Control Act of 1985.*

22 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

23 *JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND*

24 *For an additional amount for “Joint Improvised Ex-*
 25 *plosive Device Defeat Fund”, \$87,800,000, to support*

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

6

*TITLE II*7 *DEPARTMENT OF STATE, FOREIGN OPERATIONS,*

8

AND RELATED PROGRAMS

9

DEPARTMENT OF STATE

10

ADMINISTRATION OF FOREIGN AFFAIRS

11

DIPLOMATIC AND CONSULAR PROGRAMS

12

*For an additional amount for “Diplomatic and Con-*13 *sular Programs”, \$1,052,400,000 to remain available until*14 *September 30, 2018, of which \$927,189,000 is for World-*15 *wide Security Protection and shall remain available until*16 *expended: Provided, That such funds are for operational*17 *and security requirements to support activities to counter*18 *the Islamic State of Iraq and the Levant, other terrorist*19 *organizations, and violent extremism in Africa, Europe and*20 *Eurasia, the Middle East, and South and Central Asia, and*21 *to counter Russian influence: Provided further, That such*22 *amount is designated by the Congress for Overseas Contin-*23 *gency Operations/Global War on Terrorism pursuant to sec-*24 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*25 *gency Deficit Control Act of 1985.*

1 *UNITED STATES AGENCY FOR INTERNATIONAL*
2 *DEVELOPMENT*

3 *FUNDS APPROPRIATED TO THE PRESIDENT*

4 *OPERATING EXPENSES*

5 *For an additional amount for “Operating Expenses”,*
6 *\$5,000,000, to remain available until September 30, 2018,*
7 *for operational and security requirements to support activi-*
8 *ties to counter the Islamic State of Iraq and the Levant,*
9 *other terrorist organizations, and violent extremism in Af-*
10 *rica, Europe and Eurasia, the Middle East, and South and*
11 *Central Asia: Provided, That such amount is designated by*
12 *the Congress for Overseas Contingency Operations/Global*
13 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*
14 *the Balanced Budget and Emergency Deficit Control Act*
15 *of 1985.*

16 *CAPITAL INVESTMENT FUND*

17 *For an additional amount for “Capital Investment*
18 *Fund”, \$25,000,000, to remain available until expended,*
19 *for the Capital Security Cost Sharing Program: Provided,*
20 *That such amount is designated by the Congress for Over-*
21 *seas Contingency Operations/Global War on Terrorism pur-*
22 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
23 *and Emergency Deficit Control Act of 1985.*

1 *OFFICE OF INSPECTOR GENERAL*

2 *For an additional amount for “Office of Inspector*
3 *General”, \$2,500,000, to remain available until September*
4 *30, 2018: Provided, That such amount is designated by the*
5 *Congress for Overseas Contingency Operations/Global War*
6 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
7 *Balanced Budget and Emergency Deficit Control Act of*
8 *1985.*

9 *BILATERAL ECONOMIC ASSISTANCE*10 *FUNDS APPROPRIATED TO THE PRESIDENT*11 *INTERNATIONAL DISASTER ASSISTANCE*

12 *For an additional amount for “International Disaster*
13 *Assistance”, \$616,100,000, to remain available until ex-*
14 *pended, for international disaster relief, rehabilitation, and*
15 *reconstruction assistance, including in Africa, Europe and*
16 *Eurasia, the Middle East, and South and Central Asia:*
17 *Provided, That such amount is designated by the Congress*
18 *for Overseas Contingency Operations/Global War on Ter-*
19 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*
20 *Budget and Emergency Deficit Control Act of 1985.*

21 *TRANSITION INITIATIVES*

22 *For an additional amount for “Transition Initia-*
23 *tives”, \$50,234,000, to remain available until expended, for*
24 *programs to counter the Islamic State of Iraq and the Le-*
25 *vant, other terrorist organizations, and violent extremism,*

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

7 *ECONOMIC SUPPORT FUND*

8 *For an additional amount for “Economic Support*
9 *Fund”, \$1,030,555,000, to remain available until Sep-*
10 *tember 30, 2018, for programs to counter the Islamic State*
11 *of Iraq and the Levant, other terrorist organizations, and*
12 *violent extremism, and address the needs of populations im-*
13 *pacted by such organizations: Provided, That funds appro-*
14 *priated under this heading shall be made available for pro-*
15 *grams that include activities to document, investigate, and*
16 *prosecute genocide, crimes against humanity, war crimes,*
17 *and other human rights violations in Iraq and Syria, in-*
18 *cluding to build capacity of Syrian and Iraqi investigators;*
19 *atrocities prevention, transitional justice, reconciliation, and*
20 *reintegration programs for vulnerable and persecuted mi-*
21 *norities and ethnic groups in the Middle East and North*
22 *Africa; and support for higher education institutions in*
23 *Iraq: Provided further, That such funds shall also be made*
24 *available for assistance for major non-North Atlantic Trea-*
25 *ty Organization allies in the Middle East and North Africa,*

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

6 *ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA*

7 *For an additional amount for “Assistance for Europe, Eurasia and Central Asia”, \$157,000,000, to remain available until September 30, 2018, for programs to counter Russian influence: Provided, That funds appropriated under this heading shall be made available for assistance for Ukraine, Georgia, and other countries affected by Russian aggression: Provided further, That of the funds appropriated under this heading, up to \$6,000,000 may be transferred to, and merged with, funds appropriated under the heading “Broadcasting Board of Governors—International Broadcasting Operations” for programs to counter Russian influence: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.*

1 *DEPARTMENT OF STATE*2 *MIGRATION AND REFUGEE ASSISTANCE*

3 *For an additional amount for “Migration and Refugee*
4 *Assistance”, \$300,000,000, to remain available until ex-*
5 *pende*, to respond to refugee and migration crises, includ-
6 *ing in Africa, Europe and Eurasia, the Middle East, and*
7 *South and Central Asia, except that such funds shall not*
8 *be made available for the resettlement costs of refugees in*
9 *the United States: Provided, That such amount is des-*
10 *ignated by the Congress for Overseas Contingency Oper-*
11 *ations/Global War on Terrorism pursuant to section*
12 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
13 *Deficit Control Act of 1985.*

14 *INTERNATIONAL SECURITY ASSISTANCE*15 *DEPARTMENT OF STATE*16 *INTERNATIONAL NARCOTICS CONTROL AND LAW*17 *ENFORCEMENT*

18 *For an additional amount for “International Nar-*
19 *cotics Control and Law Enforcement”, \$26,300,000, to re-*
20 *main available until September 30, 2018, for programs in*
21 *Africa, Europe and Eurasia, and the Middle East: Pro-*
22 *vided, That such amount is designated by the Congress for*
23 *Overseas Contingency Operations/Global War on Terrorism*
24 *pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget*
25 *and Emergency Deficit Control Act of 1985.*

1 *FUNDS APPROPRIATED TO THE PRESIDENT*2 *FOREIGN MILITARY FINANCING PROGRAM*

3 *For an additional amount for “Foreign Military Fi-*
4 *ancing Program”, \$200,000,000, to remain available until*
5 *September 30, 2018, for assistance for countries in Africa,*
6 *Europe and Eurasia, and the Middle East: Provided, That*
7 *funds appropriated under this heading shall be made avail-*
8 *able for assistance for Ukraine, Georgia, the Baltic states,*
9 *Tunisia, and Jordan: Provided further, That such amount*
10 *is designated by the Congress for Overseas Contingency Op-*
11 *erations/Global War on Terrorism pursuant to section*
12 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
13 *Deficit Control Act of 1985.*

14 *GENERAL PROVISIONS*15 *EXTENSION OF AUTHORITIES AND CONDITIONS*

16 *SEC. 201. Unless otherwise provided for by this title,*
17 *the additional amounts appropriated by this title to appro-*
18 *priations accounts in this Act shall be available under the*
19 *authorities and conditions applicable to such appropria-*
20 *tions accounts for fiscal year 2017.*

21 *NOTIFICATION REQUIREMENT*

22 *SEC. 202. Funds appropriated by this title shall not*
23 *be available for obligation unless the Secretary of State or*
24 *the Administrator of the United States Agency for Inter-*
25 *national Development, as appropriate, has notified the*

1 *Committees on Appropriations in writing at least 15 days*
2 *in advance of such obligation: Provided, That the require-*
3 *ment of this section shall not apply to funds made available*
4 *by this title under the headings “Department of State—*
5 *Administration of Foreign Affairs—Office of Inspector*
6 *General”, “United States Agency for International Develop-*
7 *ment—Funds Appropriated to the President—Office of In-*
8 *spector General”, “Bilateral Economic Assistance—Funds*
9 *Appropriated to the President—International Disaster As-*
10 *sistance”, and “Bilateral Economic Assistance—Depart-*
11 *ment of State—Migration and Refugee Assistance”.*

12 *TRANSFER AUTHORITY*

13 *SEC. 203. (a) Funds appropriated by this title under*
14 *the headings “Diplomatic and Consular Programs”, includ-*
15 *ing for Worldwide Security Protection, and “Embassy Se-*
16 *curity, Construction, and Maintenance” may be transferred*
17 *to, and merged with, funds appropriated by this title under*
18 *such headings if the Secretary of State determines and re-*
19 *ports to the Committees on Appropriations that to do so*
20 *is necessary to implement the recommendations of the*
21 *Benghazi Accountability Review Board, or to prevent or re-*
22 *spond to security situations and requirements.*

23 *(b) Funds appropriated by this title under the head-*
24 *ings “International Disaster Assistance” and “Migration*

1 *and Refugee Assistance” may be transferred to, and merged*
2 *with, funds appropriated by this title under such headings.*

3 *(c) Funds appropriated by this title under the head-*
4 *ings “Economic Support Fund” and “Assistance for Eu-*
5 *rope, Eurasia and Central Asia” may be transferred to, and*
6 *merged with, funds appropriated by this title under the*
7 *heading “International Disaster Assistance”.*

8 *(d) Funds appropriated by this title under the head-*
9 *ings “International Narcotics Control and Law Enforce-*
10 *ment”, “Nonproliferation, Anti-terrorism, Demining and*
11 *Related Programs”, “Peacekeeping Operations”, and “For-*
12 *ign Military Financing Program” may be transferred to,*
13 *and merged with, funds appropriated by this title under*
14 *such headings.*

15 *(e) The transfer authority provided by this section*
16 *shall be subject to prior consultation with, and the regular*
17 *notification procedures of, the Committees on Appropria-*
18 *tions: Provided, That such transfer authority is in addition*
19 *to any transfer authority otherwise available under any*
20 *other provision of law.*

21 **CONSOLIDATED REPORTING REQUIREMENT**

22 *SEC. 204. Not later than 45 days after enactment of*
23 *this Act and prior to the initial obligation of funds made*
24 *available by this title, the Secretary of State and the Ad-*
25 *ministrator of the United States Agency for International*

1 *Development shall submit a consolidated report to the Com-*
2 *mittees on Appropriations on the anticipated uses of such*
3 *funds on a country and project basis for which the obliga-*
4 *tion of funds is anticipated, including estimated personnel*
5 *and administrative costs: Provided, That such report shall*
6 *be updated and submitted to such Committees every 60 days*
7 *until September 30, 2018, and every 180 days thereafter*
8 *until all funds have been expended: Provided further, That*
9 *funds appropriated by this title under the headings “Inter-*
10 *national Disaster Assistance” and “Migration and Refugee*
11 *Assistance” may be obligated prior to submission of the re-*
12 *port required by this section.*

13 *LOAN AUTHORITY*

14 *SEC. 205. (a) Funds appropriated by this title under*
15 *the heading “Economic Support Fund” and in prior Acts*
16 *making appropriations for the Department of State, foreign*
17 *operations, and related programs under such heading may*
18 *be made available for the costs, as defined in section 502*
19 *of the Congressional Budget Act of 1974, of loan guarantees*
20 *for Iraq, which are authorized to be provided: Provided,*
21 *That amounts made available under this subsection for the*
22 *costs of such guarantees shall not be considered assistance*
23 *for the purposes of provisions of law limiting assistance to*
24 *a country: Provided further, That the Secretary of State*
25 *should obtain a commitment from the Government of Iraq*

1 *that such government will make available the proceeds of*
2 *such financing to regions and governorates, including the*
3 *Kurdistan Region of Iraq, in a manner consistent with the*
4 *principles of equitable share of national revenues contained*
5 *in clause “Third” of Article 121 of the Constitution of Iraq:*
6 *Provided further, That such funds shall be subject to prior*
7 *consultation with, and the regular notification procedures*
8 *of, the Committees on Appropriations, except that any such*
9 *notification shall include a detailed summary of the terms*
10 *and conditions of such financing and an assessment of the*
11 *extent to which the proposed financing agreement between*
12 *the Governments of the United States and Iraq supports*
13 *the constitutional principles of equitable share of national*
14 *revenues to regions and governorates, including the*
15 *Kurdistan Region of Iraq.*

16 *(b) Notwithstanding any provision of this Act, the au-*
17 *thority provided by section 1101 of division O of the Con-*
18 *solidated Appropriations Act, 2016 (Public Law 114–113)*
19 *shall continue in effect through fiscal year 2017: Provided,*
20 *That any notification submitted pursuant to such section*
21 *shall include a detailed summary of the terms and condi-*
22 *tions of such loan and an assessment of the extent to which*
23 *use of the proposed loan proceeds would place special em-*
24 *phasis on the Kurdish Peshmerga, Sunni tribal security*

1 *forces, or other local security forces, with a national secu-*
2 *rity mission.*

3 (c) *Funds made available pursuant to this section and*
4 *section 7034(o)(1) of the Department of State, Foreign Op-*
5 *erations, and Related Programs Appropriations Act, 2016*
6 *(division K of Public Law 114–113) from prior Acts mak-*
7 *ing appropriations for the Department of State, foreign op-*
8 *erations, and related programs that were previously des-*
9 *ignated by the Congress for Overseas Contingency Oper-*
10 *ations/Global War on Terrorism pursuant to section*
11 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
12 *Deficit Control Act of 1985, are designated by the Congress*
13 *for Overseas Contingency Operations/Global War on Ter-*
14 *rorism pursuant to section 251(b)(2)(A)(ii) of such Act and*
15 *shall be available only if the President subsequently so des-*
16 *ignates all such amounts and transmits such designations*
17 *to the Congress.*

18 *PERSONAL SERVICES CONTRACTS*

19 *SEC. 206. Funds appropriated by this title to support*
20 *counter-terrorism and countering violent extremism pro-*
21 *grams, including activities to counter the Islamic State of*
22 *Iraq and the Levant, may be used to enter into contracts*
23 *with individuals for the provision of personal services (as*
24 *described in section 37.104 of title 48, Code of Federal Reg-*
25 *ulations (48 CFR 37.104)) in the United States or abroad:*

1 *Provided, That such individuals may not be deemed em-*
2 *ployees of the United States for the purposes of any law*
3 *administered by the Office of Personnel Management: Pro-*
4 *vided further, That the authority made available pursuant*
5 *to this section shall expire on September 30, 2018.*

6 *This division may be cited as the “Security Assistance*
7 *Appropriations Act, 2017”.*

Attest:

Clerk.

114TH CONGRESS
2^D SESSION

H.R. 2028

**HOUSE AMENDMENT TO
SENATE AMENDMENT**