

Calendar No. 251114TH CONGRESS
1ST SESSION**S. 2132**

Making appropriations for financial services and general government, Department of the Interior, environment, and Departments of Labor, Health and Human Services, and Education, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2015

Mr. COCHRAN (for himself, Ms. MURKOWSKI, and Mr. BLUNT) introduced the following bill; which was read the first time

OCTOBER 6, 2015

Read the second time and placed on the calendar

A BILL

Making appropriations for financial services and general government, Department of the Interior, environment, and Departments of Labor, Health and Human Services, and Education, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as “An Act Making Appropria-
3 tions to Stop Regulatory Excess and for Other Purposes,
4 2016”.

5 **SEC. 2. TABLE OF CONTENTS.**

6 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Statement of appropriations.

DIVISION A—FINANCIAL SERVICES AND GENERAL GOVERNMENT
APPROPRIATIONS ACT, 2016

DIVISION B—DEPARTMENT OF THE INTERIOR, ENVIRONMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

DIVISION C—DEPARTMENTS OF LABOR, HEALTH AND HUMAN
SERVICES, AND EDUCATION, AND RELATED AGENCIES APPRO-
PRIATIONS ACT, 2016

7 **SEC. 3. REFERENCES.**

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

12 **SEC. 4. STATEMENT OF APPROPRIATIONS.**

13 The following sums in this Act are appropriated, out
14 of any money in the Treasury not otherwise appropriated,
15 for the fiscal year ending September 30, 2016.

1 **DIVISION A—FINANCIAL SERVICES AND**
2 **GENERAL GOVERNMENT APPROPRIA-**
3 **TIONS ACT, 2016**

4 TITLE I

5 DEPARTMENT OF THE TREASURY

6 DEPARTMENTAL OFFICES

7 SALARIES AND EXPENSES

8 For necessary expenses of the Departmental Offices
9 including operation and maintenance of the Treasury
10 Building and Annex; hire of passenger motor vehicles;
11 maintenance, repairs, and improvements of, and purchase
12 of commercial insurance policies for, real properties leased
13 or owned overseas, when necessary for the performance
14 of official business; executive direction program activities;
15 international affairs and economic policy activities; domes-
16 tic finance and tax policy activities, including technical as-
17 sistance to State and local governments; terrorism and fi-
18 nancial intelligence activities; and Treasury-wide manage-
19 ment policies and programs activities, \$325,900,000: *Pro-*
20 *vided*, That of the amount appropriated under this head-
21 ing—

22 (1) not less than \$112,500,000 is for the Office
23 of Terrorism and Financial Intelligence to safeguard
24 the financial system against illicit use and to combat
25 rogue nations, terrorist facilitators, weapons of mass

1 destruction proliferators, money launderers, drug
2 kingpins, and other national security threats;

3 (2) not to exceed \$350,000 is for official recep-
4 tion and representation expenses;

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

10 (4) not to exceed \$25,200,000 shall remain
11 available until September 30, 2017, for—

12 (A) the Treasury-wide Financial Statement
13 Audit and Internal Control Program;

14 (B) information technology modernization
15 requirements;

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

18 (D) the development and implementation
19 of programs within the Office of Critical Infra-
20 structure Protection and Compliance Policy, in-
21 cluding entering into cooperative agreements;
22 and

23 (E) secure space requirements.

1 DEPARTMENT-WIDE SYSTEMS AND CAPITAL
2 INVESTMENTS PROGRAMS
3 (INCLUDING TRANSFER OF FUNDS)

4 For development and acquisition of automatic data
5 processing equipment, software, and services and for re-
6 pairs and renovations to buildings owned by the Depart-
7 ment of the Treasury, \$5,000,000, to remain available
8 until September 30, 2018: *Provided*, That these funds
9 shall be transferred to accounts and in amounts as nec-
10 essary to satisfy the requirements of the Department's of-
11 fices, bureaus, and other organizations: *Provided further*,
12 That this transfer authority shall be in addition to any
13 other transfer authority provided in this Act: *Provided fur-*
14 *ther*, That none of the funds appropriated under this head-
15 ing shall be used to support or supplement "Internal Rev-
16 enue Service, Operations Support" or "Internal Revenue
17 Service, Business Systems Modernization".

18 OFFICE OF INSPECTOR GENERAL
19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978, \$35,416,000, including hire of pas-
23 senger motor vehicles; of which not to exceed \$100,000
24 shall be available for unforeseen emergencies of a con-
25 fidential nature, to be allocated and expended under the

1 direction of the Inspector General of the Treasury; of
2 which up to \$2,800,000 to remain available until Sep-
3 tember 30, 2017, shall be for audits and investigations
4 conducted pursuant to section 1608 of the Resources and
5 Ecosystems Sustainability, Tourist Opportunities, and Re-
6 vived Economies of the Gulf Coast States Act of 2012 (33
7 U.S.C. 1321 note); and of which not to exceed \$1,000
8 shall be available for official reception and representation
9 expenses.

10 TREASURY INSPECTOR GENERAL FOR TAX

11 ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Treasury Inspector
14 General for Tax Administration in carrying out the In-
15 spector General Act of 1978, as amended, including pur-
16 chase and hire of passenger motor vehicles (31 U.S.C.
17 1343(b)); and services authorized by 5 U.S.C. 3109, at
18 such rates as may be determined by the Inspector General
19 for Tax Administration; \$167,275,000, of which
20 \$5,000,000 shall remain available until September 30,
21 2017; of which not to exceed \$6,000,000 shall be available
22 for official travel expenses; of which not to exceed
23 \$500,000 shall be available for unforeseen emergencies of
24 a confidential nature, to be allocated and expended under
25 the direction of the Inspector General for Tax Administra-

1 tion; and of which not to exceed \$1,500 shall be available
2 for official reception and representation expenses.

3 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED
4 ASSET RELIEF PROGRAM
5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of the Special
7 Inspector General in carrying out the provisions of the
8 Emergency Economic Stabilization Act of 2008 (Public
9 Law 110–343), \$36,671,000.

10 FINANCIAL CRIMES ENFORCEMENT NETWORK
11 SALARIES AND EXPENSES

12 For necessary expenses of the Financial Crimes En-
13 forcement Network, including hire of passenger motor ve-
14 hicles; travel and training expenses of non-Federal and
15 foreign government personnel to attend meetings and
16 training concerned with domestic and foreign financial in-
17 telligence activities, law enforcement, and financial regula-
18 tion; services authorized by 5 U.S.C. 3109; not to exceed
19 \$10,000 for official reception and representation expenses;
20 and for assistance to Federal law enforcement agencies,
21 with or without reimbursement, \$112,979,000, of which
22 not to exceed \$34,335,000 shall remain available until
23 September 30, 2018.

1 TREASURY FORFEITURE FUND

2 (RESCISSION)

3 Of the unobligated balances available under this
4 heading, \$700,000,000 are rescinded.

5 BUREAU OF THE FISCAL SERVICE

6 SALARIES AND EXPENSES

7 For necessary expenses of operations of the Bureau
8 of the Fiscal Service, \$356,000,000; of which not to ex-
9 ceed \$4,210,000, to remain available until September 30,
10 2018, is for information systems modernization initiatives;
11 of which \$5,000 shall be available for official reception and
12 representation expenses; and of which not to exceed
13 \$19,800,000, to remain available until September 30,
14 2018, is to support the Department's activities related to
15 implementation of the Digital Accountability and Trans-
16 parency Act (DATA Act; Public Law 113–101), including
17 changes in business processes, workforce, or information
18 technology to support high quality, transparent Federal
19 spending information.

20 In addition, \$165,000, to be derived from the Oil
21 Spill Liability Trust Fund to reimburse administrative
22 and personnel expenses for financial management of the
23 Fund, as authorized by section 1012 of Public Law 101–
24 380.

1 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
2 SALARIES AND EXPENSES

3 For necessary expenses of carrying out section 1111
4 of the Homeland Security Act of 2002, including hire of
5 passenger motor vehicles, \$101,439,000; of which not to
6 exceed \$6,000 for official reception and representation ex-
7 penses; not to exceed \$50,000 for cooperative research and
8 development programs for laboratory services; and provi-
9 sion of laboratory assistance to State and local agencies
10 with or without reimbursement.

11 UNITED STATES MINT

12 UNITED STATES MINT PUBLIC ENTERPRISE FUND

13 Pursuant to section 5136 of title 31, United States
14 Code, the United States Mint is provided funding through
15 the United States Mint Public Enterprise Fund for costs
16 associated with the production of circulating coins, numis-
17 matic coins, and protective services, including both oper-
18 ating expenses and capital investments: *Provided*, That
19 the aggregate amount of new liabilities and obligations in-
20 curred during fiscal year 2016 under such section 5136
21 for circulating coinage and protective service capital in-
22 vestments of the United States Mint shall not exceed
23 \$20,000,000.

1 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
2 FUND PROGRAM ACCOUNT

3 To carry out the Riegle Community Development and
4 Regulatory Improvements Act of 1994 (subtitle A of title
5 I of Public Law 103–325), including services authorized
6 by section 3109 of title 5, United States Code, but at rates
7 for individuals not to exceed the per diem rate equivalent
8 to the rate for EX–3, \$221,000,000. Of the amount ap-
9 propriated under this heading—

10 (1) not less than \$161,900,000, notwith-
11 standing section 108(e) of Public Law 103–325 (12
12 U.S.C. 4707(e)) with regard to Small and/or Emerg-
13 ing Community Development Financial Institutions
14 Assistance awards, is available until September 30,
15 2017, for financial assistance and technical assist-
16 ance under subparagraphs (A) and (B) of section
17 108(a)(1), respectively, of Public Law 103–325 (12
18 U.S.C. 4707(a)(1)(A) and (B)), of which up to
19 \$3,102,500 may be used for the cost of direct loans:
20 *Provided*, That the cost of direct and guaranteed
21 loans, including the cost of modifying such loans,
22 shall be as defined in section 502 of the Congres-
23 sional Budget Act of 1974: *Provided further*, That
24 these funds are available to subsidize gross obliga-

1 tions for the principal amount of direct loans not to
2 exceed \$25,000,000;

3 (2) not less than \$15,000,000, notwithstanding
4 section 108(e) of Public Law 103–325 (12 U.S.C.
5 4707(e)), is available until September 30, 2017, for
6 financial assistance, technical assistance, training
7 and outreach programs designed to benefit Native
8 American, Native Hawaiian, and Alaskan Native
9 communities and provided primarily through quali-
10 fied community development lender organizations
11 with experience and expertise in community develop-
12 ment banking and lending in Indian country, Native
13 American organizations, tribes and tribal organiza-
14 tions, and other suitable providers;

15 (3) not less than \$21,000,000 is available until
16 September 30, 2017, for the Bank Enterprise Award
17 program;

18 (4) up to \$23,100,000 is available until Sep-
19 tember 30, 2016, for administrative expenses, in-
20 cluding administration of CDFI fund programs and
21 the New Markets Tax Credit Program, of which not
22 less than \$1,000,000 is for capacity building to ex-
23 pand CDFI investments in underserved rural areas,
24 and up to \$300,000 is for administrative expenses to
25 carry out the direct loan program; and

1 (5) during fiscal year 2016, none of the funds
2 available under this heading are available for the
3 cost, as defined in section 502 of the Congressional
4 Budget Act of 1974, of commitments to guarantee
5 bonds and notes under section 114A of the Riegle
6 Community Development and Regulatory Improve-
7 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
8 That commitments to guarantee bonds and notes
9 under such section 114A shall not exceed
10 \$750,000,000: *Provided further*, That such section
11 114A shall remain in effect until September 30,
12 2016.

13 INTERNAL REVENUE SERVICE

14 TAXPAYER SERVICES

15 For necessary expenses of the Internal Revenue Serv-
16 ice to provide taxpayer services, including pre-filing assist-
17 ance and education, filing and account services, taxpayer
18 advocacy services, and other services as authorized by 5
19 U.S.C. 3109, at such rates as may be determined by the
20 Commissioner, \$2,156,554,000, of which not less than
21 \$5,600,000 shall be for the Tax Counseling for the Elderly
22 Program, of which not less than \$12,000,000 shall be
23 available for low-income taxpayer clinic grants, and of
24 which not less than \$12,000,000, to remain available until
25 September 30, 2017, shall be available for a Community

1 Volunteer Income Tax Assistance matching grants pro-
2 gram for tax return preparation assistance, of which not
3 less than \$206,000,000 shall be available for operating ex-
4 penses of the Taxpayer Advocate Service: *Provided*, That
5 of the amounts made available for the Taxpayer Advocate
6 Service, not less than \$5,000,000 shall be for identity
7 theft casework.

8 In addition, \$90,000,000 is available solely for meas-
9 urable improvements in the customer service representa-
10 tive level of service rate, the number of days to resolve
11 tax refund fraud by identity theft cases, and the percent-
12 age of correspondence the IRS responds to within estab-
13 lished timeframes: *Provided*, That such funds shall supple-
14 ment and not supplant any other amounts made available
15 to the IRS for such purposes.

16 ENFORCEMENT

17 For necessary expenses for tax enforcement activities
18 of the Internal Revenue Service to determine and collect
19 owed taxes, to provide legal and litigation support, to con-
20 duct criminal investigations, to enforce criminal statutes
21 related to violations of internal revenue laws and other fi-
22 nancial crimes, to purchase and hire passenger motor vehi-
23 cles (31 U.S.C. 1343(b)), and to provide other services
24 as authorized by 5 U.S.C. 3109, at such rates as may be
25 determined by the Commissioner, \$4,500,000,000, of

1 which not to exceed \$50,000,000 shall remain available
2 until September 30, 2017, and of which not less than
3 \$57,493,000 shall be for the Interagency Crime and Drug
4 Enforcement program.

5 OPERATIONS SUPPORT

6 For necessary expenses of the Internal Revenue Serv-
7 ice to support taxpayer services and enforcement pro-
8 grams, including rent payments; facilities services; print-
9 ing; postage; physical security; headquarters and other
10 IRS-wide administration activities; research and statistics
11 of income; telecommunications; information technology de-
12 velopment, enhancement, operations, maintenance, and se-
13 curity; the hire of passenger motor vehicles (31 U.S.C.
14 1343(b)); and other services as authorized by 5 U.S.C.
15 3109, at such rates as may be determined by the Commis-
16 sioner; \$3,468,446,000, of which not to exceed
17 \$50,000,000 shall remain available until September 30,
18 2017; of which not to exceed \$10,000,000 shall remain
19 available until expended for acquisition of equipment and
20 construction, repair and renovation of facilities; of which
21 not to exceed \$1,000,000 shall remain available until Sep-
22 tember 30, 2018, for research; of which not to exceed
23 \$1,850,000 shall be for the Internal Revenue Service
24 Oversight Board; of which not to exceed \$20,000 shall be
25 for official reception and representation expenses: *Pro-*

1 *vided*, That not later than 30 days after the end of each
2 quarter, the Internal Revenue Service shall submit a re-
3 port to the Committees on Appropriations of the House
4 of Representatives and the Senate and the Comptroller
5 General of the United States detailing the cost and sched-
6 ule performance for its major information technology in-
7 vestments, including the purpose and life-cycle stages of
8 the investments; the reasons for any cost and schedule
9 variances; the risks of such investments and strategies the
10 Internal Revenue Service is using to mitigate such risks;
11 and the expected developmental milestones to be achieved
12 and costs to be incurred in the next quarter: *Provided fur-*
13 *ther*, That the Internal Revenue Service shall include, in
14 its budget justification for fiscal year 2017, a summary
15 of cost and schedule performance information for its major
16 information technology systems.

17 BUSINESS SYSTEMS MODERNIZATION

18 For necessary expenses of the Internal Revenue Serv-
19 ice's business systems modernization program,
20 \$260,000,000, to remain available until September 30,
21 2018, for the capital asset acquisition of information tech-
22 nology systems, including management and related con-
23 tractual costs of said acquisitions, including related Inter-
24 nal Revenue Service labor costs, and contractual costs as-
25 sociated with operations authorized by 5 U.S.C. 3109:

1 *Provided*, That not later than 30 days after the end of
2 each quarter, the Internal Revenue Service shall submit
3 a report to the Committees on Appropriations of the
4 House of Representatives and the Senate and the Comp-
5 troller General of the United States detailing the cost and
6 schedule performance for CADE 2 and Modernized e-File
7 information technology investments, including the pur-
8 poses and life-cycle stages of the investments; the reasons
9 for any cost and schedule variances; the risks of such in-
10 vestments and the strategies the Internal Revenue Service
11 is using to mitigate such risks; and the expected develop-
12 mental milestones to be achieved and costs to be incurred
13 in the next quarter.

14 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

15 SERVICE

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 101. Not to exceed 5 percent of any appropria-
18 tion made available in this Act to the Internal Revenue
19 Service may be transferred to any other Internal Revenue
20 Service appropriation upon the advance approval of the
21 Committees on Appropriations.

22 SEC. 102. The Internal Revenue Service shall main-
23 tain an employee training program, which shall include the
24 following topics: taxpayers' rights, dealing courteously

1 with taxpayers, cross-cultural relations, ethics, and the im-
2 partial application of tax law.

3 SEC. 103. The Internal Revenue Service shall insti-
4 tute and enforce policies and procedures that will safe-
5 guard the confidentiality of taxpayer information and pro-
6 tect taxpayers against identity theft.

7 SEC. 104. Funds made available by this or any other
8 Act to the Internal Revenue Service shall be available for
9 improved facilities and increased staffing to provide suffi-
10 cient and effective 1–800 help line service for taxpayers.
11 The Commissioner shall continue to make improvements
12 to the Internal Revenue Service 1–800 help line service
13 a priority and allocate resources necessary to enhance the
14 response time to taxpayer communications, particularly
15 with regard to victims of tax-related crimes.

16 SEC. 105. None of the funds made available to the
17 Internal Revenue Service by this Act may be used to make
18 a video unless the Service-Wide Video Editorial Board de-
19 termines in advance that making the video is appropriate,
20 taking into account the cost, topic, tone, and purpose of
21 the video.

22 SEC. 106. The Internal Revenue Service shall issue
23 a notice of confirmation of any address change relating
24 to an employer making employment tax payments, and
25 such notice shall be sent to both the employer’s former

1 and new address and an officer or employee of the Internal
2 Revenue Service shall give special consideration to an
3 offer-in-compromise from a taxpayer who has been the vic-
4 tim of fraud by a third party payroll tax preparer.

5 SEC. 107. None of the funds made available under
6 this Act may be used by the Internal Revenue Service to
7 target citizens of the United States for exercising any
8 right guaranteed under the First Amendment to the Con-
9 stitution of the United States.

10 SEC. 108. None of the funds made available in this
11 Act may be used by the Internal Revenue Service to target
12 groups for regulatory scrutiny based on their ideological
13 beliefs.

14 SEC. 109. None of funds made available by this Act
15 to the Internal Revenue Service shall be obligated or ex-
16 pended on conferences that do not adhere to the proce-
17 dures, verification processes, documentation requirements,
18 and policies issued by the Chief Financial Officer, Human
19 Capital Office, and Agency-Wide Shared Services as a re-
20 sult of the recommendations in the report published on
21 May 31, 2013, by the Treasury Inspector General for Tax
22 Administration entitled “Review of the August 2010 Small
23 Business/Self-Employed Division’s Conference in Ana-
24 heim, California” (Reference Number 2013–10–037).

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

5 SEC. 111. None of the funds made available in this
6 Act to the Internal Revenue Service may be obligated or
7 expended—

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

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

15 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
16 TREASURY
17 (INCLUDING TRANSFERS OF FUNDS)

18 SEC. 112. Appropriations to the Department of the
19 Treasury in this Act shall be available for uniforms or al-
20 lowances therefor, as authorized by law (5 U.S.C. 5901),
21 including maintenance, repairs, and cleaning; purchase of
22 insurance for official motor vehicles operated in foreign
23 countries; purchase of motor vehicles without regard to the
24 general purchase price limitations for vehicles purchased
25 and used overseas for the current fiscal year; entering into

1 contracts with the Department of State for the furnishing
2 of health and medical services to employees and their de-
3 pendants serving in foreign countries; and services author-
4 ized by 5 U.S.C. 3109.

5 SEC. 113. Not to exceed 2 percent of any appropria-
6 tions in this title made available under the headings “De-
7 partmental Offices—Salaries and Expenses”, “Office of
8 Inspector General”, “Special Inspector General for the
9 Troubled Asset Relief Program”, “Financial Crimes En-
10 forcement Network”, “Bureau of the Fiscal Service”, and
11 “Alcohol and Tobacco Tax and Trade Bureau” may be
12 transferred between such appropriations upon the advance
13 approval of the Committees on Appropriations of the
14 House of Representatives and the Senate: *Provided*, That
15 no transfer under this section may increase or decrease
16 any such appropriation by more than 2 percent.

17 SEC. 114. Not to exceed 2 percent of any appropria-
18 tion made available in this Act to the Internal Revenue
19 Service may be transferred to the Treasury Inspector Gen-
20 eral for Tax Administration’s appropriation upon the ad-
21 vance approval of the Committees on Appropriations of
22 the House of Representatives and the Senate: *Provided*,
23 That no transfer may increase or decrease any such appro-
24 priation by more than 2 percent.

1 SEC. 115. None of the funds appropriated in this Act
2 or otherwise available to the Department of the Treasury
3 or the Bureau of Engraving and Printing may be used
4 to redesign the \$1 Federal Reserve note.

5 SEC. 116. The Secretary of the Treasury may trans-
6 fer funds from the “Bureau of the Fiscal Service-Salaries
7 and Expenses” to the Debt Collection Fund as necessary
8 to cover the costs of debt collection: *Provided*, That such
9 amounts shall be reimbursed to such salaries and expenses
10 account from debt collections received in the Debt Collec-
11 tion Fund.

12 SEC. 117. None of the funds appropriated or other-
13 wise made available by this or any other Act may be used
14 by the United States Mint to construct or operate any mu-
15 seum without the explicit approval of the Committees on
16 Appropriations of the House of Representatives and the
17 Senate, the House Committee on Financial Services, and
18 the Senate Committee on Banking, Housing, and Urban
19 Affairs.

20 SEC. 118. None of the funds appropriated or other-
21 wise made available by this or any other Act or source
22 to the Department of the Treasury, the Bureau of Engrav-
23 ing and Printing, and the United States Mint, individually
24 or collectively, may be used to consolidate any or all func-
25 tions of the Bureau of Engraving and Printing and the

1 United States Mint without the explicit approval of the
2 House Committee on Financial Services; the Senate Com-
3 mittee on Banking, Housing, and Urban Affairs; and the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate.

6 SEC. 119. Funds appropriated by this Act, or made
7 available by the transfer of funds in this Act, for the De-
8 partment of the Treasury's intelligence or intelligence re-
9 lated activities are deemed to be specifically authorized by
10 the Congress for purposes of section 504 of the National
11 Security Act of 1947 (50 U.S.C. 414) during fiscal year
12 2016 until the enactment of the Intelligence Authorization
13 Act for Fiscal Year 2016.

14 SEC. 120. Not to exceed \$5,000 shall be made avail-
15 able from the Bureau of Engraving and Printing's Indus-
16 trial Revolving Fund for necessary official reception and
17 representation expenses.

18 SEC. 121. The Secretary of the Treasury shall submit
19 a Capital Investment Plan to the Committees on Appro-
20 priations of the Senate and the House of Representatives
21 not later than 30 days following the submission of the an-
22 nual budget submitted by the President: *Provided*, That
23 such Capital Investment Plan shall include capital invest-
24 ment spending from all accounts within the Department
25 of the Treasury, including but not limited to the Depart-

1 ment-wide Systems and Capital Investment Programs ac-
2 count, Treasury Franchise Fund account, and the Treas-
3 ury Forfeiture Fund account: *Provided further*, That such
4 Capital Investment Plan shall include expenditures occur-
5 ring in previous fiscal years for each capital investment
6 project that has not been fully completed.

7 SEC. 122. (a) Not later than 60 days after the end
8 of each quarter, the Office of Financial Stability and the
9 Office of Financial Research shall submit reports on their
10 activities to the Committees on Appropriations of the
11 House of Representatives and the Senate, the Committee
12 on Financial Services of the House of Representatives and
13 the Senate Committee on Banking, Housing, and Urban
14 Affairs.

15 (b) The reports required under subsection (a) shall
16 include—

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

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

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

23 (4) the estimated number of full-time equiva-
24 lents within each office for the remainder of the fis-
25 cal year; and

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

3 (c) At the request of any such Committees specified
4 in subsection (a), the Office of Financial Stability and the
5 Office of Financial Research shall make officials available
6 to testify on the contents of the reports required under
7 subsection (a).

8 SEC. 123. Within 45 days after the date of enactment
9 of this Act, the Secretary of the Treasury shall submit
10 an itemized report to the Committees on Appropriations
11 of the House of Representatives and the Senate on the
12 amount of total funds charged to each office by the Fran-
13 chise Fund including the amount charged for each service
14 provided by the Franchise Fund to each office, a detailed
15 description of the services, a detailed explanation of how
16 each charge for each service is calculated, and a descrip-
17 tion of the role customers have in governing in the Fran-
18 chise Fund.

19 SEC. 124. The Secretary of the Treasury, in consulta-
20 tion with the appropriate agencies, departments, bureaus,
21 and commissions that have expertise in terrorism and
22 complex financial instruments, shall provide a report to
23 the Committees on Appropriations of the House of Rep-
24 resentatives and Senate, the Committee on Financial Serv-
25 ices of the House of Representatives, and the Committee

1 on Banking, Housing, and Urban Affairs of the Senate
2 not later than 90 days after the date of enactment of this
3 Act on economic warfare and financial terrorism.

4 SEC. 125. None of the funds appropriated or other-
5 wise made available in this Act may be obligated or ex-
6 pended to provide for the enforcement of any rule, regula-
7 tion, policy, or guideline implemented pursuant to the De-
8 partment of the Treasury Guidance for United States Po-
9 sitions on MDBs Engaging with Developing Countries on
10 Coal-Fired Power Generation dated October 29, 2013,
11 when enforcement of such rule, regulation, policy, or
12 guideline would prohibit, or have the effect of prohibiting,
13 the carrying out of any coal-fired or other power-genera-
14 tion project the purpose of which is to increase exports
15 of goods and services from the United States or prevent
16 the loss of jobs from the United States.

17 This title may be cited as the “Department of the
18 Treasury Appropriations Act, 2016”.

19 TITLE II
20 EXECUTIVE OFFICE OF THE PRESIDENT AND
21 FUNDS APPROPRIATED TO THE PRESIDENT
22 THE WHITE HOUSE
23 SALARIES AND EXPENSES

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

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

12 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

13 OPERATING EXPENSES

14 For necessary expenses of the Executive Residence
15 at the White House, \$12,700,000, to be expended and ac-
16 counted for as provided by 3 U.S.C. 105, 109, 110, and
17 112–114.

18 REIMBURSABLE EXPENSES

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

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

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

23 WHITE HOUSE REPAIR AND RESTORATION

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

1 U.S.C. 105(d), \$625,000, to remain available until ex-
2 pended, for required maintenance, resolution of safety and
3 health issues, and continued preventative maintenance.

4 COUNCIL OF ECONOMIC ADVISERS

5 SALARIES AND EXPENSES

6 For necessary expenses of the Council of Economic
7 Advisers in carrying out its functions under the Employ-
8 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,184,000.

9 NATIONAL SECURITY COUNCIL AND HOMELAND

10 SECURITY COUNCIL

11 SALARIES AND EXPENSES

12 For necessary expenses of the National Security
13 Council and the Homeland Security Council, including
14 services as authorized by 5 U.S.C. 3109, \$12,600,000.

15 OFFICE OF ADMINISTRATION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Administra-
18 tion, including services as authorized by 5 U.S.C. 3109
19 and 3 U.S.C. 107, and hire of passenger motor vehicles,
20 \$96,116,000, of which not to exceed \$7,994,000 shall re-
21 main available until expended for continued modernization
22 of information resources within the Executive Office of the
23 President.

1 OFFICE OF MANAGEMENT AND BUDGET

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Management
4 and Budget, including hire of passenger motor vehicles
5 and services as authorized by 5 U.S.C. 3109, to carry out
6 the provisions of chapter 35 of title 44, United States
7 Code, and to prepare and submit the budget of the United
8 States Government, in accordance with section 1105(a) of
9 title 31, United States Code, \$91,750,000, of which not
10 to exceed \$3,000 shall be available for official representa-
11 tion expenses: *Provided*, That none of the funds appro-
12 priated in this Act for the Office of Management and
13 Budget may be used for the purpose of reviewing any agri-
14 cultural marketing orders or any activities or regulations
15 under the provisions of the Agricultural Marketing Agree-
16 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,
17 That none of the funds made available for the Office of
18 Management and Budget by this Act may be expended for
19 the altering of the transcript of actual testimony of wit-
20 nesses, except for testimony of officials of the Office of
21 Management and Budget, before the Committees on Ap-
22 propriations or their subcommittees: *Provided further*,
23 That of the funds made available for the Office of Man-
24 agement and Budget by this Act, no less than one full-
25 time equivalent senior staff position shall be dedicated

1 solely to the Office of the Intellectual Property Enforce-
2 ment Coordinator: *Provided further*, That none of the
3 funds provided in this or prior Acts shall be used, directly
4 or indirectly, by the Office of Management and Budget,
5 for evaluating or determining if water resource project or
6 study reports submitted by the Chief of Engineers acting
7 through the Secretary of the Army are in compliance with
8 all applicable laws, regulations, and requirements relevant
9 to the Civil Works water resource planning process: *Pro-*
10 *vided further*, That the Office of Management and Budget
11 shall have not more than 60 days in which to perform
12 budgetary policy reviews of water resource matters on
13 which the Chief of Engineers has reported: *Provided fur-*
14 *ther*, That the Director of the Office of Management and
15 Budget shall notify the appropriate authorizing and ap-
16 propriating committees when the 60-day review is initi-
17 ated: *Provided further*, That if water resource reports have
18 not been transmitted to the appropriate authorizing and
19 appropriating committees within 15 days after the end of
20 the Office of Management and Budget review period based
21 on the notification from the Director, Congress shall as-
22 sume Office of Management and Budget concurrence with
23 the report and act accordingly.

1 OFFICE OF NATIONAL DRUG CONTROL POLICY
2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of National
4 Drug Control Policy; for research activities pursuant to
5 the Office of National Drug Control Policy Reauthoriza-
6 tion Act of 2006 (Public Law 109–469); not to exceed
7 \$10,000 for official reception and representation expenses;
8 and for participation in joint projects or in the provision
9 of services on matters of mutual interest with nonprofit,
10 research, or public organizations or agencies, with or with-
11 out reimbursement, \$20,047,000: *Provided*, That the Of-
12 fice is authorized to accept, hold, administer, and utilize
13 gifts, both real and personal, public and private, without
14 fiscal year limitation, for the purpose of aiding or facili-
15 tating the work of the Office.

16 FEDERAL DRUG CONTROL PROGRAMS
17 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM
18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Office of National
20 Drug Control Policy’s High Intensity Drug Trafficking
21 Areas Program, \$245,000,000, to remain available until
22 September 30, 2017, for drug control activities consistent
23 with the approved strategy for each of the designated
24 High Intensity Drug Trafficking Areas (“HIDTAs”), of
25 which not less than 51 percent shall be transferred to

1 State and local entities for drug control activities and shall
2 be obligated not later than 120 days after enactment of
3 this Act: *Provided*, That up to 49 percent may be trans-
4 ferred to Federal agencies and departments in amounts
5 determined by the Director of the Office of National Drug
6 Control Policy, of which up to \$2,700,000 may be used
7 for auditing services and associated activities: *Provided*
8 *further*, That, notwithstanding the requirements of Public
9 Law 106–58, any unexpended funds obligated prior to fis-
10 cal year 2014 may be used for any other approved activi-
11 ties of that HIDTA, subject to reprogramming require-
12 ments: *Provided further*, That each HIDTA designated as
13 of September 30, 2015, shall be funded at not less than
14 the fiscal year 2015 base level, unless the Director submits
15 to the Committees on Appropriations of the House of Rep-
16 resentatives and the Senate justification for changes to
17 those levels based on clearly articulated priorities and pub-
18 lished Office of National Drug Control Policy performance
19 measures of effectiveness: *Provided further*, That the Di-
20 rector shall notify the Committees on Appropriations of
21 the initial allocation of fiscal year 2016 funding among
22 HDTAs not later than 45 days after enactment of this
23 Act, and shall notify the Committees of planned uses of
24 discretionary HIDTA funding, as determined in consulta-
25 tion with the HIDTA Directors, not later than 90 days

1 after enactment of this Act: *Provided further*, That upon
2 a determination that all or part of the funds so transferred
3 from this appropriation are not necessary for the purposes
4 provided herein and upon notification to the Committees
5 on Appropriations of the House of Representatives and the
6 Senate, such amounts may be transferred back to this ap-
7 propriation.

8 OTHER FEDERAL DRUG CONTROL PROGRAMS

9 (INCLUDING TRANSFERS OF FUNDS)

10 For other drug control activities authorized by the
11 Office of National Drug Control Policy Reauthorization
12 Act of 2006 (Public Law 109–469), \$108,310,000, to re-
13 main available until expended, which shall be available as
14 follows: \$93,500,000 for the Drug-Free Communities Pro-
15 gram, of which \$2,000,000 shall be made available as di-
16 rected by section 4 of Public Law 107–82, as amended
17 by Public Law 109–469 (21 U.S.C. 1521 note);
18 \$2,000,000 for drug court training and technical assist-
19 ance; \$9,500,000 for anti-doping activities; \$2,060,000 for
20 the United States membership dues to the World Anti-
21 Doping Agency; and \$1,250,000 shall be made available
22 as directed by section 1105 of Public Law 109–469: *Pro-*
23 *vided*, That amounts made available under this heading
24 may be transferred to other Federal departments and
25 agencies to carry out such activities.

1 UNANTICIPATED NEEDS

2 For expenses necessary to enable the President to
3 meet unanticipated needs, in furtherance of the national
4 interest, security, or defense which may arise at home or
5 abroad during the current fiscal year, as authorized by
6 3 U.S.C. 108, \$800,000, to remain available until Sep-
7 tember 30, 2017.

8 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM
9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for the furtherance of inte-
11 grated, efficient, secure, and effective uses of information
12 technology in the Federal Government, \$25,000,000, to
13 remain available until expended: *Provided*, That the Direc-
14 tor of the Office of Management and Budget may transfer
15 these funds to one or more other agencies to carry out
16 projects to meet these purposes: *Provided further*, That
17 the Director of the Office of Management and Budget
18 shall submit quarterly reports not later than 45 days after
19 the end of each quarter to the Committees on Appropria-
20 tions of the House of Representatives and the Senate and
21 the Government Accountability Office identifying the sav-
22 ings achieved by the Office of Management and Budget's
23 government-wide information technology reform efforts:
24 *Provided further*, That such reports shall include savings
25 identified by fiscal year, agency, and appropriation.

1 SPECIAL ASSISTANCE TO THE PRESIDENT

2 SALARIES AND EXPENSES

3 For necessary expenses to enable the Vice President
4 to provide assistance to the President in connection with
5 specially assigned functions; services as authorized by 5
6 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
7 penses as authorized by 3 U.S.C. 106, which shall be ex-
8 pended and accounted for as provided in that section; and
9 hire of passenger motor vehicles, \$4,211,000.

10 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

11 OPERATING EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For the care, operation, refurnishing, improvement,
14 and to the extent not otherwise provided for, heating and
15 lighting, including electric power and fixtures, of the offi-
16 cial residence of the Vice President; the hire of passenger
17 motor vehicles; and not to exceed \$90,000 pursuant to 3
18 U.S.C. 106(b)(2), \$299,000: *Provided*, That advances, re-
19 payments, or transfers from this appropriation may be
20 made to any department or agency for expenses of car-
21 rying out such activities.

1 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
2 THE PRESIDENT AND FUNDS APPROPRIATED TO
3 THE PRESIDENT

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 201. From funds made available in this Act
6 under the headings “The White House”, “Executive Resi-
7 dence at the White House”, “White House Repair and
8 Restoration”, “Council of Economic Advisers”, “National
9 Security Council and Homeland Security Council”, “Of-
10 fice of Administration”, “Special Assistance to the Presi-
11 dent”, and “Official Residence of the Vice President”, the
12 Director of the Office of Management and Budget (or
13 such other officer as the President may designate in writ-
14 ing), may, with advance approval of the Committees on
15 Appropriations of the House of Representatives and the
16 Senate, transfer not to exceed 10 percent of any such ap-
17 propriation to any other such appropriation, to be merged
18 with and available for the same time and for the same
19 purposes as the appropriation to which transferred: *Pro-*
20 *vided*, That the amount of an appropriation shall not be
21 increased by more than 50 percent by such transfers: *Pro-*
22 *vided further*, That no amount shall be transferred from
23 “Special Assistance to the President” or “Official Resi-
24 dence of the Vice President” without the approval of the
25 Vice President.

1 SEC. 202. Within 90 days after the date of enactment
2 of this section, the Director of the Office of Management
3 and Budget shall submit a report to the Committees on
4 Appropriations of the House of Representatives and the
5 Senate on the costs of implementing the Dodd-Frank Wall
6 Street Reform and Consumer Protection Act (Public Law
7 111–203). Such report shall include—

8 (1) the estimated mandatory and discretionary
9 obligations of funds through fiscal year 2018, by
10 Federal agency and by fiscal year, including—

11 (A) the estimated obligations by cost in-
12 puts such as rent, information technology, con-
13 tracts, and personnel;

14 (B) the methodology and data sources used
15 to calculate such estimated obligations; and

16 (C) the specific section of such Act that re-
17 quires the obligation of funds; and

18 (2) the estimated receipts through fiscal year
19 2017 from assessments, user fees, and other fees by
20 the Federal agency making the collections, by fiscal
21 year, including—

22 (A) the methodology and data sources used
23 to calculate such estimated collections; and

24 (B) the specific section of such Act that
25 authorizes the collection of funds.

1 SEC. 203. (a) During fiscal year 2016, any Executive
2 order issued by the President shall be accompanied by a
3 statement from the Director of the Office of Management
4 and Budget on the budgetary impact, including costs, ben-
5 efits, and revenues, of the Executive order.

6 (b) Any such statement shall include—

7 (1) a narrative summary of the budgetary im-
8 pact of such order on the Federal Government;

9 (2) the impact on mandatory and discretionary
10 obligations and outlays, listed by Federal agency, for
11 each year in the 5-fiscal year period beginning in fis-
12 cal year 2016; and

13 (3) the impact on revenues of the Federal Gov-
14 ernment over the 5-fiscal year period beginning in
15 fiscal year 2016.

16 (c) If an Executive order is issued during fiscal year
17 2016 due to a national emergency, the Director of the Of-
18 fice of Management and Budget may issue the statement
19 required by subsection (a) not later than 15 days after
20 the date that the Executive order is issued.

21 This title may be cited as the “Executive Office of
22 the President Appropriations Act, 2016”.

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

5 For expenses necessary for the operation of the Su-
6 preme Court, as required by law, excluding care of the
7 building and grounds, including hire of passenger motor
8 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
9 to exceed \$10,000 for official reception and representation
10 expenses; and for miscellaneous expenses, to be expended
11 as the Chief Justice may approve, \$75,838,000, of which
12 \$2,000,000 shall remain available until expended.

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

16 CARE OF THE BUILDING AND GROUNDS

17 For such expenditures as may be necessary to enable
18 the Architect of the Capitol to carry out the duties im-
19 posed upon the Architect by 40 U.S.C. 6111 and 6112,
20 \$9,964,000, to remain available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of officers and employees, and for nec-
5 essary expenses of the court, as authorized by law,
6 \$30,872,000.

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

10 UNITED STATES COURT OF INTERNATIONAL TRADE

11 SALARIES AND EXPENSES

12 For salaries of officers and employees of the court,
13 services, and necessary expenses of the court, as author-
14 ized by law, \$18,160,000.

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

18 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

19 JUDICIAL SERVICES

20 SALARIES AND EXPENSES

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

1 for Probation and Pretrial Services Office staff, as author-
2 ized by law, \$4,960,008,000 (including the purchase of
3 firearms and ammunition); of which not to exceed
4 \$27,817,000 shall remain available until expended for
5 space alteration projects and for furniture and furnishings
6 related to new space alteration and construction projects.

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

13 In addition, for expenses of the United States Court
14 of Federal Claims associated with processing cases under
15 the National Childhood Vaccine Injury Act of 1986 (Pub-
16 lic Law 99-660), not to exceed \$6,045,000, to be appro-
17 priated from the Vaccine Injury Compensation Trust
18 Fund.

19 DEFENDER SERVICES

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

1 thORIZED by law; the compensation (in accordance with the
2 maximums under 18 U.S.C. 3006A) and reimbursement
3 of expenses of attorneys appointed to assist the court in
4 criminal cases where the defendant has waived representa-
5 tion by counsel; the compensation and reimbursement of
6 expenses of attorneys appointed to represent jurors in civil
7 actions for the protection of their employment, as author-
8 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
9 bursement of expenses of attorneys appointed under 18
10 U.S.C. 983(b)(1) in connection with certain judicial civil
11 forfeiture proceedings; the compensation and reimburse-
12 ment of travel expenses of guardians ad litem appointed
13 under 18 U.S.C. 4100(b); and for necessary training and
14 general administrative expenses, \$1,042,616,000, to re-
15 main available until expended.

16 FEES OF JURORS AND COMMISSIONERS

17 For fees and expenses of jurors as authorized by 28
18 U.S.C. 1871 and 1876; compensation of jury commis-
19 sioners as authorized by 28 U.S.C. 1863; and compensa-
20 tion of commissioners appointed in condemnation cases
21 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
22 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$48,423,000,
23 to remain available until expended: *Provided*, That the
24 compensation of land commissioners shall not exceed the

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

3 COURT SECURITY

4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 incident to the provision of protective guard services for
7 United States courthouses and other facilities housing
8 Federal court operations, and the procurement, installa-
9 tion, and maintenance of security systems and equipment
10 for United States courthouses and other facilities housing
11 Federal court operations, including building ingress-egress
12 control, inspection of mail and packages, directed security
13 patrols, perimeter security, basic security services provided
14 by the Federal Protective Service, and other similar activi-
15 ties as authorized by section 1010 of the Judicial Improve-
16 ment and Access to Justice Act (Public Law 100-702),
17 \$538,771,000, of which not to exceed \$15,000,000 shall
18 remain available until expended, to be expended directly
19 or transferred to the United States Marshals Service,
20 which shall be responsible for administering the Judicial
21 Facility Security Program consistent with standards or
22 guidelines agreed to by the Director of the Administrative
23 Office of the United States Courts and the Attorney Gen-
24 eral.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$86,000,000, of which not to exceed \$8,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90–219, \$27,000,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2017, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,500 is authorized for official reception and representa-
19 tion expenses.

20 UNITED STATES SENTENCING COMMISSION

21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out
23 the provisions of chapter 58 of title 28, United States
24 Code, \$17,000,000, of which not to exceed \$1,000 is au-
25 thorized for official reception and representation expenses.

1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY
2 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

3 SEC. 304. Section 3314(a) of title 40, United States
4 Code, shall be applied by substituting “Federal” for “exec-
5 utive” each place it appears.

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

19 SEC. 306. (a) Section 3602(a) of title 18, United
20 States Code, is amended—

21 (1) by inserting after the first sentence: “A per-
22 son appointed as a probation officer in one district
23 may serve in another district with the consent of the
24 appointing court and the court in the other dis-
25 trict.”; and

1 (2) by inserting in the last sentence “appoint-
2 ing” before “court may, for cause”.

3 SEC. 307. (a) Section 203(c) of the Judicial Improve-
4 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
5 note), is amended in the second sentence (relating to the
6 District of Kansas) following paragraph (12), by striking
7 “24 years and 6 months” and inserting “25 years and
8 6 months”.

9 (b) Section 406 of the Transportation, Treasury,
10 Housing and Urban Development, the Judiciary, the Dis-
11 trict of Columbia, and Independent Agencies Appropria-
12 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
13 28 U.S.C. 133 note) is amended in the second sentence
14 (relating to the eastern District of Missouri) by striking
15 “22 years and 6 months” and inserting “23 years and
16 6 months”.

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

20 (1) in the first sentence by striking “13 years”
21 and inserting “14 years”;

22 (2) in the second sentence (relating to the cen-
23 tral District of California), by striking “12 years
24 and 6 months” and inserting “13 years and 6
25 months”; and

1 (3) in the third sentence (relating to the west-
 2 ern district of North Carolina), by striking “11
 3 years” and inserting “12 years”.

4 This title may be cited as the “Judiciary Appropria-
 5 tions Act, 2016”.

6 TITLE IV

7 DISTRICT OF COLUMBIA

8 FEDERAL FUNDS

9 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

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

1 dent Tuition Support Program that shall consist of the
2 Federal funds appropriated to the Program in this Act
3 and any subsequent appropriations, any unobligated bal-
4 ances from prior fiscal years, and any interest earned in
5 this or any fiscal year: *Provided further*, That the account
6 shall be under the control of the District of Columbia
7 Chief Financial Officer, who shall use those funds solely
8 for the purposes of carrying out the Resident Tuition Sup-
9 port Program: *Provided further*, That the Office of the
10 Chief Financial Officer shall provide a quarterly financial
11 report to the Committees on Appropriations of the House
12 of Representatives and the Senate for these funds show-
13 ing, by object class, the expenditures made and the pur-
14 pose therefor.

15 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
16 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

17 For a Federal payment of necessary expenses, as de-
18 termined by the Mayor of the District of Columbia in writ-
19 ten consultation with the elected county or city officials
20 of surrounding jurisdictions, \$13,000,000, to remain
21 available until expended, for the costs of providing public
22 safety at events related to the presence of the National
23 Capital in the District of Columbia, including support re-
24 quested by the Director of the United States Secret Serv-
25 ice in carrying out protective duties under the direction

1 of the Secretary of Homeland Security, and for the costs
2 of providing support to respond to immediate and specific
3 terrorist threats or attacks in the District of Columbia or
4 surrounding jurisdictions.

5 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
6 COURTS

7 For salaries and expenses for the District of Colum-
8 bia Courts, \$246,000,000 to be allocated as follows: for
9 the District of Columbia Court of Appeals, \$14,000,000,
10 of which not to exceed \$2,500 is for official reception and
11 representation expenses; for the Superior Court of the
12 District of Columbia, \$122,000,000, of which not to ex-
13 ceed \$2,500 is for official reception and representation ex-
14 penses; for the District of Columbia Court System,
15 \$72,000,000, of which not to exceed \$2,500 is for official
16 reception and representation expenses; and \$38,000,000,
17 to remain available until September 30, 2017, for capital
18 improvements for District of Columbia courthouse facili-
19 ties: *Provided*, That funds made available for capital im-
20 provements shall be expended consistent with the District
21 of Columbia Courts master plan study and facilities condi-
22 tion assessment: *Provided further*, That notwithstanding
23 any other provision of law, all amounts under this heading
24 shall be apportioned quarterly by the Office of Manage-
25 ment and Budget and obligated and expended in the same

1 manner as funds appropriated for salaries and expenses
2 of other Federal agencies: *Provided further*, That 30 days
3 after providing written notice to the Committees on Ap-
4 propriations of the House of Representatives and the Sen-
5 ate, the District of Columbia Courts may reallocate not
6 more than \$6,000,000 of the funds provided under this
7 heading among the items and entities funded under this
8 heading: *Provided further*, That the Joint Committee on
9 Judicial Administration in the District of Columbia may,
10 by regulation, establish a program substantially similar to
11 the program set forth in subchapter II of chapter 35 of
12 title 5, United States Code, for employees of the District
13 of Columbia Courts.

14 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
15 DISTRICT OF COLUMBIA COURTS

16 For payments authorized under section 11–2604 and
17 section 11–2605, D.C. Official Code (relating to represen-
18 tation provided under the District of Columbia Criminal
19 Justice Act), payments for counsel appointed in pro-
20 ceedings in the Family Court of the Superior Court of the
21 District of Columbia under chapter 23 of title 16, D.C.
22 Official Code, or pursuant to contractual agreements to
23 provide guardian ad litem representation, training, tech-
24 nical assistance, and such other services as are necessary
25 to improve the quality of guardian ad litem representation,

1 payments for counsel appointed in adoption proceedings
2 under chapter 3 of title 16, D.C. Official Code, and pay-
3 ments authorized under section 21–2060, D.C. Official
4 Code (relating to services provided under the District of
5 Columbia Guardianship, Protective Proceedings, and Du-
6 rable Power of Attorney Act of 1986), \$49,890,000, to
7 remain available until expended: *Provided*, That funds
8 provided under this heading shall be administered by the
9 Joint Committee on Judicial Administration in the Dis-
10 trict of Columbia: *Provided further*, That, notwithstanding
11 any other provision of law, this appropriation shall be ap-
12 portioned quarterly by the Office of Management and
13 Budget and obligated and expended in the same manner
14 as funds appropriated for expenses of other Federal agen-
15 cies.

16 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
17 FENDER SUPERVISION AGENCY FOR THE DISTRICT
18 OF COLUMBIA

19 For salaries and expenses, including the transfer and
20 hire of motor vehicles, of the Court Services and Offender
21 Supervision Agency for the District of Columbia, as au-
22 thorized by the National Capital Revitalization and Self-
23 Government Improvement Act of 1997, \$242,000,000, of
24 which not to exceed \$2,000 is for official reception and
25 representation expenses related to Community Supervision

1 and Pretrial Services Agency programs, of which not to
2 exceed \$25,000 is for dues and assessments relating to
3 the implementation of the Court Services and Offender
4 Supervision Agency Interstate Supervision Act of 2002;
5 of which \$181,000,000 shall be for necessary expenses of
6 Community Supervision and Sex Offender Registration, to
7 include expenses relating to the supervision of adults sub-
8 ject to protection orders or the provision of services for
9 or related to such persons, of which up to \$3,159,000 shall
10 remain available until September 30, 2018, for the reloca-
11 tion of offender supervision field offices; and of which
12 \$61,000,000 shall be available to the Pretrial Services
13 Agency: *Provided*, That notwithstanding any other provi-
14 sion of law, all amounts under this heading shall be appor-
15 tioned quarterly by the Office of Management and Budget
16 and obligated and expended in the same manner as funds
17 appropriated for salaries and expenses of other Federal
18 agencies: *Provided further*, That amounts under this head-
19 ing may be used for programmatic incentives for offenders
20 and defendants successfully meeting terms of supervision:
21 *Provided further*, That the Director is authorized to accept
22 and use gifts in the form of in-kind contributions of the
23 following: space and hospitality to support offender and
24 defendant programs; equipment, supplies, clothing, and
25 professional development and vocational training services

1 and items necessary to sustain, educate, and train offend-
2 ers and defendants, including their dependent children;
3 and programmatic incentives for offenders and defendants
4 meeting terms of supervision: *Provided further*, That the
5 Director shall keep accurate and detailed records of the
6 acceptance and use of any gift under the previous proviso,
7 and shall make such records available for audit and public
8 inspection: *Provided further*, That the Court Services and
9 Offender Supervision Agency Director is authorized to ac-
10 cept and use reimbursement from the District of Columbia
11 Government for space and services provided on a cost re-
12 imburseable basis.

13 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

14 PUBLIC DEFENDER SERVICE

15 For salaries and expenses, including the transfer and
16 hire of motor vehicles, of the District of Columbia Public
17 Defender Service, as authorized by the National Capital
18 Revitalization and Self-Government Improvement Act of
19 1997, \$40,889,000: *Provided*, That notwithstanding any
20 other provision of law, all amounts under this heading
21 shall be apportioned quarterly by the Office of Manage-
22 ment and Budget and obligated and expended in the same
23 manner as funds appropriated for salaries and expenses
24 of Federal agencies: *Provided further*, That, notwith-
25 standing section 1342 of title 31, United States Code, and

1 in addition to the authority provided by the District of
2 Columbia Code Section 2–1607(b), upon approval of the
3 Board of Trustees, the District of Columbia Public De-
4 fender Service may accept and use voluntary and uncom-
5 pensated services for the purpose of aiding or facilitating
6 the work of the District of Columbia Public Defender
7 Service: *Provided further*, That, notwithstanding District
8 of Columbia Code section 2–1603(d), for the purpose of
9 any action brought against the Board of the Trustees of
10 the District of Columbia Public Defender Service, the
11 trustees shall be deemed to be employees of the Public
12 Defender Service.

13 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

14 WATER AND SEWER AUTHORITY

15 For a Federal payment to the District of Columbia
16 Water and Sewer Authority, \$14,000,000, to remain avail-
17 able until expended, to continue implementation of the
18 Combined Sewer Overflow Long-Term Plan: *Provided*,
19 That the District of Columbia Water and Sewer Authority
20 provides a 100 percent match for this payment.

21 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

22 COORDINATING COUNCIL

23 For a Federal payment to the Criminal Justice Co-
24 ordinating Council, \$1,900,000, to remain available until
25 expended, to support initiatives related to the coordination

1 of Federal and local criminal justice resources in the Dis-
2 trict of Columbia.

3 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

4 For a Federal payment, to remain available until
5 September 30, 2017, to the Commission on Judicial Dis-
6 abilities and Tenure, \$295,000, and for the Judicial Nomi-
7 nation Commission, \$270,000.

8 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

9 For a Federal payment for a school improvement pro-
10 gram in the District of Columbia, \$45,000,000, to remain
11 available until expended, for payments authorized under
12 the Scholarship for Opportunity and Results Act (division
13 C of Public Law 112–10): *Provided*, That within funds
14 provided for opportunity scholarships \$3,200,000 shall be
15 for the activities specified in sections 3007(b) through
16 3007(d) and 3009 of the Act.

17 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

18 NATIONAL GUARD

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

1 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF
2 HIV/AIDS

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

8 DISTRICT OF COLUMBIA FUNDS

9 Local funds are appropriated for the District of Co-
10 lumbia for the current fiscal year out of the General Fund
11 of the District of Columbia (“General Fund”) for pro-
12 grams and activities set forth under the heading “District
13 of Columbia Funds Summary of Expenses” and at the
14 rate set forth under such heading, as included in the Fis-
15 cal Year 2016 Budget Request Act of 2015 submitted to
16 the Congress by the District of Columbia as amended as
17 of the date of enactment of this Act: *Provided*, That not-
18 withstanding any other provision of law, except as pro-
19 vided in section 450A of the District of Columbia Home
20 Rule Act (section 1–204.50a, D.C. Official Code), sections
21 816 and 817 of the Financial Services and General Gov-
22 ernment Appropriations Act, 2009 (secs. 47–369.01 and
23 47–369.02, D.C. Official Code), and provisions of this Act,
24 the total amount appropriated in this Act for operating
25 expenses for the District of Columbia for fiscal year 2016

1 under this heading shall not exceed the estimates included
2 in the Fiscal Year 2016 Budget Request Act of 2015 sub-
3 mitted to Congress by the District of Columbia as amend-
4 ed as of the date of enactment of this Act or the sum
5 of the total revenues of the District of Columbia for such
6 fiscal year: *Provided further*, That the amount appro-
7 priated may be increased by proceeds of one-time trans-
8 actions, which are expended for emergency or unantici-
9 pated operating or capital needs: *Provided further*, That
10 such increases shall be approved by enactment of local
11 District law and shall comply with all reserve requirements
12 contained in the District of Columbia Home Rule Act:
13 *Provided further*, That the Chief Financial Officer of the
14 District of Columbia shall take such steps as are necessary
15 to assure that the District of Columbia meets these re-
16 quirements, including the apportioning by the Chief Fi-
17 nancial Officer of the appropriations and funds made
18 available to the District during fiscal year 2016, except
19 that the Chief Financial Officer may not reprogram for
20 operating expenses any funds derived from bonds, notes,
21 or other obligations issued for capital projects.

22 This title may be cited as the “District of Columbia
23 Appropriations Act, 2016”.

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

5 For necessary expenses of the Administrative Con-
6 ference of the United States, authorized by 5 U.S.C. 591
7 et seq., \$3,100,000, to remain available until September
8 30, 2017, of which not to exceed \$1,000 is for official re-
9 ception and representation expenses.

10 BUREAU OF CONSUMER FINANCIAL PROTECTION
11 ADMINISTRATIVE PROVISIONS

12 SEC. 501. Section 1017(a)(2)(C) of Public Law 111-
13 203 is repealed.

14 SEC. 502. Effective October 1, 2016, notwithstanding
15 section 1017 of Public Law 111-203—

16 (1) the Board of Governors of the Federal Re-
17 serve System shall not transfer amounts specified
18 under such section to the Bureau of Consumer Fi-
19 nancial Protection; and

20 (2) there are authorized to be appropriated to
21 the Bureau of Consumer Financial Protection such
22 sums as may be necessary to carry out the authori-
23 ties of the Bureau under Federal consumer financial
24 law.

1 SEC. 503. (a) During fiscal year 2016, on the date
2 on which a request is made for a transfer of funds in ac-
3 cordance with section 1017 of Public Law 111–203, the
4 Bureau of Consumer Financial Protection shall notify the
5 Committees on Appropriations of the House of Represent-
6 atives and the Senate, the Committee on Financial Serv-
7 ices of the House of Representatives, and the Committee
8 on Banking, Housing, and Urban Affairs of the Senate
9 of such request.

10 (b)(1) Any such notification shall include the amount
11 of the funds requested, an explanation of how the funds
12 will be obligated by object class and activity, and why the
13 funds are necessary to protect consumers.

14 (2) Any notification required by this section shall be
15 made available on the Bureau’s public Web site.

16 SEC. 504. (a) Not later than 2 weeks after the end
17 of each quarter of each fiscal year, the Bureau of Con-
18 sumer Financial Protection shall submit a report on its
19 activities to the Committees on Appropriations of the
20 House of Representatives and the Senate, the Committee
21 on Financial Services of the House of Representatives,
22 and the Committee on Banking, Housing, and Urban Af-
23 fairs of the Senate.

24 (b) The reports required under subsection (a) shall
25 include—

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

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

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

7 (4) the estimated number of full-time equiva-
8 lents within each office for the remainder of the fis-
9 cal year; and

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

12 (c) At the request of any committee specified in sub-
13 section (a), the Bureau of Consumer Financial Protection
14 shall make Bureau officials available to testify on the con-
15 tents of the reports required under subsection (a).

16 SEC. 505. (a) IN GENERAL.—Section 1011 of the
17 Consumer Financial Protection Act of 2010 (12 U.S.C.
18 5491) is amended—

19 (1) by striking subsections (b), (c), and (d);

20 (2) by redesignating subsection (e) as sub-
21 section (c); and

22 (3) by inserting after subsection (a) the fol-
23 lowing:

24 “(b) MANAGEMENT OF THE BUREAU.—

1 “(1) IN GENERAL.—The management of the
2 Bureau shall be vested in a Board of Directors con-
3 sisting of 5 members, who shall be appointed by the
4 President, by and with the advice and consent of the
5 Senate, from among individuals who—

6 “(A) are citizens of the United States; and

7 “(B) have developed strong competency
8 and understanding of, and have experience
9 working with, financial products and services.

10 “(2) TERMS.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraph (B), each member of the Board,
13 including the Chairperson, shall serve for a
14 term of 5 years.

15 “(B) STAGGERED TERMS.—The members
16 of the Board shall serve staggered terms, which
17 shall initially be for terms of 1, 2, 3, 4, and 5
18 years, respectively, and such members shall be
19 appointed such that, after the appointments of
20 the initial 5 members of the Board, members of
21 different political parties are appointed alter-
22 nately.

23 “(C) REMOVAL.—The President may re-
24 move any member of the Board for inefficiency,
25 neglect of duty, or malfeasance in office.

1 “(D) VACANCIES.—Any member of the
2 Board appointed to fill a vacancy occurring be-
3 fore the expiration of the term to which the
4 predecessor of that member was appointed (in-
5 cluding the Chairperson) shall be appointed
6 only for the remainder of the term.

7 “(E) CONTINUATION OF SERVICE.—Each
8 member of the Board may continue to serve
9 after the expiration of the term of office to
10 which that member was appointed until a suc-
11 cessor has been appointed by the President and
12 confirmed by the Senate, except that a member
13 may not continue to serve more than 1 year
14 after the date on which the term of that mem-
15 ber would otherwise expire.

16 “(F) SUCCESSIVE TERMS.—A member of
17 the Board may not be reappointed to a second
18 consecutive term, except that an initial member
19 of the Board appointed for less than a 5-year
20 term may be reappointed to a full 5-year term
21 and a future member appointed to fill an unex-
22 pired term may be reappointed for a full 5-year
23 term.

1 “(3) AFFILIATION.—Not more than 3 members
2 of the Board shall be members of any 1 political
3 party.

4 “(4) CHAIRPERSON OF THE BOARD.—

5 “(A) APPOINTMENT.—The President shall
6 appoint 1 of the 5 members of the Board to
7 serve as Chairperson of the Board.

8 “(B) AUTHORITY.—The Chairperson shall
9 be the principal executive officer of the Bureau,
10 and shall exercise all of the executive and ad-
11 ministrative functions of the Bureau, including
12 with respect to—

13 “(i) the supervision of personnel em-
14 ployed by the Bureau (other than per-
15 sonnel employed regularly and full time in
16 the immediate offices of members of the
17 Board other than the Chairperson);

18 “(ii) the distribution of business
19 among personnel appointed and supervised
20 by the Chairperson and among administra-
21 tive units of the Bureau; and

22 “(iii) the use and expenditure of
23 funds.

24 “(C) LIMITATION.—In carrying out any of
25 the functions of the Chairperson under this

1 paragraph, the Chairperson shall be governed
2 by general policies of the Bureau and by such
3 regulatory decisions, findings, and determina-
4 tions as the Bureau may by law be authorized
5 to make.

6 “(D) REQUESTS OR ESTIMATES RELATED
7 TO APPROPRIATIONS.—Any request or estimate
8 for regular, supplemental, or deficiency appro-
9 priations on behalf of the Bureau, including any
10 request for a transfer of funds under section
11 1017(a), may not be submitted by the Chair-
12 person without the prior approval of the Board.

13 “(E) VACANCY.—The President may des-
14 ignate a member of the Board to serve as Act-
15 ing Chairperson in the event of a vacancy in the
16 office of the Chairperson.

17 “(5) COMPENSATION.—

18 “(A) CHAIRPERSON.—The Chairperson
19 shall receive compensation at the rate pre-
20 scribed for level I of the Executive Schedule
21 under section 5312 of title 5, United States
22 Code.

23 “(B) OTHER MEMBERS OF THE BOARD.—
24 The 4 members of the Board other than the
25 Chairperson shall each receive compensation at

1 the rate prescribed for level II of the Executive
2 Schedule under section 5313 of title 5, United
3 States Code.

4 “(6) OTHER EMPLOYMENT PROHIBITED.—A
5 member of the Board may not engage in any other
6 business, vocation, or employment.”.

7 (b) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect on the later of—

9 (1) October 1, 2016; or

10 (2) the date on which not less than 3 persons
11 have been confirmed by the Senate to serve as mem-
12 bers of the Board of Directors of the Bureau of
13 Consumer Financial Protection.

14 COMMODITY FUTURES TRADING COMMISSION
15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses to carry out the provisions
17 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
18 cluding the purchase and hire of passenger motor vehicles,
19 and the rental of space (to include multiple year leases)
20 in the District of Columbia and elsewhere, \$250,000,000,
21 including not to exceed \$3,000 for official reception and
22 representation expenses, and not to exceed \$25,000 for the
23 expenses for consultations and meetings hosted by the
24 Commission with foreign governmental and other regu-
25 latory officials, of which not less than \$51,000,000, to re-

1 main available until September 30, 2017, shall be for the
2 purchase of information technology and of which not less
3 than \$2,620,000 shall be for the Office of the Inspector
4 General.

5 CONSUMER PRODUCT SAFETY COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Consumer Product
8 Safety Commission, including hire of passenger motor ve-
9 hicles, services as authorized by 5 U.S.C. 3109, but at
10 rates for individuals not to exceed the per diem rate equiv-
11 alent to the maximum rate payable under 5 U.S.C. 5376,
12 purchase of nominal awards to recognize non-Federal offi-
13 cials' contributions to Commission activities, and not to
14 exceed \$4,000 for official reception and representation ex-
15 penses, \$123,000,000.

16 ELECTION ASSISTANCE COMMISSION

17 SALARIES AND EXPENSES

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses to carry out the Help Amer-
20 ica Vote Act of 2002 (Public Law 107-252), \$9,600,000,
21 of which \$1,500,000 shall be transferred to the National
22 Institute of Standards and Technology for election reform
23 activities authorized under the Help America Vote Act of
24 2002.

1 FEDERAL COMMUNICATIONS COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Communica-
4 tions Commission, as authorized by law, including uni-
5 forms and allowances therefor, as authorized by 5 U.S.C.
6 5901–5902; not to exceed \$4,000 for official reception and
7 representation expenses; purchase and hire of motor vehi-
8 cles; special counsel fees; and services as authorized by
9 5 U.S.C. 3109, \$320,000,000, to remain available until
10 expended: *Provided*, That in addition, \$44,168,497 shall
11 be made available until expended for necessary expenses
12 associated with moving to a new facility or reconfiguring
13 the existing space to significantly reduce space consump-
14 tion: *Provided further*, That \$364,168,497 of offsetting
15 collections shall be assessed and collected pursuant to sec-
16 tion 9 of title I of the Communications Act of 1934, shall
17 be retained and used for necessary expenses and shall re-
18 main available until expended: *Provided further*, That the
19 sum herein appropriated shall be reduced as such offset-
20 ting collections are received during fiscal year 2016 so as
21 to result in a final fiscal year 2016 appropriation esti-
22 mated at \$0: *Provided further*, That any offsetting collec-
23 tions received in excess of \$364,168,497 in fiscal year
24 2016 shall not be available for obligation: *Provided further*,
25 That remaining offsetting collections from prior years col-

1 lected in excess of the amount specified for collection in
2 each such year and otherwise becoming available on Octo-
3 ber 1, 2015, shall not be available for obligation: *Provided*
4 *further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B),
5 proceeds from the use of a competitive bidding system that
6 may be retained and made available for obligation shall
7 not exceed \$117,000,000 for fiscal year 2016, including
8 not to exceed \$518,981 for obligation by the Office of the
9 Inspector General: *Provided further*, That, of the amount
10 appropriated under this heading, not less than
11 \$11,090,000 shall be for the salaries and expenses of the
12 Office of Inspector General.

13 ADMINISTRATIVE PROVISIONS—FEDERAL

14 COMMUNICATIONS COMMISSION

15 SEC. 510. Section 302 of the Universal Service
16 Antideficiency Temporary Suspension Act is amended by
17 striking “December 31, 2016”, each place it appears and
18 inserting “December 31, 2017”.

19 SEC. 511. None of the funds appropriated by this Act
20 may be used by the Federal Communications Commission
21 to modify, amend, or change its rules or regulations for
22 universal service support payments to implement the Feb-
23 ruary 27, 2004 recommendations of the Federal-State
24 Joint Board on Universal Service regarding single connec-

1 tion or primary line restrictions on universal service sup-
2 port payments.

3 FEDERAL DEPOSIT INSURANCE CORPORATION

4 OFFICE OF THE INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, \$34,568,000, to be derived from the
8 Deposit Insurance Fund or, only when appropriate, the
9 FSLIC Resolution Fund.

10 FEDERAL ELECTION COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out the provisions
13 of the Federal Election Campaign Act of 1971,
14 \$72,500,000, of which \$5,000,000 shall remain available
15 until September 30, 2017, for lease expiration and re-
16 placement lease expenses; and of which not to exceed
17 \$5,000 shall be available for reception and representation
18 expenses.

19 FEDERAL LABOR RELATIONS AUTHORITY

20 SALARIES AND EXPENSES

21 For necessary expenses to carry out functions of the
22 Federal Labor Relations Authority, pursuant to Reorga-
23 nization Plan Numbered 2 of 1978, and the Civil Service
24 Reform Act of 1978, including services authorized by 5
25 U.S.C. 3109, and including hire of experts and consult-

1 ants, hire of passenger motor vehicles, and including offi-
2 cial reception and representation expenses (not to exceed
3 \$1,500) and rental of conference rooms in the District of
4 Columbia and elsewhere, \$25,548,000: *Provided*, That
5 public members of the Federal Service Impasses Panel
6 may be paid travel expenses and per diem in lieu of sub-
7 sistence as authorized by law (5 U.S.C. 5703) for persons
8 employed intermittently in the Government service, and
9 compensation as authorized by 5 U.S.C. 3109: *Provided*
10 *further*, That, notwithstanding 31 U.S.C. 3302, funds re-
11 ceived from fees charged to non-Federal participants at
12 labor-management relations conferences shall be credited
13 to and merged with this account, to be available without
14 further appropriation for the costs of carrying out these
15 conferences.

16 FEDERAL TRADE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Trade Com-
19 mission, including uniforms or allowances therefor, as au-
20 thorized by 5 U.S.C. 5901–5902; services as authorized
21 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
22 not to exceed \$2,000 for official reception and representa-
23 tion expenses, \$300,000,000, to remain available until ex-
24 pended: *Provided*, That not to exceed \$300,000 shall be
25 available for use to contract with a person or persons for

1 collection services in accordance with the terms of 31
2 U.S.C. 3718: *Provided further*, That, notwithstanding any
3 other provision of law, not to exceed \$124,000,000 of off-
4 setting collections derived from fees collected for
5 premerger notification filings under the Hart-Scott-Ro-
6 dino Antitrust Improvements Act of 1976 (15 U.S.C.
7 18a), regardless of the year of collection, shall be retained
8 and used for necessary expenses in this appropriation:
9 *Provided further*, That, notwithstanding any other provi-
10 sion of law, not to exceed \$14,000,000 in offsetting collec-
11 tions derived from fees sufficient to implement and enforce
12 the Telemarketing Sales Rule, promulgated under the
13 Telemarketing and Consumer Fraud and Abuse Preven-
14 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
15 account, and be retained and used for necessary expenses
16 in this appropriation: *Provided further*, That the sum here-
17 in appropriated from the general fund shall be reduced
18 as such offsetting collections are received during fiscal
19 year 2016, so as to result in a final fiscal year 2016 appro-
20 priation from the general fund estimated at not more than
21 \$162,000,000: *Provided further*, That none of the funds
22 made available to the Federal Trade Commission may be
23 used to implement subsection (e)(2)(B) of section 43 of
24 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

1 GENERAL SERVICES ADMINISTRATION
2 REAL PROPERTY ACTIVITIES
3 FEDERAL BUILDINGS FUND
4 LIMITATIONS ON AVAILABILITY OF REVENUE
5 (INCLUDING TRANSFERS OF FUNDS)

6 Amounts in the Fund, including revenues and collec-
7 tions deposited into the Fund shall be available for nec-
8 essary expenses of real property management and related
9 activities not otherwise provided for, including operation,
10 maintenance, and protection of federally owned and leased
11 buildings; rental of buildings in the District of Columbia;
12 restoration of leased premises; moving governmental agen-
13 cies (including space adjustments and telecommunications
14 relocation expenses) in connection with the assignment, al-
15 location and transfer of space; contractual services inci-
16 dent to cleaning or servicing buildings, and moving; repair
17 and alteration of federally owned buildings including
18 grounds, approaches and appurtenances; care and safe-
19 guarding of sites; maintenance, preservation, demolition,
20 and equipment; acquisition of buildings and sites by pur-
21 chase, condemnation, or as otherwise authorized by law;
22 acquisition of options to purchase buildings and sites; con-
23 version and extension of federally owned buildings; pre-
24 liminary planning and design of projects by contract or
25 otherwise; construction of new buildings (including equip-

1 ment for such buildings); and payment of principal, inter-
2 est, and any other obligations for public buildings acquired
3 by installment purchase and purchase contract; in the ag-
4 gregate amount of \$8,304,422,000, of which—

5 (1) \$181,500,000 shall remain available until
6 expended for construction and acquisition activities
7 (including funds for sites and expenses, and associ-
8 ated design and construction services) for the United
9 States Courthouse in Nashville, Tennessee: *Provided*,
10 That the foregoing limit of costs on new construc-
11 tion and acquisition may be exceeded to the extent
12 that savings are effected in other such projects, but
13 not to exceed 10 percent of the amounts included in
14 a transmitted prospectus, if required, unless advance
15 approval is obtained from the Committees on Appro-
16 priations of a greater amount;

17 (2) \$357,189,000 shall remain available until
18 expended for repairs and alterations, including asso-
19 ciated design and construction services, of which—

20 (A) \$157,189,000 is for Major Repair and
21 Alterations activities, including \$96,344,000 for
22 the Jacob K. Javits Federal Office Building in
23 New York City, New York, and \$60,845,000
24 for the Edward J. Schwartz Federal Building
25 and U.S. Courthouse in San Diego, California;

1 (B) \$200,000,000 is for Basic Repairs and
2 Alterations, Consolidation Activities, the Judici-
3 ary Capital Security Program, and the Fire and
4 Life Safety Program:

5 *Provided*, That funds made available in this or any
6 previous Act in the Federal Buildings Fund for Re-
7 pairs and Alterations shall, for prospectus projects,
8 be limited to the amount identified for each project,
9 except each project in this or any previous Act may
10 be increased by an amount not to exceed 10 percent
11 unless advance approval is obtained from the Com-
12 mittees on Appropriations of a greater amount: *Pro-*
13 *vided further*, That additional projects for which
14 prospectuses have been fully approved may be fund-
15 ed under this category only if advance approval is
16 obtained from the Committees on Appropriations:
17 *Provided further*, That the amounts provided in this
18 or any prior Act for “Repairs and Alterations” may
19 be used to fund costs associated with implementing
20 security improvements to buildings necessary to
21 meet the minimum standards for security in accord-
22 ance with current law and in compliance with the re-
23 programming guidelines of the appropriate Commit-
24 tees of the House and Senate: *Provided further*, That
25 the difference between the funds appropriated and

1 expended on any projects in this or any prior Act,
2 under the heading “Repairs and Alterations”, may
3 be transferred to Basic Repairs and Alterations or
4 used to fund authorized increases in prospectus
5 projects: *Provided further*, That the amount provided
6 in this or any prior Act for Basic Repairs and Alter-
7 ations may be used to pay claims against the Gov-
8 ernment arising from any projects under the heading
9 “Repairs and Alterations” or used to fund author-
10 ized increases in prospectus projects;

11 (3) \$5,521,601,000 for rental of space to re-
12 main available until expended; and

13 (4) \$2,244,132,000 for building operations to
14 remain available until expended:

15 *Provided further*, That the total amount of funds made
16 available from this Fund to the General Services Adminis-
17 tration shall not be available for expenses of any construc-
18 tion, repair, alteration and acquisition project for which
19 a prospectus, if required by 40 U.S.C. 3307(a), has not
20 been approved, except that necessary funds may be ex-
21 pended for each project for required expenses for the de-
22 velopment of a proposed prospectus: *Provided further*,
23 That funds available in the Federal Buildings Fund may
24 be expended for emergency repairs when advance approval
25 is obtained from the Committees on Appropriations: *Pro-*

1 *vided further*, That amounts necessary to provide reim-
2 bursable special services to other agencies under 40 U.S.C.
3 592(b)(2) and amounts to provide such reimbursable fence-
4 ing, lighting, guard booths, and other facilities on private
5 or other property not in Government ownership or control
6 as may be appropriate to enable the United States Secret
7 Service to perform its protective functions pursuant to 18
8 U.S.C. 3056, shall be available from such revenues and
9 collections: *Provided further*, That revenues and collections
10 and any other sums accruing to this Fund during fiscal
11 year 2016, excluding reimbursements under 40 U.S.C.
12 592(b)(2), in excess of the aggregate new obligational au-
13 thority authorized for Real Property Activities of the Fed-
14 eral Buildings Fund in this Act shall remain in the Fund
15 and shall not be available for expenditure except as au-
16 thorized in appropriations Acts.

17 GENERAL ACTIVITIES

18 GOVERNMENT-WIDE POLICY

19 For expenses authorized by law, not otherwise pro-
20 vided for, for Government-wide policy and evaluation ac-
21 tivities associated with the management of real and per-
22 sonal property assets and certain administrative services;
23 Government-wide policy support responsibilities relating to
24 acquisition, travel, motor vehicles, information technology

1 management, and related technology activities; and serv-
2 ices as authorized by 5 U.S.C. 3109; \$58,000,000.

3 OPERATING EXPENSES

4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses authorized by law, not otherwise pro-
6 vided for, for Government-wide activities associated with
7 utilization and donation of surplus personal property; dis-
8 posal of real property; agency-wide policy direction, man-
9 agement, and communications; the Civilian Board of Con-
10 tract Appeals; and services as authorized by 5 U.S.C.
11 3109; \$58,560,000, of which not to exceed \$7,500 is for
12 official reception and representation expenses.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General and service authorized by 5 U.S.C. 3109,
16 \$65,000,000, of which \$2,000,000 is available until ex-
17 pended: *Provided*, That not to exceed \$50,000 shall be
18 available for payment for information and detection of
19 fraud against the Government, including payment for re-
20 covery of stolen Government property: *Provided further*,
21 That not to exceed \$2,500 shall be available for awards
22 to employees of other Federal agencies and private citizens
23 in recognition of efforts and initiatives resulting in en-
24 hanced Office of Inspector General effectiveness.

1 ALLOWANCES AND OFFICE STAFF FOR FORMER
2 PRESIDENTS

3 For carrying out the provisions of the Act of August
4 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
5 \$3,277,000.

6 PRE-ELECTION PRESIDENTIAL TRANSITION
7 (INCLUDING TRANSFER OF FUNDS)

8 For activities authorized by the Pre-Election Presi-
9 dential Transition Act of 2010 (Public Law 111–283), not
10 to exceed \$13,278,000, to remain available until Sep-
11 tember 30, 2017: *Provided*, That such amounts may be
12 transferred to “Acquisition Services Fund” or “Federal
13 Buildings Fund” to reimburse obligations incurred for the
14 purposes provided herein in fiscal year 2015: *Provided fur-*
15 *ther*, That amounts made available under this heading
16 shall be in addition to any other amounts available for
17 such purposes.

18 FEDERAL CITIZEN SERVICES FUND
19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses of the Office of Citizen Serv-
21 ices and Innovative Technologies, including services au-
22 thorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for
23 necessary expenses in support of interagency projects that
24 enable the Federal Government to enhance its ability to
25 conduct activities electronically, through the development

1 and implementation of innovative uses of information
2 technology; \$55,894,000, to be deposited into the Federal
3 Citizen Services Fund: *Provided*, That the previous
4 amount may be transferred to Federal agencies to carry
5 out the purpose of the Federal Citizen Services Fund: *Pro-*
6 *vided further*, That the appropriations, revenues, reim-
7 bursements, and collections deposited into the Fund shall
8 be available until expended for necessary expenses of Fed-
9 eral Citizen Services and other activities that enable the
10 Federal Government to enhance its ability to conduct ac-
11 tivities electronically in the aggregate amount not to ex-
12 ceed \$90,000,000: *Provided further*, That appropriations,
13 revenues, reimbursements, and collections accruing to this
14 Fund during fiscal year 2016 in excess of such amount
15 shall remain in the Fund and shall not be available for
16 expenditure except as authorized in appropriations Acts:
17 *Provided further*, That any appropriations provided to the
18 Electronic Government Fund that remain unobligated
19 may be transferred to the Federal Citizen Services Fund:
20 *Provided further*, That the transfer authorities provided
21 herein shall be in addition to any other transfer authority
22 provided in this Act.

1 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

2 ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 520. Funds available to the General Services
5 Administration shall be available for the hire of passenger
6 motor vehicles.

7 SEC. 521. Funds in the Federal Buildings Fund
8 made available for fiscal year 2016 for Federal Buildings
9 Fund activities may be transferred between such activities
10 only to the extent necessary to meet program require-
11 ments: *Provided*, That any proposed transfers shall be ap-
12 proved in advance by the Committees on Appropriations
13 of the House of Representatives and the Senate.

14 SEC. 522. Except as otherwise provided in this title,
15 funds made available by this Act shall be used to transmit
16 a fiscal year 2017 request for United States Courthouse
17 construction only if the request: (1) meets the design guide
18 standards for construction as established and approved by
19 the General Services Administration, the Judicial Con-
20 ference of the United States, and the Office of Manage-
21 ment and Budget; (2) reflects the priorities of the Judicial
22 Conference of the United States as set out in its approved
23 5-year construction plan; and (3) includes a standardized
24 courtroom utilization study of each facility to be con-
25 structed, replaced, or expanded.

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

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

18 SEC. 525. In any case in which the Committee on
19 Transportation and Infrastructure of the House of Rep-
20 resentatives and the Committee on Environment and Pub-
21 lic Works of the Senate adopt a resolution granting lease
22 authority pursuant to a prospectus transmitted to Con-
23 gress by the Administrator of the General Services Admin-
24 istration under 40 U.S.C. 3307, the Administrator shall
25 ensure that the delineated area of procurement is identical

1 to the delineated area included in the prospectus for all
2 lease agreements, except that, if the Administrator deter-
3 mines that the delineated area of the procurement should
4 not be identical to the delineated area included in the pro-
5 spectus, the Administrator shall provide an explanatory
6 statement to each of such committees and the Committees
7 on Appropriations of the House of Representatives and the
8 Senate prior to exercising any lease authority provided in
9 the resolution.

10 SEC. 526. With respect to each project funded under
11 the heading “Major Repairs and Alterations” or “Judici-
12 ary Capital Security Program”, the Administrator of Gen-
13 eral Services shall submit a spending plan and explanation
14 for each project to be undertaken to the Committees on
15 Appropriations of the House of Representatives and the
16 Senate not later than 30 days after the date of enactment
17 of this Act.

18 SEC. 527. Any consolidation of the headquarters of
19 the Federal Bureau of Investigation must result in a full
20 consolidation.

21 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

22 SALARIES AND EXPENSES

23 For payment to the Harry S Truman Scholarship
24 Foundation Trust Fund, established by section 10 of Pub-

1 lie Law 93–642, \$1,000,000, to remain available until ex-
2 pended.

3 MERIT SYSTEMS PROTECTION BOARD

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out functions of the
7 Merit Systems Protection Board pursuant to Reorganiza-
8 tion Plan Numbered 2 of 1978, the Civil Service Reform
9 Act of 1978, and the Whistleblower Protection Act of
10 1989 (5 U.S.C. 5509 note), including services as author-
11 ized by 5 U.S.C. 3109, rental of conference rooms in the
12 District of Columbia and elsewhere, hire of passenger
13 motor vehicles, direct procurement of survey printing, and
14 not to exceed \$2,000 for official reception and representa-
15 tion expenses, \$42,740,000, to remain available until Sep-
16 tember 30, 2017, together with not to exceed \$2,345,000,
17 to remain available until September 30, 2017, for adminis-
18 trative expenses to adjudicate retirement appeals to be
19 transferred from the Civil Service Retirement and Dis-
20 ability Fund in amounts determined by the Merit Systems
21 Protection Board.

1 MORRIS K. UDALL AND STEWART L. UDALL
2 FOUNDATION

3 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND
4 (INCLUDING TRANSFER OF FUNDS)

5 For payment to the Morris K. Udall and Stewart L.
6 Udall Trust Fund, pursuant to the Morris K. Udall and
7 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
8 seq.), \$1,995,000, to remain available until expended, of
9 which, notwithstanding sections 8 and 9 of such Act: (1)
10 up to \$50,000 shall be used to conduct financial audits
11 pursuant to the Accountability of Tax Dollars Act of 2002
12 (Public Law 107–289); and (2) up to \$1,000,000 shall
13 be available to carry out the activities authorized by sec-
14 tion 6(7) of Public Law 102–259 and section 817(a) of
15 Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That
16 of the total amount made available under this heading
17 \$200,000 shall be transferred to the Office of Inspector
18 General of the Department of the Interior, to remain
19 available until expended, for audits and investigations of
20 the Morris K. Udall and Stewart L. Udall Foundation,
21 consistent with the Inspector General Act of 1978 (5
22 U.S.C. App.).

23 ENVIRONMENTAL DISPUTE RESOLUTION FUND

24 For payment to the Environmental Dispute Resolu-
25 tion Fund to carry out activities authorized in the Envi-

1 ronmental Policy and Conflict Resolution Act of 1998,
2 \$3,400,000, to remain available until expended.

3 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
4 OPERATING EXPENSES

5 For necessary expenses in connection with the admin-
6 istration of the National Archives and Records Adminis-
7 tration and archived Federal records and related activities,
8 as provided by law, and for expenses necessary for the re-
9 view and declassification of documents, the activities of
10 the Public Interest Declassification Board, the operations
11 and maintenance of the electronic records archives, the
12 hire of passenger motor vehicles, and for uniforms or al-
13 lowances therefor, as authorized by law (5 U.S.C. 5901),
14 including maintenance, repairs, and cleaning,
15 \$372,000,000.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Reform Act of 2008, Public Law 110–409, 122
20 Stat. 4302–16 (2008), and the Inspector General Act of
21 1978 (5 U.S.C. App.), and for the hire of passenger motor
22 vehicles, \$4,180,000.

23 REPAIRS AND RESTORATION

24 For the repair, alteration, and improvement of ar-
25 chives facilities, and to provide adequate storage for hold-

1 ings, \$7,500,000, to remain available until expended: *Pro-*
2 *vided*, That from amounts made available under this head-
3 ing in Public Laws 111–8 and 111–117 for necessary ex-
4 penses related to the repair and renovation of the Franklin
5 D. Roosevelt Presidential Library and Museum in Hyde
6 Park, New York, the remaining unobligated balances shall
7 be available to implement the National Archives and
8 Records Administration Capital Improvement Plan.

9 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

10 COMMISSION

11 GRANTS PROGRAM

12 For necessary expenses for allocations and grants for
13 historical publications and records as authorized by 44
14 U.S.C. 2504, \$5,000,000, to remain available until ex-
15 pended.

16 NATIONAL CREDIT UNION ADMINISTRATION

17 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

18 For the Community Development Revolving Loan
19 Fund program as authorized by 42 U.S.C. 9812, 9822
20 and 9910, \$2,000,000 shall be available until September
21 30, 2017, for technical assistance to low-income des-
22 igned credit unions.

1 OFFICE OF GOVERNMENT ETHICS
2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Office of Government Ethics pursuant to the Ethics in
5 Government Act of 1978, the Ethics Reform Act of 1989,
6 and the Stop Trading on Congressional Knowledge Act of
7 2012, including services as authorized by 5 U.S.C. 3109,
8 rental of conference rooms in the District of Columbia and
9 elsewhere, hire of passenger motor vehicles, and not to ex-
10 ceed \$1,500 for official reception and representation ex-
11 penses, \$15,420,000.

12 OFFICE OF PERSONNEL MANAGEMENT
13 SALARIES AND EXPENSES
14 (INCLUDING TRANSFER OF TRUST FUNDS)

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

1 under Executive Order No. 10422 of January 9, 1953,
2 as amended; and payment of per diem and/or subsistence
3 allowances to employees where Voting Rights Act activities
4 require an employee to remain overnight at his or her post
5 of duty, \$119,239,000, of which \$616,000 may be for
6 strengthening the capacity and capabilities of the acquisi-
7 tion workforce (as defined by the Office of Federal Pro-
8 curement Policy Act, as amended (41 U.S.C. 4001 et
9 seq.)), including the recruitment, hiring, training, and re-
10 tention of such workforce and information technology in
11 support of acquisition workforce effectiveness or for man-
12 agement solutions to improve acquisition management;
13 and in addition \$118,425,000 for administrative expenses,
14 to be transferred from the appropriate trust funds of OPM
15 without regard to other statutes, including direct procure-
16 ment of printed materials, for the retirement and insur-
17 ance programs: *Provided*, That the provisions of this ap-
18 propriation shall not affect the authority to use applicable
19 trust funds as provided by sections 8348(a)(1)(B),
20 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title
21 5, United States Code: *Provided further*, That no part of
22 this appropriation shall be available for salaries and ex-
23 penses of the Legal Examining Unit of OPM established
24 pursuant to Executive Order No. 9358 of July 1, 1943,
25 or any successor unit of like purpose: *Provided further*,

1 That the President's Commission on White House Fel-
2 lows, established by Executive Order No. 11183 of Octo-
3 ber 3, 1964, may, during fiscal year 2016, accept dona-
4 tions of money, property, and personal services: *Provided*
5 *further*, That such donations, including those from prior
6 years, may be used for the development of publicity mate-
7 rials to provide information about the White House Fel-
8 lows, except that no such donations shall be accepted for
9 travel or reimbursement of travel expenses, or for the sala-
10 ries of employees of such Commission.

11 OFFICE OF INSPECTOR GENERAL
12 SALARIES AND EXPENSES
13 (INCLUDING TRANSFER OF TRUST FUNDS)

14 For necessary expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, including services as authorized by
17 5 U.S.C. 3109, hire of passenger motor vehicles,
18 \$4,384,000, and in addition, not to exceed \$22,479,000
19 for administrative expenses to audit, investigate, and pro-
20 vide other oversight of the Office of Personnel Manage-
21 ment's retirement and insurance programs, to be trans-
22 ferred from the appropriate trust funds of the Office of
23 Personnel Management, as determined by the Inspector
24 General: *Provided*, That the Inspector General is author-

1 ized to rent conference rooms in the District of Columbia
2 and elsewhere.

3 OFFICE OF SPECIAL COUNSEL

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out functions of the
6 Office of Special Counsel pursuant to Reorganization Plan
7 Numbered 2 of 1978, the Civil Service Reform Act of
8 1978 (Public Law 95–454), the Whistleblower Protection
9 Act of 1989 (Public Law 101–12) as amended by Public
10 Law 107–304, the Whistleblower Protection Enhancement
11 Act of 2012 (Public Law 112–199), and the Uniformed
12 Services Employment and Reemployment Rights Act of
13 1994 (Public Law 103–353), including services as author-
14 ized by 5 U.S.C. 3109, payment of fees and expenses for
15 witnesses, rental of conference rooms in the District of Co-
16 lumbia and elsewhere, and hire of passenger motor vehi-
17 cles; \$23,500,000.

18 POSTAL REGULATORY COMMISSION

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of the Postal Regulatory
22 Commission in carrying out the provisions of the Postal
23 Accountability and Enhancement Act (Public Law 109–
24 435), \$15,000,000, to be derived by transfer from the

1 Postal Service Fund and expended as authorized by sec-
2 tion 603(a) of such Act.

3 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses of the Privacy and Civil Lib-
6 erties Oversight Board, as authorized by section 1061 of
7 the Intelligence Reform and Terrorism Prevention Act of
8 2004 (42 U.S.C. 2000ee), \$23,297,000, to remain avail-
9 able until September 30, 2017.

10 SECURITIES AND EXCHANGE COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Securities and Ex-
13 change Commission, including services as authorized by
14 5 U.S.C. 3109, the rental of space (to include multiple
15 year leases) in the District of Columbia and elsewhere, and
16 not to exceed \$3,500 for official reception and representa-
17 tion expenses, \$1,500,000,000, to remain available until
18 expended; of which not less than \$11,315,971 shall be for
19 the Office of Inspector General; of which not to exceed
20 \$75,000 shall be available for a permanent secretariat for
21 the International Organization of Securities Commissions;
22 of which not to exceed \$100,000 shall be available for ex-
23 penses for consultations and meetings hosted by the Com-
24 mission with foreign governmental and other regulatory
25 officials, members of their delegations and staffs to ex-

1 change views concerning securities matters, such expenses
 2 to include necessary logistic and administrative expenses
 3 and the expenses of Commission staff and foreign invitees
 4 in attendance including: (1) incidental expenses such as
 5 meals; (2) travel and transportation; and (3) related lodg-
 6 ing or subsistence; and of which not less than \$60,971,000
 7 shall be for the Division of Economic and Risk Analysis:
 8 *Provided*, That fees and charges authorized by section 31
 9 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee)
 10 shall be credited to this account as offsetting collections:
 11 *Provided further*, That not to exceed \$1,500,000,000 of
 12 such offsetting collections shall be available until expended
 13 for necessary expenses of this account: *Provided further*,
 14 That the total amount appropriated under this heading
 15 from the general fund for fiscal year 2016 shall be reduced
 16 as such offsetting fees are received so as to result in a
 17 final total fiscal year 2016 appropriation from the general
 18 fund estimated at not more than \$0.

19 SELECTIVE SERVICE SYSTEM

20 SALARIES AND EXPENSES

21 For necessary expenses of the Selective Service Sys-
 22 tem, including expenses of attendance at meetings and of
 23 training for uniformed personnel assigned to the Selective
 24 Service System, as authorized by 5 U.S.C. 4101–4118 for
 25 civilian employees; hire of passenger motor vehicles; serv-

1 ices as authorized by 5 U.S.C. 3109; and not to exceed
2 \$750 for official reception and representation expenses;
3 \$22,703,000: *Provided*, That during the current fiscal
4 year, the President may exempt this appropriation from
5 the provisions of 31 U.S.C. 1341, whenever the President
6 deems such action to be necessary in the interest of na-
7 tional defense: *Provided further*, That none of the funds
8 appropriated by this Act may be expended for or in con-
9 nection with the induction of any person into the Armed
10 Forces of the United States.

11 SMALL BUSINESS ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses, not otherwise provided for,
14 of the Small Business Administration, including hire of
15 passenger motor vehicles as authorized by sections 1343
16 and 1344 of title 31, United States Code, and not to ex-
17 ceed \$3,500 for official reception and representation ex-
18 penses, \$257,000,000, of which not less than \$12,000,000
19 shall be available for examinations, reviews, and other
20 lender oversight activities: *Provided*, That the Adminis-
21 trator is authorized to charge fees to cover the cost of pub-
22 lications developed by the Small Business Administration,
23 and certain loan program activities, including fees author-
24 ized by section 5(b) of the Small Business Act: *Provided*
25 *further*, That, notwithstanding 31 U.S.C. 3302, revenues

1 received from all such activities shall be credited to this
2 account, to remain available until expended, for carrying
3 out these purposes without further appropriations: *Pro-*
4 *vided further*, That the Small Business Administration
5 may accept gifts in an amount not to exceed \$4,000,000
6 and may co-sponsor activities, each in accordance with sec-
7 tion 132(a) of division K of Public Law 108–447, during
8 fiscal year 2016: *Provided further*, That \$6,100,000 shall
9 be available for the Loan Modernization and Accounting
10 System, to be available until September 30, 2017: *Pro-*
11 *vided further*, That \$3,000,000 shall be for the Federal
12 and State Technology Partnership Program under section
13 34 of the Small Business Act (15 U.S.C. 657d).

14 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

15 For necessary expenses of programs supporting en-
16 trepreneurial and small business development,
17 \$220,150,000, to remain available until September 30,
18 2017: *Provided*, That \$115,000,000 shall be available to
19 fund grants for performance in fiscal year 2016 or fiscal
20 year 2017 as authorized by section 21 of the Small Busi-
21 ness Act: *Provided further*, That \$25,000,000 shall be for
22 marketing, management, and technical assistance under
23 section 7(m) of the Small Business Act (15 U.S.C.
24 636(m)(4)) by intermediaries that make microloans under
25 the microloan program: *Provided further*, That

1 \$17,400,000 shall be available for grants to States to
2 carry out export programs that assist small business con-
3 cerns authorized under section 1207 of Public Law 111-
4 240.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, \$19,900,000.

9 OFFICE OF ADVOCACY

10 For necessary expenses of the Office of Advocacy in
11 carrying out the provisions of title II of Public Law 94-
12 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
13 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to
14 remain available until expended.

15 BUSINESS LOANS PROGRAM ACCOUNT

16 (INCLUDING TRANSFER OF FUNDS)

17 For the cost of direct loans, \$3,338,172, to remain
18 available until expended: *Provided*, That such costs, in-
19 cluding the cost of modifying such loans, shall be as de-
20 fined in section 502 of the Congressional Budget Act of
21 1974: *Provided further*, That subject to section 502 of the
22 Congressional Budget Act of 1974, during fiscal year
23 2016 commitments to guarantee loans under section 503
24 of the Small Business Investment Act of 1958 shall not
25 exceed \$7,500,000,000: *Provided further*, That during fis-

1 cal year 2016 commitments for general business loans au-
 2 thorized under section 7(a) of the Small Business Act
 3 shall not exceed \$23,500,000,000 for a combination of
 4 amortizing term loans and the aggregated maximum line
 5 of credit provided by revolving loans: *Provided further*,
 6 That during fiscal year 2016 commitments for loans au-
 7 thorized under subparagraph (C) of section 502(7) of The
 8 Small Business Investment Act of 1958 (15 U.S.C.
 9 696(7)) shall not exceed \$7,500,000: *Provided further*,
 10 That during fiscal year 2016 commitments to guarantee
 11 loans for debentures under section 303(b) of the Small
 12 Business Investment Act of 1958 shall not exceed
 13 \$4,000,000,000: *Provided further*, That during fiscal year
 14 2016, guarantees of trust certificates authorized by sec-
 15 tion 5(g) of the Small Business Act shall not exceed a
 16 principal amount of \$12,000,000,000. In addition, for ad-
 17 ministrative expenses to carry out the direct and guaran-
 18 teed loan programs, \$152,725,828, which may be trans-
 19 ferred to and merged with the appropriations for Salaries
 20 and Expenses.

21 DISASTER LOANS PROGRAM ACCOUNT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For administrative expenses to carry out the direct
 24 loan program authorized by section 7(b) of the Small
 25 Business Act, \$186,858,000, to be available until ex-

1 pended, of which \$1,000,000 is for the Office of Inspector
2 General of the Small Business Administration for audits
3 and reviews of disaster loans and the disaster loan pro-
4 grams and shall be transferred to and merged with the
5 appropriations for the Office of Inspector General; of
6 which \$176,858,000 is for direct administrative expenses
7 of loan making and servicing to carry out the direct loan
8 program, which may be transferred to and merged with
9 the appropriations for Salaries and Expenses; and of
10 which \$9,000,000 is for indirect administrative expenses
11 for the direct loan program, which may be transferred to
12 and merged with the appropriations for Salaries and Ex-
13 penses: *Provided*, That, of the funds provided herein,
14 \$158,829,000 shall be for major disasters declared pursu-
15 ant to the Robert T. Stafford Disaster Relief and Emer-
16 gency Assistance Act (42 U.S.C. 5122(2)); \$151,179,014
17 is for direct administrative expenses of loan making and
18 servicing to carry out the direct loan program; and
19 \$7,649,986 is for indirect administrative expenses for the
20 direct loan program: *Provided further*, That the amount
21 for major disasters under this heading is designated by
22 Congress as being for disaster relief pursuant to section
23 251(b)(2)(D) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985 (Public Law 99-177), as
25 amended.

1 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

2 ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

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

14 SEC. 531. (a) None of the funds made available under
15 this Act may be used to collect a guarantee fee under sec-
16 tion 7(a)(18) of the Small Business Act (15 U.S.C.
17 636(a)(18)) with respect to a loan guaranteed under sec-
18 tion 7(a)(31) of such Act that is made to a small business
19 concern (as defined under section 3 of such Act (15 U.S.C.
20 632)) that is 51 percent or more owned and controlled
21 by 1 or more individuals who is a veteran (as defined in
22 section 101 of title 38, United States Code) or the spouse
23 of a veteran.

24 (b) Nothing in this section shall be construed to limit
25 the authority of the Administrator of the Small Business

1 Administration to waive such a guarantee fee or any other
2 loan fee with respect to a loan to a small business concern
3 described in subsection (a) or any other borrower.

4 SEC. 532. Subparagraph (C) of section 502(7) of the
5 Small Business Investment Act of 1958 (15 U.S.C
6 696(7)), as in effect on September 25, 2012, shall be in
7 effect during fiscal year 2016.

8 UNITED STATES POSTAL SERVICE

9 PAYMENT TO THE POSTAL SERVICE FUND

10 For payment to the Postal Service Fund for revenue
11 forgone on free and reduced rate mail, pursuant to sub-
12 sections (c) and (d) of section 2401 of title 39, United
13 States Code, \$49,923,000, which shall not be available for
14 obligation until October 1, 2016: *Provided*, That mail for
15 overseas voting and mail for the blind shall continue to
16 be free: *Provided further*, That 6-day delivery and rural
17 delivery of mail shall continue at not less than the 1983
18 level: *Provided further*, That none of the funds made avail-
19 able to the Postal Service by this Act shall be used to im-
20 plement any rule, regulation, or policy of charging any of-
21 ficer or employee of any State or local child support en-
22 forcement agency, or any individual participating in a
23 State or local program of child support enforcement, a fee
24 for information requested or provided concerning an ad-
25 dress of a postal customer: *Provided further*, That none

1 of the funds provided in this Act shall be used to consoli-
2 date or close small rural and other small post offices.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, \$243,883,000, to be derived by
9 transfer from the Postal Service Fund and expended as
10 authorized by section 603(b)(3) of the Postal Account-
11 ability and Enhancement Act (Public Law 109–435).

12 UNITED STATES TAX COURT

13 SALARIES AND EXPENSES

14 For necessary expenses, including contract reporting
15 and other services as authorized by 5 U.S.C. 3109,
16 \$51,300,000: *Provided*, That travel expenses of the judges
17 shall be paid upon the written certificate of the judge.

18 TITLE VI

19 GENERAL PROVISIONS—THIS ACT

20 (INCLUDING RESCISSION)

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

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

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

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

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

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

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

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

7 SEC. 608. Except as otherwise provided in this Act,
8 none of the funds provided in this Act, provided by pre-
9 vious appropriations Acts to the agencies or entities fund-
10 ed in this Act that remain available for obligation or ex-
11 penditure in fiscal year 2016, or provided from any ac-
12 counts in the Treasury derived by the collection of fees
13 and available to the agencies funded by this Act, shall be
14 available for obligation or expenditure through a re-
15 programming of funds that: (1) creates a new program;
16 (2) eliminates a program, project, or activity; (3) increases
17 funds or personnel for any program, project, or activity
18 for which funds have been denied or restricted by the Con-
19 gress; (4) proposes to use funds directed for a specific ac-
20 tivity by the Committee on Appropriations of either the
21 House of Representatives or the Senate for a different
22 purpose; (5) augments existing programs, projects, or ac-
23 tivities in excess of \$5,000,000 or 10 percent, whichever
24 is less; (6) reduces existing programs, projects, or activi-
25 ties by \$5,000,000 or 10 percent, whichever is less; or (7)

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

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

3 SEC. 609. Except as otherwise specifically provided
4 by law, not to exceed 50 percent of unobligated balances
5 remaining available at the end of fiscal year 2016 from
6 appropriations made available for salaries and expenses
7 for fiscal year 2016 in this Act, shall remain available
8 through September 30, 2017, for each such account for
9 the purposes authorized: *Provided*, That a request shall
10 be submitted to the Committees on Appropriations of the
11 House of Representatives and the Senate for approval
12 prior to the expenditure of such funds: *Provided further*,
13 That these requests shall be made in compliance with re-
14 programming guidelines.

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

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

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

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

3 (b) Subsection (a) shall not apply—

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

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

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

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

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

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

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

8 SEC. 615. In order to promote Government access to
9 commercial information technology, the restriction on pur-
10 chasing nondomestic articles, materials, and supplies set
11 forth in chapter 83 of title 41, United States Code (popu-
12 larly known as the Buy American Act), shall not apply
13 to the acquisition by the Federal Government of informa-
14 tion technology (as defined in section 11101 of title 40,
15 United States Code), that is a commercial item (as defined
16 in section 103 of title 41, United States Code).

17 SEC. 616. Notwithstanding section 1353 of title 31,
18 United States Code, no officer or employee of any regu-
19 latory agency or commission funded by this Act may ac-
20 cept on behalf of that agency, nor may such agency or
21 commission accept, payment or reimbursement from a
22 non-Federal entity for travel, subsistence, or related ex-
23 penses for the purpose of enabling an officer or employee
24 to attend and participate in any meeting or similar func-
25 tion relating to the official duties of the officer or em-

1 ployee when the entity offering payment or reimbursement
2 is a person or entity subject to regulation by such agency
3 or commission, or represents a person or entity subject
4 to regulation by such agency or commission, unless the
5 person or entity is an organization described in section
6 501(c)(3) of the Internal Revenue Code of 1986 and ex-
7 empt from tax under section 501(a) of such Code.

8 SEC. 617. Notwithstanding section 708 of this Act,
9 funds made available to the Commodity Futures Trading
10 Commission and the Securities and Exchange Commission
11 by this or any other Act may be used for the interagency
12 funding and sponsorship of a joint advisory committee to
13 advise on emerging regulatory issues.

14 SEC. 618. (a)(1) Notwithstanding any other provision
15 of law, an Executive agency covered by this Act otherwise
16 authorized to enter into contracts for either leases or the
17 construction or alteration of real property for office, meet-
18 ing, storage, or other space must consult with the General
19 Services Administration before issuing a solicitation for of-
20 fers of new leases or construction contracts, and in the
21 case of succeeding leases, before entering into negotiations
22 with the current lessor.

23 (2) Any such agency with authority to enter into an
24 emergency lease may do so during any period declared by

1 the President to require emergency leasing authority with
2 respect to such agency.

3 (b) For purposes of this section, the term “Executive
4 agency covered by this Act” means any Executive agency
5 provided funds by this Act, but does not include the Gen-
6 eral Services Administration or the United States Postal
7 Service.

8 SEC. 619. (a) There are appropriated for the fol-
9 lowing activities the amounts required under current law:

10 (1) Compensation of the President (3 U.S.C.
11 102).

12 (2) Payments to—

13 (A) the Judicial Officers’ Retirement Fund
14 (28 U.S.C. 377(o));

15 (B) the Judicial Survivors’ Annuities Fund
16 (28 U.S.C. 376(c)); and

17 (C) the United States Court of Federal
18 Claims Judges’ Retirement Fund (28 U.S.C.
19 178(l)).

20 (3) Payment of Government contributions—

21 (A) with respect to the health benefits of
22 retired employees, as authorized by chapter 89
23 of title 5, United States Code, and the Retired
24 Federal Employees Health Benefits Act (74
25 Stat. 849); and

1 (B) with respect to the life insurance bene-
2 fits for employees retiring after December 31,
3 1989 (5 U.S.C. ch. 87).

4 (4) Payment to finance the unfunded liability of
5 new and increased annuity benefits under the Civil
6 Service Retirement and Disability Fund (5 U.S.C.
7 8348).

8 (5) Payment of annuities authorized to be paid
9 from the Civil Service Retirement and Disability
10 Fund by statutory provisions other than subchapter
11 III of chapter 83 or chapter 84 of title 5, United
12 States Code.

13 (b) Nothing in this section may be construed to ex-
14 empt any amount appropriated by this section from any
15 otherwise applicable limitation on the use of funds con-
16 tained in this Act.

17 SEC. 620. The Public Company Accounting Oversight
18 Board (Board) shall have authority to obligate funds for
19 the scholarship program established by section 109(e)(2)
20 of the Sarbanes-Oxley Act of 2002 (Public Law 107–204)
21 in an aggregate amount not exceeding the amount of
22 funds collected by the Board as of December 31, 2015,
23 including accrued interest, as a result of the assessment
24 of monetary penalties. Funds available for obligation in
25 fiscal year 2016 shall remain available until expended.

1 SEC. 621. None of the funds made available in this
2 Act may be used by the Federal Trade Commission to
3 complete the draft report entitled “Interagency Working
4 Group on Food Marketed to Children: Preliminary Pro-
5 posed Nutrition Principles to Guide Industry Self-Regu-
6 latory Efforts” unless the Interagency Working Group on
7 Food Marketed to Children complies with Executive Order
8 No. 13563.

9 SEC. 622. None of the funds made available by this
10 Act may be used to pay the salaries and expenses for the
11 following positions:

12 (1) Director, White House Office of Health Re-
13 form.

14 (2) Assistant to the President for Energy and
15 Climate Change.

16 (3) Senior Advisor to the Secretary of the
17 Treasury assigned to the Presidential Task Force on
18 the Auto Industry and Senior Counselor for Manu-
19 facturing Policy.

20 (4) White House Director of Urban Affairs.

21 SEC. 623. None of the funds in this Act may be used
22 for the Director of the Office of Personnel Management
23 to award a contract, enter an extension of, or exercise an
24 option on a contract to a contractor conducting the final
25 quality review processes for background investigation

1 fieldwork services or background investigation support
2 services that, as of the date of the award of the contract,
3 are being conducted by that contractor.

4 SEC. 624. Each executive agency covered by this Act
5 shall include, in its fiscal year 2017 budget justification
6 materials submitted to the Committees on Appropriations
7 of the House of Representatives and the Senate, a sepa-
8 rate table briefly describing the top management chal-
9 lenges for fiscal year 2016 as identified by the agency in-
10 spector general, together with an explanation of how the
11 fiscal year 2017 budget request addresses each such man-
12 agement challenge.

13 SEC. 625. (a) The head of each executive branch
14 agency funded by this Act shall ensure that the Chief In-
15 formation Officer of the agency has the authority to par-
16 ticipate in decisions regarding the budget planning process
17 related to information technology.

18 (b) Amounts appropriated for any executive branch
19 agency funded by this Act that are available for informa-
20 tion technology shall be allocated within the agency, con-
21 sistent with the provisions of appropriations Acts and
22 budget guidelines and recommendations from the Director
23 of the Office of Management and Budget, in such manner
24 as specified by, or approved by, the Chief Information Of-

1 fier of the agency in consultation with the Chief Financial
2 Officer of the agency and budget officials.

3 SEC. 626. None of the funds made available in this
4 Act may be used in contravention of chapter 29, 31, or
5 33 of title 44, United States Code.

6 SEC. 627. From the unobligated balances available
7 in the Securities and Exchange Commission Reserve Fund
8 established by section 991 of the Dodd-Frank Wall Street
9 Reform and Consumer Protection Act (Public Law 111–
10 203), \$25,000,000 are rescinded.

11 SEC. 628. The head of any executive branch depart-
12 ment, agency, board, commission, or office funded by this
13 Act shall require that all contracts within their purview
14 that provide award fees link such fees to successful acqui-
15 sition outcomes, specifying the terms of cost, schedule,
16 and performance.

17 SEC. 629. Notwithstanding any other provision of
18 this Act, none of the funds appropriated or otherwise
19 made available by this Act may be used to pay award or
20 incentive fees for contractor performance that has been
21 judged to be below satisfactory performance or perform-
22 ance that does not meet the basic requirements of a con-
23 tract.

24 SEC. 630. (a) TREATMENT OF PAYMENT FOR PUBLIC
25 COMMUNICATION AS CONTRIBUTION IF MADE UNDER

1 CONTROL OR DIRECTION OF CANDIDATE.—Section
2 301(8)(A) of the Federal Election Campaign Act of 1971
3 (52 U.S.C. 30101(8)(A)) is amended—

4 (1) by striking “or” at the end of clause (i);

5 (2) by striking the period at the end of clause
6 (ii) and inserting “; or”; and

7 (3) by adding at the end the following new
8 clause:

9 “(iii) any payment by a political com-
10 mittee of a political party for the direct
11 costs of a public communication (as de-
12 fined in paragraph (22)) made on behalf of
13 a candidate for Federal office who is affili-
14 ated with such party, but only if the com-
15 munication is controlled by, or made at the
16 direction of, the candidate or an authorized
17 committee of the candidate.”.

18 (b) REQUIRING CONTROL OR DIRECTION BY CAN-
19 DIDATE FOR TREATMENT AS COORDINATED PARTY EX-
20 PENDITURE.—

21 (1) IN GENERAL.—Paragraph (4) of section
22 315(d) of such Act (52 U.S.C. 30116(d)) is amend-
23 ed to read as follows:

24 “(4) SPECIAL RULE FOR DIRECT COSTS OF
25 COMMUNICATIONS.—The direct costs incurred by a

1 political committee of a political party for a commu-
2 nication made in connection with the campaign of a
3 candidate for Federal office shall not be subject to
4 the limitations contained in paragraphs (2) and (3)
5 unless the communication is controlled by, or made
6 at the direction of, the candidate or an authorized
7 committee of the candidate.”.

8 (2) CONFORMING AMENDMENT.—Paragraph (1)
9 of section 315(d) of such Act (52 U.S.C. 30116(d))
10 is amended by striking “paragraphs (2), (3), and
11 (4)” and inserting “paragraphs (2) and (3)”.

12 SEC. 631. Section 302(g) of the Federal Election
13 Campaign Act of 1971 (52 U.S.C. 30102(g)) is amended
14 to read as follows:

15 “(g) FILING WITH THE COMMISSION.—All designa-
16 tions, statements, and reports required to be filed under
17 this Act shall be filed with the Commission.”.

18 SEC. 632. On and after the date of enactment of this
19 Act, in the case of a party to a joint sales agreement (as
20 defined in Note 2(k) to section 73.3555 of title 47, Code
21 of Federal Regulations) that is in effect on the effective
22 date of the amendment to Note 2(k)(2) to that section
23 made by the Further Notice of Proposed Rulemaking and
24 Report and Order adopted by the Federal Communica-
25 tions Commission on March 31, 2014 (FCC 14–28), the

1 party shall not be considered to be in violation of the own-
2 ership limitations of that section by reason of the applica-
3 tion of the rule in Note 2(k)(2), as so amended, to the
4 joint sales agreement.

5 SEC. 633. None of the funds made available by this
6 Act may be used to regulate, directly or indirectly, the
7 prices or related terms (as such terms are described in
8 paragraph 164 of the Report and Order on Remand, De-
9 claratory Ruling, and Order in the matter of protecting
10 and promoting the open Internet, adopted by the Federal
11 Communications Commission on February 26, 2015 (FCC
12 15–24)) charged or imposed by providers of broadband
13 Internet access service (as defined in the final rules in Ap-
14 pendix A of such Report and Order on Remand, Declara-
15 tory Ruling, and Order) for such service, regardless of
16 whether such regulation takes the form of requirements
17 for future conduct or enforcement regarding past conduct.

18 SEC. 634. None of the amounts made available by
19 this Act may be used to finalize or implement the Safety
20 Standard for Recreational Off-Highway Vehicles published
21 by the Consumer Product Safety Commission in the Fed-
22 eral Register on November 19, 2014 (79 Fed. Reg. 68964)
23 until after—

24 (1) the National Academy of Sciences, in con-
25 sultation with the National Highway Traffic Safety

1 Administration and the Department of Defense,
2 completes a study to determine—

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

11 (B) the number of ROV rollovers that
12 would be prevented if the proposed require-
13 ments were adopted;

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

18 (D) the effect on the utility of ROVs used
19 by the United States military if the proposed
20 requirements were adopted; and

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

23 (A) the Committee on Commerce, Science,
24 and Transportation of the Senate;

1 (B) the Committee on Energy and Com-
2 merce of the House of Representatives;

3 (C) the Committee on Appropriations of
4 the Senate; and

5 (D) the Committee on Appropriations of
6 the House of Representatives.

7 SEC. 635. Notwithstanding any other provision of
8 law, not to exceed \$2,266,085 of unobligated balances
9 from “Election Assistance Commission, Election Reform
10 Programs” shall be available to record a disbursement
11 previously incurred under that heading in fiscal year 2014
12 against a 2008 cancelled account.

13 SEC. 636. None of the funds appropriated by this Act
14 may be used by the Federal Communications Commission
15 to modify, amend, or change the rules or regulations of
16 the Commission for universal service high-cost support for
17 competitive eligible telecommunications carriers in a way
18 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
19 tion 54.307 of title 47, Code of Federal Regulations, as
20 in effect on July 15, 2015: *Provided*, That this section
21 shall not prohibit the Commission from considering, devel-
22 oping, or adopting other support mechanisms as an alter-
23 native to Mobility Fund Phase II.

1 SEC. 637. (a) CONSUMER FINANCIAL PROTECTION
2 ACT OF 2010.—The Consumer Financial Protection Act
3 of 2010 (12 U.S.C. 5481 et seq.) is amended—

4 (1) in section 1002 (12 U.S.C. 5481)—

5 (A) by striking paragraph (10) and insert-
6 ing:

7 “(10) BOARD.—The term ‘Board’ means the
8 Board of Directors of the Bureau of Consumer Fi-
9 nancial Protection.”; and

10 (B) by inserting after paragraph (29) the
11 following:

12 “(30) CHAIRPERSON.—The term ‘Chairperson’
13 means the Chairperson of the Board of Directors of
14 the Bureau of Consumer Financial Protection.”;

15 (2) in section 1012 (12 U.S.C. 5492)—

16 (A) in subsection (a)(8), by striking “ap-
17 pointed and supervised by the Director” and in-
18 serting “appointed by the Board and supervised
19 by the Chairperson”;

20 (B) in subsection (b), by striking “Direc-
21 tor” and inserting “Board”; and

22 (C) in subsection (c)—

23 (i) in paragraph (2)(A), by striking
24 “Director” and inserting “Board”; and

1 (ii) in paragraph (4), by striking “the
2 Director” each place that term appears
3 and inserting “any member of the Board”;

4 (3) in section 1013 (12 U.S.C. 5493)—

5 (A) in subsections (a), (b), (d), and (e), by
6 striking “Director” each place that term ap-
7 pears and inserting “Board”;

8 (B) in subsection (c)—

9 (i) in paragraphs (1) and (2), by
10 striking “Director” each place that term
11 appears and inserting “Board”; and

12 (ii) in paragraph (3)—

13 (I) by striking “Assistant Direc-
14 tor” each place that term appears and
15 inserting “Head of Office”; and

16 (II) by striking “the Director”
17 each place that term appears and in-
18 serting “the Board”;

19 (C) in subsection (g)—

20 (i) in paragraph (1), by striking “Di-
21 rector” and inserting “Board”; and

22 (ii) in paragraph (2)—

23 (I) in the paragraph heading, by
24 striking “ASSISTANT DIRECTOR” and

1 inserting “HEAD OF THE OFFICE”;
2 and

3 (II) by striking “an assistant di-
4 rector” and inserting “the Head of
5 the Office of Financial Protection for
6 Older Americans”;

7 (4) in section 1014 (12 U.S.C. 5494), by strik-
8 ing “Director” each place that term appears and in-
9 serting “Board”;

10 (5) in section 1016(a) (12 U.S.C. 5496(a)), by
11 striking “Director of the Bureau” and inserting
12 “Chairperson”;

13 (6) in section 1017—

14 (A) in subsection (a)—

15 (i) in paragraph (1), by striking “Di-
16 rector” and inserting “Board”;

17 (ii) in paragraph (4)—

18 (I) in subparagraph (A)—

19 (aa) by striking “Director
20 shall” and inserting “Board
21 shall”;

22 (bb) by striking “Director,”
23 and inserting “Board,”; and

- 1 (cc) by striking “Director
2 in” each place that term appears
3 and inserting “Board in”;
- 4 (II) in subparagraph (D), by
5 striking “Director” and inserting
6 “Board”; and
- 7 (III) in subparagraph (E), by
8 striking “Director to” and inserting
9 “Board to”; and
- 10 (iii) in paragraph (5)(C), by striking
11 “Director of the Bureau” and inserting
12 “Chairperson”;
- 13 (B) in subsection (c)(1)—
- 14 (i) by striking “Director,” and insert-
15 ing “Board,”; and
- 16 (ii) by striking “Director and” and in-
17 serting “the members of the Board and”;
18 and
- 19 (C) in subsection (e), by striking “Direc-
20 tor” each place that term appears and inserting
21 “Board”;
- 22 (7) in subtitles B (12 U.S.C. 5511 et seq.), C
23 (12 U.S.C. 5531 et seq.), and G (12 U.S.C. 5601
24 et seq.), by striking “Director” each place that term
25 appears and inserting “Board”;

1 (8) in section 1061(e)(2)(C)(i) (12 U.S.C.
2 5581(e)(2)(C)(i)), by striking “the Board” and in-
3 serting “the National Credit Union Administration
4 Board”; and

5 (9) in section 1066(a) (12 U.S.C. 5586(a)), by
6 inserting “first” before “Director”.

7 (b) FINANCIAL STABILITY ACT OF 2010.—Section
8 111(b)(1)(D) of the Financial Stability Act of 2010 (12
9 U.S.C. 5321(b)(1)(D)) is amended by striking “Director
10 of the Bureau” and inserting “Chairperson of the Board
11 of Directors of the Bureau”.

12 (c) MORTGAGE REFORM AND ANTI-PREDATORY
13 LENDING ACT.—Section 1447 of the Mortgage Reform
14 and Anti-Predatory Lending Act (12 U.S.C. 1701p–2) is
15 amended by striking “Director” each place the term ap-
16 pears and inserting “Board of Directors”.

17 (d) ELECTRONIC FUND TRANSFER ACT.—Section
18 920(a)(4)(C) of the Electronic Fund Transfer Act (15
19 U.S.C. 1693o–2(a)(4)(C)) is amended by striking “Direc-
20 tor of the Bureau” and inserting “Board of Directors of
21 the Bureau”.

22 (e) EXPEDITED FUNDS AVAILABILITY ACT.—The
23 Expedited Funds Availability Act (12 U.S.C. 4001 et seq.)
24 is amended by striking “Director of the Bureau” each

1 place that term appears and inserting “Board of Directors
2 of the Bureau”.

3 (f) FEDERAL DEPOSIT INSURANCE ACT.—Section 2
4 of the Federal Deposit Insurance Act (12 U.S.C. 1812)
5 is amended—

6 (1) by striking “Director of the Consumer Fi-
7 nancial Protection Bureau” each place that term ap-
8 pears and inserting “Chairperson of the Board of
9 Directors of the Bureau of Consumer Financial Pro-
10 tection”; and

11 (2) in subsection (d)(2), by striking “Comp-
12 troller or Director” and inserting “Comptroller or
13 Chairperson”.

14 (g) FEDERAL FINANCIAL INSTITUTIONS EXAMINA-
15 TION COUNCIL ACT OF 1978.—Section 1004(a)(4) of the
16 Federal Financial Institutions Examination Council Act of
17 1978 (12 U.S.C. 3303(a)(4)) is amended by striking “Di-
18 rector of the Consumer Financial Protection Bureau” and
19 inserting “Chairperson of the Board of Directors of the
20 Bureau of Consumer Financial Protection”.

21 (h) FINANCIAL LITERACY AND EDUCATION IM-
22 PROVEDMENT ACT.—Section 513 of the Financial Literacy
23 and Education Improvement Act (20 U.S.C. 9702) is
24 amended by striking “Director” each place that term ap-

1 pears and inserting “Chairperson of the Board of Direc-
2 tors”.

3 (i) HOME MORTGAGE DISCLOSURE ACT OF 1975.—
4 Section 307 of the Home Mortgage Disclosure Act of 1975
5 (12 U.S.C. 2806) is amended by striking “Director of the
6 Bureau of Consumer” each place that term appears and
7 inserting “Board of Directors of the Bureau of Con-
8 sumer”.

9 (j) INTERSTATE LAND SALES FULL DISCLOSURE
10 ACT.—The Interstate Land Sales Full Disclosure Act (15
11 U.S.C. 1701 et seq.) is amended—

12 (1) in section 1402(1) (15 U.S.C. 1701(1)), by
13 striking “‘Director’ means the Director” and insert-
14 ing “‘Board’ means the Board of Directors”;

15 (2) by striking “Director” each place that term
16 appears and inserting “Board”;

17 (3) in section 1403(c) (15 U.S.C. 1702(c))—

18 (A) by striking “by him” and inserting “by
19 the Board”; and

20 (B) by striking “he” and inserting “the
21 Board”;

22 (4) in section 1407 (15 U.S.C. 1706)—

23 (A) in subsection (e), by striking “he” and
24 inserting “the Board”; and

1 (B) in subsection (e), by striking “him”
2 and inserting “the Board”;

3 (5) in section 1411 (15 U.S.C. 1710)—

4 (A) in subsection (a)—

5 (i) by striking “his findings” and in-
6 serting “its finding”; and

7 (ii) by striking “his recommendation”
8 and inserting “a recommendation”; and

9 (B) in subsection (b), by striking “Sec-
10 retary’s order” and inserting “order of the
11 Board”;

12 (6) in section 1415 (15 U.S.C. 1714)—

13 (A) by striking “him” each place that term
14 appears and inserting “the Board”;

15 (B) in subsection (a), by striking “he may,
16 in his discretion” and inserting “the Board
17 may, at the discretion of the Board”;

18 (C) in subsection (b), by striking “he”
19 each time that term appears and inserting “the
20 Board”; and

21 (D) by striking “in his discretion” each
22 time that term appears and inserting “at the
23 discretion of the Board”;

24 (7) in section 1416(a) (15 U.S.C. 1715(a))—

1 (A) by striking “of the Bureau of Con-
2 sumer Financial Protection” the first time that
3 term appears;

4 (B) by striking “his functions, duties, and
5 powers” and inserting “the functions, duties,
6 and powers of the Board”;

7 (C) by striking “his administrative law
8 judges” and inserting “the administrative law
9 judges of the Bureau of Consumer Financial
10 Protection”; and

11 (D) by striking “himself” and inserting
12 “the Board”;

13 (8)(A) in section 1418a(b)(4) (15 U.S.C.
14 1717a(b)(4)), by striking “The Secretary’s deter-
15 mination or order” and inserting “A determination
16 or order of the Board”; and

17 (B) in section 1418a(d) (15 U.S.C. 1717a(d)),
18 by striking “the Secretary’s determination or order”
19 and inserting “a determination or order of the
20 Board”;

21 (9) in section 1419 (15 U.S.C. 1718)—

22 (A) by striking “him” and inserting “the
23 Board”;

1 (B) by striking “his rules and regulations”
 2 and inserting “the rules and regulations of the
 3 Board”; and

4 (C) by striking “his jurisdiction” and in-
 5 serting “the jurisdiction of the Bureau of Con-
 6 sumer Financial Protection”; and

7 (10) in section 1420 (15 U.S.C. 1719)—

8 (A) by inserting “or any member of the
 9 Board” before “in any proceeding”; and

10 (B) by striking “him” and inserting “the
 11 Board or any member of the Board”.

12 (k) REAL ESTATE SETTLEMENT PROCEDURES ACT
 13 OF 1974.—Section 5 of the Real Estate Settlement Proce-
 14 dures Act of 1974 (12 U.S.C. 2604) is amended—

15 (1) by striking “Director of” and inserting
 16 “Board of Directors of”; and

17 (2) by striking “Director” each place that term
 18 appears and inserting “Board”.

19 (l) S.A.F.E. MORTGAGE LICENSING ACT OF 2008.—
 20 The S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C.
 21 5101 et seq.) is amended—

22 (1) in section 1503(10) (12 U.S.C. 5102(10))—

23 (A) in the paragraph heading, by striking
 24 “DIRECTOR” and inserting “BOARD”; and

1 (B) by striking “‘Director’ means the Di-
2 rector” and inserting “‘Board’ means the
3 Board of Directors”;

4 (2) by striking “Director” each place that term
5 appears and inserting “Board”;

6 (3) in section 1514(b)(5) (12 U.S.C.
7 5113(b)(5)) and section 1514(c)(4)(C) (12 U.S.C.
8 5113(c)(4)(C)), by striking “Secretary’s expenses”
9 and inserting “expenses of the Board”;

10 (4) in the headings of section 1514(c)(1),
11 (c)(4)(A), and (c)(5), by striking “DIRECTOR” and
12 inserting “BOARD”; and

13 (5) in the heading of section 1514(d), by strik-
14 ing “DIRECTOR” and inserting “BOARD”.

15 (m) TITLE 44.—Section 3513(c) of title 44, United
16 States Code, is amended by striking “Director of the Bu-
17 reau” and inserting “Board of Directors of the Bureau”.

18 (n) DEEMING OF NAME.—Any reference in a law,
19 regulation, document, paper, or other record of the United
20 States to the Director of the Bureau of Consumer Finan-
21 cial Protection shall be deemed a reference to the Board
22 of Directors of the Bureau of Consumer Financial Protec-
23 tion, unless otherwise specified in this Act.

1 (o) EFFECTIVE DATE.—This section and the amend-
2 ments made by this section shall take effect on the later
3 of—

4 (1) October 1, 2016; or

5 (2) the date on which not less than 3 persons
6 have been confirmed by the Senate to serve as mem-
7 bers of the Board of Directors of the Bureau of
8 Consumer Financial Protection.

9 SEC. 638. (a) FINANCING OF SALES OF AGRICUL-
10 TURAL COMMODITIES TO CUBA.—Notwithstanding any
11 other provision of law (other than section 908 of the Trade
12 Sanctions Reform and Export Enhancement Act of 2000
13 (22 U.S.C. 7207), as amended by subsection (c)), a person
14 subject to the jurisdiction of the United States may pro-
15 vide payment or financing terms for sales of agricultural
16 commodities to Cuba or an individual or entity in Cuba.

17 (b) DEFINITIONS.—In this section:

18 (1) AGRICULTURAL COMMODITY.—The term
19 “agricultural commodity” has the meaning given the
20 term in section 102 of the Agricultural Trade Act of
21 1978 (7 U.S.C. 5602).

22 (2) FINANCING.—The term “financing” in-
23 cludes any loan or extension of credit.

1 (c) CONFORMING AMENDMENT.—Section 908 of the
2 Trade Sanctions Reform and Export Enhancement Act of
3 2000 (22 U.S.C. 7207) is amended—

4 (1) in the section heading, by striking “**AND**
5 **FINANCING**”;

6 (2) by striking subsection (b);

7 (3) in subsection (a)—

8 (A) by striking “PROHIBITION” and all
9 that follows through “(1) IN GENERAL.—Not-
10 withstanding” and inserting “IN GENERAL.—
11 Notwithstanding”; and

12 (B) by redesignating paragraphs (2) and
13 (3) as subsections (b) and (c), respectively, and
14 by moving those subsections, as so redesign-
15 nated, 2 ems to the left; and

16 (4) by striking “paragraph (1)” each place it
17 appears and inserting “subsection (a)”.

18 SEC. 639. None of the funds made available in this
19 Act may be used, with respect to a State where marijuana
20 is legal for recreational or medicinal purposes, to prohibit
21 or penalize a financial institution solely because the insti-
22 tution provides financial services to an entity that is a
23 manufacturer, producer, or a person that participates in
24 any business or organized activity that—

1 (1) involves handling marijuana or marijuana
2 products; and

3 (2) engages in such activity pursuant to a law
4 established by a State or a unit of local government.

5 SEC. 640. (a) The Office of Personnel Management
6 shall provide to each affected individual as defined in sub-
7 section (b) complimentary identity protection coverage
8 that—

9 (1) is not less comprehensive than the com-
10 plimentary identify protection coverage that the Of-
11 fice provided to affected individuals before the date
12 of enactment of this Act;

13 (2) is effective for a period of not less than 10
14 years; and

15 (3) includes not less than \$5,000,000 in iden-
16 tity theft insurance.

17 (b) DEFINITION.—In this section, the term “affected
18 individual” means any individual whose personally identi-
19 fiable information was compromised during—

20 (1) the data breach of personnel records of cur-
21 rent and former Federal employees, at a network
22 maintained by the Department of the Interior, that
23 was announced by the Office of Personnel Manage-
24 ment on June 4, 2015; or

1 (2) the data breach of systems of the Office of
2 Personnel Management containing information re-
3 lated to the background investigations of current,
4 former, and prospective Federal employees, and of
5 other individuals.

6 SEC. 641. (a) Notwithstanding any other provision
7 of law, none of the funds appropriated or otherwise made
8 available by this Act or any other Act may be used to im-
9 plement any law, regulation, or policy that prohibits or
10 otherwise restricts travel, or any transaction incident to
11 travel, to or from Cuba by any citizen or legal resident
12 of the United States.

13 (b) Any law, regulation, or policy described in sub-
14 section (a) shall cease to have any force or effect on and
15 after the date of the enactment of this Act.

16 (c) Nothing in this section limits the authority of the
17 President to restrict travel described in subsection (a), or
18 any transaction incident to such travel, if such restriction
19 is important to the national security of the United States
20 or to protect human health or welfare.

21 SEC. 642. Section 1706(b) of the Cuban Democracy
22 Act of 1992 (22 U.S.C. 6005(b)) is amended—

23 (1) by striking paragraph (1); and

24 (2) by redesignating paragraphs (2), (3), and

25 (4) as paragraphs (1), (2), and (3), respectively.

1 TITLE VII
2 GENERAL PROVISIONS—GOVERNMENT-WIDE
3 DEPARTMENTS, AGENCIES, AND CORPORATIONS
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 701. No department, agency, or instrumentality
6 of the United States receiving appropriated funds under
7 this or any other Act for fiscal year 2016 shall obligate
8 or expend any such funds, unless such department, agen-
9 cy, or instrumentality has in place, and will continue to
10 administer in good faith, a written policy designed to en-
11 sure that all of its workplaces are free from the illegal
12 use, possession, or distribution of controlled substances
13 (as defined in the Controlled Substances Act (21 U.S.C.
14 802)) by the officers and employees of such department,
15 agency, or instrumentality.

16 SEC. 702. Unless otherwise specifically provided, the
17 maximum amount allowable during the current fiscal year
18 in accordance with subsection 1343(c) of title 31, United
19 States Code, for the purchase of any passenger motor ve-
20 hicle (exclusive of buses, ambulances, law enforcement ve-
21 hicles, protective vehicles, and undercover surveillance ve-
22 hicles), is hereby fixed at \$19,947 except station wagons
23 for which the maximum shall be \$19,997: *Provided*, That
24 these limits may be exceeded by not to exceed \$7,250 for
25 police-type vehicles: *Provided further*, That the limits set

1 forth in this section may not be exceeded by more than
2 5 percent for electric or hybrid vehicles purchased for
3 demonstration under the provisions of the Electric and
4 Hybrid Vehicle Research, Development, and Demonstra-
5 tion Act of 1976: *Provided further*, That the limits set
6 forth in this section may be exceeded by the incremental
7 cost of clean alternative fuels vehicles acquired pursuant
8 to Public Law 101–549 over the cost of comparable con-
9 ventionally fueled vehicles: *Provided further*, That the lim-
10 its set forth in this section shall not apply to any vehicle
11 that is a commercial item and which operates on alter-
12 native fuel, including but not limited to electric, plug-in
13 hybrid electric, and hydrogen fuel cell vehicles.

14 SEC. 703. Appropriations of the executive depart-
15 ments and independent establishments for the current fis-
16 cal year available for expenses of travel, or for the ex-
17 penses of the activity concerned, are hereby made available
18 for quarters allowances and cost-of-living allowances, in
19 accordance with 5 U.S.C. 5922–5924.

20 SEC. 704. Unless otherwise specified in law during
21 the current fiscal year, no part of any appropriation con-
22 tained in this or any other Act shall be used to pay the
23 compensation of any officer or employee of the Govern-
24 ment of the United States (including any agency the ma-
25 jority of the stock of which is owned by the Government

1 of the United States) whose post of duty is in the conti-
2 nental United States unless such person: (1) is a citizen
3 of the United States; (2) is a person who is lawfully admit-
4 ted for permanent residence and is seeking citizenship as
5 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
6 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
7 ed asylum under 8 U.S.C. 1158 and has filed a declaration
8 of intention to become a lawful permanent resident and
9 then a citizen when eligible; or (4) is a person who owes
10 allegiance to the United States: *Provided*, That for pur-
11 poses of this section, affidavits signed by any such person
12 shall be considered prima facie evidence that the require-
13 ments of this section with respect to his or her status are
14 being complied with: *Provided further*, That for purposes
15 of subsections (2) and (3) such affidavits shall be sub-
16 mitted prior to employment and updated thereafter as nec-
17 essary: *Provided further*, That any person making a false
18 affidavit shall be guilty of a felony, and upon conviction,
19 shall be fined no more than \$4,000 or imprisoned for not
20 more than 1 year, or both: *Provided further*, That the
21 above penal clause shall be in addition to, and not in sub-
22 stitution for, any other provisions of existing law: *Provided*
23 *further*, That any payment made to any officer or em-
24 ployee contrary to the provisions of this section shall be
25 recoverable in action by the Federal Government: *Provided*

1 *further*, That this section shall not apply to any person
2 who is an officer or employee of the Government of the
3 United States on the date of enactment of this Act, or
4 to international broadcasters employed by the Broad-
5 casting Board of Governors, or to temporary employment
6 of translators, or to temporary employment in the field
7 service (not to exceed 60 days) as a result of emergencies:
8 *Provided further*, That this section does not apply to the
9 employment as Wildland firefighters for not more than
10 120 days of nonresident aliens employed by the Depart-
11 ment of the Interior or the USDA Forest Service pursuant
12 to an agreement with another country.

13 SEC. 705. Appropriations available to any depart-
14 ment or agency during the current fiscal year for nec-
15 essary expenses, including maintenance or operating ex-
16 penses, shall also be available for payment to the General
17 Services Administration for charges for space and services
18 and those expenses of renovation and alteration of build-
19 ings and facilities which constitute public improvements
20 performed in accordance with the Public Buildings Act of
21 1959 (73 Stat. 479), the Public Buildings Amendments
22 of 1972 (86 Stat. 216), or other applicable law.

23 SEC. 706. In addition to funds provided in this or
24 any other Act, all Federal agencies are authorized to re-
25 ceive and use funds resulting from the sale of materials,

1 including Federal records disposed of pursuant to a
2 records schedule recovered through recycling or waste pre-
3 vention programs. Such funds shall be available until ex-
4 pended for the following purposes:

5 (1) Acquisition, waste reduction and prevention,
6 and recycling programs as described in Executive
7 Order No. 13423 (January 24, 2007), including any
8 such programs adopted prior to the effective date of
9 the Executive order.

10 (2) Other Federal agency environmental man-
11 agement programs, including, but not limited to, the
12 development and implementation of hazardous waste
13 management and pollution prevention programs.

14 (3) Other employee programs as authorized by
15 law or as deemed appropriate by the head of the
16 Federal agency.

17 SEC. 707. Funds made available by this or any other
18 Act for administrative expenses in the current fiscal year
19 of the corporations and agencies subject to chapter 91 of
20 title 31, United States Code, shall be available, in addition
21 to objects for which such funds are otherwise available,
22 for rent in the District of Columbia; services in accordance
23 with 5 U.S.C. 3109; and the objects specified under this
24 head, all the provisions of which shall be applicable to the
25 expenditure of such funds unless otherwise specified in the

1 Act by which they are made available: *Provided*, That in
2 the event any functions budgeted as administrative ex-
3 penses are subsequently transferred to or paid from other
4 funds, the limitations on administrative expenses shall be
5 correspondingly reduced.

6 SEC. 708. No part of any appropriation contained in
7 this or any other Act shall be available for interagency
8 financing of boards (except Federal Executive Boards),
9 commissions, councils, committees, or similar groups
10 (whether or not they are interagency entities) which do
11 not have a prior and specific statutory approval to receive
12 financial support from more than one agency or instru-
13 mentality.

14 SEC. 709. None of the funds made available pursuant
15 to the provisions of this or any other Act shall be used
16 to implement, administer, or enforce any regulation which
17 has been disapproved pursuant to a joint resolution duly
18 adopted in accordance with the applicable law of the
19 United States.

20 SEC. 710. During the period in which the head of
21 any department or agency, or any other officer or civilian
22 employee of the Federal Government appointed by the
23 President of the United States, holds office, no funds may
24 be obligated or expended in excess of \$5,000 to furnish
25 or redecorate the office of such department head, agency

1 head, officer, or employee, or to purchase furniture or
2 make improvements for any such office, unless advance
3 notice of such furnishing or redecoration is transmitted
4 to the Committees on Appropriations of the House of Rep-
5 resentatives and the Senate. For the purposes of this sec-
6 tion, the term “office” shall include the entire suite of of-
7 fices assigned to the individual, as well as any other space
8 used primarily by the individual or the use of which is
9 directly controlled by the individual.

10 SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-
11 tion 708 of this Act, funds made available for the current
12 fiscal year by this or any other Act shall be available for
13 the interagency funding of national security and emer-
14 gency preparedness telecommunications initiatives which
15 benefit multiple Federal departments, agencies, or enti-
16 ties, as provided by Executive Order No. 13618 (July 6,
17 2012).

18 SEC. 712. (a) None of the funds made available by
19 this or any other Act may be obligated or expended by
20 any department, agency, or other instrumentality of the
21 Federal Government to pay the salaries or expenses of any
22 individual appointed to a position of a confidential or pol-
23 icy-determining character that is excepted from the com-
24 petitive service under section 3302 of title 5, United
25 States Code, (pursuant to schedule C of subpart C of part

1 213 of title 5 of the Code of Federal Regulations) unless
2 the head of the applicable department, agency, or other
3 instrumentality employing such schedule C individual cer-
4 tifies to the Director of the Office of Personnel Manage-
5 ment that the schedule C position occupied by the indi-
6 vidual was not created solely or primarily in order to detail
7 the individual to the White House.

8 (b) The provisions of this section shall not apply to
9 Federal employees or members of the armed forces de-
10 tailed to or from an element of the intelligence community
11 (as that term is defined under section 3(4) of the National
12 Security Act of 1947 (50 U.S.C. 3003(4))).

13 SEC. 713. No part of any appropriation contained in
14 this or any other Act shall be available for the payment
15 of the salary of any officer or employee of the Federal
16 Government, who—

17 (1) prohibits or prevents, or attempts or threat-
18 ens to prohibit or prevent, any other officer or em-
19 ployee of the Federal Government from having any
20 direct oral or written communication or contact with
21 any Member, committee, or subcommittee of the
22 Congress in connection with any matter pertaining
23 to the employment of such other officer or employee
24 or pertaining to the department or agency of such
25 other officer or employee in any way, irrespective of

1 whether such communication or contact is at the ini-
2 tiative of such other officer or employee or in re-
3 sponse to the request or inquiry of such Member,
4 committee, or subcommittee; or

5 (2) removes, suspends from duty without pay,
6 demotes, reduces in rank, seniority, status, pay, or
7 performance or efficiency rating, denies promotion
8 to, relocates, reassigns, transfers, disciplines, or dis-
9 criminate in regard to any employment right, enti-
10 tlement, or benefit, or any term or condition of em-
11 ployment of, any other officer or employee of the
12 Federal Government, or attempts or threatens to
13 commit any of the foregoing actions with respect to
14 such other officer or employee, by reason of any
15 communication or contact of such other officer or
16 employee with any Member, committee, or sub-
17 committee of the Congress as described in paragraph
18 (1).

19 SEC. 714. (a) None of the funds made available in
20 this or any other Act may be obligated or expended for
21 any employee training that—

22 (1) does not meet identified needs for knowl-
23 edge, skills, and abilities bearing directly upon the
24 performance of official duties;

1 (2) contains elements likely to induce high lev-
2 els of emotional response or psychological stress in
3 some participants;

4 (3) does not require prior employee notification
5 of the content and methods to be used in the train-
6 ing and written end of course evaluation;

7 (4) contains any methods or content associated
8 with religious or quasi-religious belief systems or
9 “new age” belief systems as defined in Equal Em-
10 ployment Opportunity Commission Notice N-
11 915.022, dated September 2, 1988; or

12 (5) is offensive to, or designed to change, par-
13 ticipants’ personal values or lifestyle outside the
14 workplace.

15 (b) Nothing in this section shall prohibit, restrict, or
16 otherwise preclude an agency from conducting training
17 bearing directly upon the performance of official duties.

18 SEC. 715. No part of any funds appropriated in this
19 or any other Act shall be used by an agency of the execu-
20 tive branch, other than for normal and recognized execu-
21 tive-legislative relationships, for publicity or propaganda
22 purposes, and for the preparation, distribution or use of
23 any kit, pamphlet, booklet, publication, radio, television,
24 or film presentation designed to support or defeat legisla-

1 tion pending before the Congress, except in presentation
2 to the Congress itself.

3 SEC. 716. None of the funds appropriated by this or
4 any other Act may be used by an agency to provide a Fed-
5 eral employee's home address to any labor organization
6 except when the employee has authorized such disclosure
7 or when such disclosure has been ordered by a court of
8 competent jurisdiction.

9 SEC. 717. None of the funds made available in this
10 or any other Act may be used to provide any non-public
11 information such as mailing, telephone or electronic mail-
12 ing lists to any person or any organization outside of the
13 Federal Government without the approval of the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate.

16 SEC. 718. No part of any appropriation contained in
17 this or any other Act shall be used directly or indirectly,
18 including by private contractor, for publicity or propa-
19 ganda purposes within the United States not heretofore
20 authorized by Congress.

21 SEC. 719. (a) In this section, the term "agency"—
22 (1) means an Executive agency, as defined
23 under 5 U.S.C. 105; and

1 (2) includes a military department, as defined
2 under section 102 of such title, the Postal Service,
3 and the Postal Regulatory Commission.

4 (b) Unless authorized in accordance with law or regu-
5 lations to use such time for other purposes, an employee
6 of an agency shall use official time in an honest effort
7 to perform official duties. An employee not under a leave
8 system, including a Presidential appointee exempted under
9 5 U.S.C. 6301(2), has an obligation to expend an honest
10 effort and a reasonable proportion of such employee's time
11 in the performance of official duties.

12 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
13 tion 708 of this Act, funds made available for the current
14 fiscal year by this or any other Act to any department
15 or agency, which is a member of the Federal Accounting
16 Standards Advisory Board (FASAB), shall be available to
17 finance an appropriate share of FASAB administrative
18 costs.

19 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
20 tion 708 of this Act, the head of each Executive depart-
21 ment and agency is hereby authorized to transfer to or
22 reimburse "General Services Administration, Government-
23 wide Policy" with the approval of the Director of the Of-
24 fice of Management and Budget, funds made available for
25 the current fiscal year by this or any other Act, including

1 rebates from charge card and other contracts: *Provided*,
2 That these funds shall be administered by the Adminis-
3 trator of General Services to support Government-wide
4 and other multi-agency financial, information technology,
5 procurement, and other management innovations, initia-
6 tives, and activities, including improving coordination and
7 reducing duplication, as approved by the Director of the
8 Office of Management and Budget, in consultation with
9 the appropriate interagency and multi-agency groups des-
10 ignated by the Director (including the President’s Man-
11 agement Council for overall management improvement ini-
12 tiatives, the Chief Financial Officers Council for financial
13 management initiatives, the Chief Information Officers
14 Council for information technology initiatives, the Chief
15 Human Capital Officers Council for human capital initia-
16 tives, the Chief Acquisition Officers Council for procure-
17 ment initiatives, and the Performance Improvement Coun-
18 cil for performance improvement initiatives): *Provided fur-*
19 *ther*, That the total funds transferred or reimbursed shall
20 not exceed \$17,000,000 for Government-Wide innovations,
21 initiatives, and activities: *Provided further*, That the funds
22 transferred to or for reimbursement of “General Services
23 Administration, Government-wide Policy” during fiscal
24 year 2016 shall remain available for obligation through
25 September 30, 2017: *Provided further*, That such trans-

1 fers or reimbursements may only be made after 15 days
2 following notification of the Committees on Appropriations
3 of the House of Representatives and the Senate by the
4 Director of the Office of Management and Budget.

5 SEC. 722. Notwithstanding any other provision of
6 law, a woman may breastfeed her child at any location
7 in a Federal building or on Federal property, if the woman
8 and her child are otherwise authorized to be present at
9 the location.

10 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
11 tion 708 of this Act, funds made available for the current
12 fiscal year by this or any other Act shall be available for
13 the interagency funding of specific projects, workshops,
14 studies, and similar efforts to carry out the purposes of
15 the National Science and Technology Council (authorized
16 by Executive Order No. 12881), which benefit multiple
17 Federal departments, agencies, or entities: *Provided*, That
18 the Office of Management and Budget shall provide a re-
19 port describing the budget of and resources connected with
20 the National Science and Technology Council to the Com-
21 mittees on Appropriations, the House Committee on
22 Science and Technology, and the Senate Committee on
23 Commerce, Science, and Transportation 90 days after en-
24 actment of this Act.

1 SEC. 724. Any request for proposals, solicitation,
2 grant application, form, notification, press release, or
3 other publications involving the distribution of Federal
4 funds shall comply with any relevant requirements in part
5 200 of title 2, Code of Federal Regulations: *Provided*,
6 That this section shall apply to direct payments, formula
7 funds, and grants received by a State receiving Federal
8 funds.

9 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
10 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
11 the funds made available in this or any other Act may
12 be used by any Federal agency—

13 (1) to collect, review, or create any aggregation
14 of data, derived from any means, that includes any
15 personally identifiable information relating to an in-
16 dividual's access to or use of any Federal Govern-
17 ment Internet site of the agency; or

18 (2) to enter into any agreement with a third
19 party (including another government agency) to col-
20 lect, review, or obtain any aggregation of data, de-
21 rived from any means, that includes any personally
22 identifiable information relating to an individual's
23 access to or use of any nongovernmental Internet
24 site.

1 (b) EXCEPTIONS.—The limitations established in
2 subsection (a) shall not apply to—

3 (1) any record of aggregate data that does not
4 identify particular persons;

5 (2) any voluntary submission of personally iden-
6 tifiable information;

7 (3) any action taken for law enforcement, regu-
8 latory, or supervisory purposes, in accordance with
9 applicable law; or

10 (4) any action described in subsection (a)(1)
11 that is a system security action taken by the oper-
12 ator of an Internet site and is necessarily incident
13 to providing the Internet site services or to pro-
14 tecting the rights or property of the provider of the
15 Internet site.

16 (c) DEFINITIONS.—For the purposes of this section:

17 (1) The term “regulatory” means agency ac-
18 tions to implement, interpret or enforce authorities
19 provided in law.

20 (2) The term “supervisory” means examina-
21 tions of the agency’s supervised institutions, includ-
22 ing assessing safety and soundness, overall financial
23 condition, management practices and policies and
24 compliance with applicable standards as provided in
25 law.

1 SEC. 726. (a) None of the funds appropriated by this
2 Act may be used to enter into or renew a contract which
3 includes a provision providing prescription drug coverage,
4 except where the contract also includes a provision for con-
5 traceptive coverage.

6 (b) Nothing in this section shall apply to a contract
7 with—

8 (1) any of the following religious plans:

9 (A) Personal Care's HMO; and

10 (B) OSF HealthPlans, Inc.; and

11 (2) any existing or future plan, if the carrier
12 for the plan objects to such coverage on the basis of
13 religious beliefs.

14 (c) In implementing this section, any plan that enters
15 into or renews a contract under this section may not sub-
16 ject any individual to discrimination on the basis that the
17 individual refuses to prescribe or otherwise provide for
18 contraceptives because such activities would be contrary
19 to the individual's religious beliefs or moral convictions.

20 (d) Nothing in this section shall be construed to re-
21 quire coverage of abortion or abortion-related services.

22 SEC. 727. The United States is committed to ensur-
23 ing the health of its Olympic, Pan American, and
24 Paralympic athletes, and supports the strict adherence to
25 anti-doping in sport through testing, adjudication, edu-

1 cation, and research as performed by nationally recognized
2 oversight authorities.

3 SEC. 728. Notwithstanding any other provision of
4 law, funds appropriated for official travel to Federal de-
5 partments and agencies may be used by such departments
6 and agencies, if consistent with Office of Management and
7 Budget Circular A-126 regarding official travel for Gov-
8 ernment personnel, to participate in the fractional aircraft
9 ownership pilot program.

10 SEC. 729. Notwithstanding any other provision of
11 law, none of the funds appropriated or made available
12 under this or any other appropriations Act may be used
13 to implement or enforce restrictions or limitations on the
14 Coast Guard Congressional Fellowship Program, or to im-
15 plement the proposed regulations of the Office of Per-
16 sonnel Management to add sections 300.311 through
17 300.316 to part 300 of title 5 of the Code of Federal Reg-
18 ulations, published in the Federal Register, volume 68,
19 number 174, on September 9, 2003 (relating to the detail
20 of executive branch employees to the legislative branch).

21 SEC. 730. Notwithstanding any other provision of
22 law, no executive branch agency shall purchase, construct,
23 or lease any additional facilities, except within or contig-
24 uous to existing locations, to be used for the purpose of
25 conducting Federal law enforcement training without the

1 advance approval of the Committees on Appropriations of
2 the House of Representatives and the Senate, except that
3 the Federal Law Enforcement Training Center is author-
4 ized to obtain the temporary use of additional facilities
5 by lease, contract, or other agreement for training which
6 cannot be accommodated in existing Center facilities.

7 SEC. 731. Unless otherwise authorized by existing
8 law, none of the funds provided in this or any other Act
9 may be used by an executive branch agency to produce
10 any prepackaged news story intended for broadcast or dis-
11 tribution in the United States, unless the story includes
12 a clear notification within the text or audio of the pre-
13 packaged news story that the prepackaged news story was
14 prepared or funded by that executive branch agency.

15 SEC. 732. None of the funds made available in this
16 Act may be used in contravention of section 552a of title
17 5, United States Code (popularly known as the Privacy
18 Act), and regulations implementing that section.

19 SEC. 733. (a) IN GENERAL.—None of the funds ap-
20 propriated or otherwise made available by this or any
21 other Act may be used for any Federal Government con-
22 tract with any foreign incorporated entity which is treated
23 as an inverted domestic corporation under section 835(b)
24 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
25 or any subsidiary of such an entity.

1 (b) WAIVERS.—

2 (1) IN GENERAL.—Any Secretary shall waive
3 subsection (a) with respect to any Federal Govern-
4 ment contract under the authority of such Secretary
5 if the Secretary determines that the waiver is re-
6 quired in the interest of national security.

7 (2) REPORT TO CONGRESS.—Any Secretary
8 issuing a waiver under paragraph (1) shall report
9 such issuance to Congress.

10 (c) EXCEPTION.—This section shall not apply to any
11 Federal Government contract entered into before the date
12 of the enactment of this Act, or to any task order issued
13 pursuant to such contract.

14 SEC. 734. During fiscal year 2016, for each employee
15 who—

16 (1) retires under section 8336(d)(2) or
17 8414(b)(1)(B) of title 5, United States Code; or

18 (2) retires under any other provision of sub-
19 chapter III of chapter 83 or chapter 84 of such title
20 5 and receives a payment as an incentive to sepa-
21 rate, the separating agency shall remit to the Civil
22 Service Retirement and Disability Fund an amount
23 equal to the Office of Personnel Management's aver-
24 age unit cost of processing a retirement claim for
25 the preceding fiscal year. Such amounts shall be

1 available until expended to the Office of Personnel
2 Management and shall be deemed to be an adminis-
3 trative expense under section 8348(a)(1)(B) of title
4 5, United States Code.

5 SEC. 735. (a) None of the funds made available in
6 this or any other Act may be used to recommend or re-
7 quire any entity submitting an offer for a Federal contract
8 to disclose any of the following information as a condition
9 of submitting the offer:

10 (1) Any payment consisting of a contribution,
11 expenditure, independent expenditure, or disburse-
12 ment for an electioneering communication that is
13 made by the entity, its officers or directors, or any
14 of its affiliates or subsidiaries to a candidate for
15 election for Federal office or to a political com-
16 mittee, or that is otherwise made with respect to any
17 election for Federal office.

18 (2) Any disbursement of funds (other than a
19 payment described in paragraph (1)) made by the
20 entity, its officers or directors, or any of its affiliates
21 or subsidiaries to any person with the intent or the
22 reasonable expectation that the person will use the
23 funds to make a payment described in paragraph
24 (1).

1 (b) In this section, each of the terms “contribution”,
2 “expenditure”, “independent expenditure”, “election-
3 eering communication”, “candidate”, “election”, and
4 “Federal office” has the meaning given such term in the
5 Federal Election Campaign Act of 1971 (2 U.S.C. 431
6 et seq.).

7 SEC. 736. None of the funds made available in this
8 or any other Act may be used to pay for the painting of
9 a portrait of an officer or employee of the Federal govern-
10 ment, including the President, the Vice President, a mem-
11 ber of Congress (including a Delegate or a Resident Com-
12 missioner to Congress), the head of an executive branch
13 agency (as defined in section 133 of title 41, United States
14 Code), or the head of an office of the legislative branch.

15 SEC. 737. (a)(1) Notwithstanding any other provision
16 of law, and except as otherwise provided in this section,
17 no part of any of the funds appropriated for fiscal year
18 2016, by this or any other Act, may be used to pay any
19 prevailing rate employee described in section
20 5342(a)(2)(A) of title 5, United States Code—

21 (A) during the period from the date of expira-
22 tion of the limitation imposed by the comparable sec-
23 tion for the previous fiscal years until the normal ef-
24 fective date of the applicable wage survey adjust-
25 ment that is to take effect in fiscal year 2016, in an

1 amount that exceeds the rate payable for the appli-
2 cable grade and step of the applicable wage schedule
3 in accordance with such section; and

4 (B) during the period consisting of the remain-
5 der of fiscal year 2016, in an amount that exceeds,
6 as a result of a wage survey adjustment, the rate
7 payable under subparagraph (A) by more than the
8 sum of—

9 (i) the percentage adjustment taking effect
10 in fiscal year 2016 under section 5303 of title
11 5, United States Code, in the rates of pay
12 under the General Schedule; and

13 (ii) the difference between the overall aver-
14 age percentage of the locality-based com-
15 parability payments taking effect in fiscal year
16 2016 under section 5304 of such title (whether
17 by adjustment or otherwise), and the overall av-
18 erage percentage of such payments which was
19 effective in the previous fiscal year under such
20 section.

21 (2) Notwithstanding any other provision of law, no
22 prevailing rate employee described in subparagraph (B) or
23 (C) of section 5342(a)(2) of title 5, United States Code,
24 and no employee covered by section 5348 of such title,
25 may be paid during the periods for which paragraph (1)

1 is in effect at a rate that exceeds the rates that would
2 be payable under paragraph (1) were paragraph (1) appli-
3 cable to such employee.

4 (3) For the purposes of this subsection, the rates pay-
5 able to an employee who is covered by this subsection and
6 who is paid from a schedule not in existence on September
7 30, 2015, shall be determined under regulations pre-
8 scribed by the Office of Personnel Management.

9 (4) Notwithstanding any other provision of law, rates
10 of premium pay for employees subject to this subsection
11 may not be changed from the rates in effect on September
12 30, 2015, except to the extent determined by the Office
13 of Personnel Management to be consistent with the pur-
14 pose of this subsection.

15 (5) This subsection shall apply with respect to pay
16 for service performed after September 30, 2015.

17 (6) For the purpose of administering any provision
18 of law (including any rule or regulation that provides pre-
19 mium pay, retirement, life insurance, or any other em-
20 ployee benefit) that requires any deduction or contribu-
21 tion, or that imposes any requirement or limitation on the
22 basis of a rate of salary or basic pay, the rate of salary
23 or basic pay payable after the application of this sub-
24 section shall be treated as the rate of salary or basic pay.

1 (7) Nothing in this subsection shall be considered to
2 permit or require the payment to any employee covered
3 by this subsection at a rate in excess of the rate that would
4 be payable were this subsection not in effect.

5 (8) The Office of Personnel Management may provide
6 for exceptions to the limitations imposed by this sub-
7 section if the Office determines that such exceptions are
8 necessary to ensure the recruitment or retention of quali-
9 fied employees.

10 (b) Notwithstanding subsection (a), the adjustment
11 in rates of basic pay for the statutory pay systems that
12 take place in fiscal year 2016 under sections 5344 and
13 5348 of title 5, United States Code, shall be—

14 (1) not less than the percentage received by em-
15 ployees in the same location whose rates of basic pay
16 are adjusted pursuant to the statutory pay systems
17 under sections 5303 and 5304 of title 5, United
18 States Code: *Provided*, That prevailing rate employ-
19 ees at locations where there are no employees whose
20 pay is increased pursuant to sections 5303 and 5304
21 of title 5, United States Code, and prevailing rate
22 employees described in section 5343(a)(5) of title 5,
23 United States Code, shall be considered to be located
24 in the pay locality designated as “Rest of United

1 States” pursuant to section 5304 of title 5, United
2 States Code, for purposes of this subsection; and

3 (2) effective as of the first day of the first ap-
4 plicable pay period beginning after September 30,
5 2015.

6 SEC. 738. (a) The Vice President may not receive a
7 pay raise in calendar year 2016, notwithstanding the rate
8 adjustment made under section 104 of title 3, United
9 States Code, or any other provision of law.

10 (b) An employee serving in an Executive Schedule po-
11 sition, or in a position for which the rate of pay is fixed
12 by statute at an Executive Schedule rate, may not receive
13 a pay rate increase in calendar year 2016, notwith-
14 standing schedule adjustments made under section 5318
15 of title 5, United States Code, or any other provision of
16 law, except as provided in subsection (g), (h), or (i). This
17 subsection applies only to employees who are holding a po-
18 sition under a political appointment.

19 (c) A chief of mission or ambassador at large may
20 not receive a pay rate increase in calendar year 2016, not-
21 withstanding section 401 of the Foreign Service Act of
22 1980 (Public Law 96–465) or any other provision of law,
23 except as provided in subsection (g), (h), or (i).

24 (d) Notwithstanding sections 5382 and 5383 of title
25 5, United States Code, a pay rate increase may not be

1 received in calendar year 2016 (except as provided in sub-
2 section (g), (h), or (i)) by—

3 (1) a noncareer appointee in the Senior Execu-
4 tive Service paid a rate of basic pay at or above level
5 IV of the Executive Schedule; or

6 (2) a limited term appointee or limited emer-
7 gency appointee in the Senior Executive Service
8 serving under a political appointment and paid a
9 rate of basic pay at or above level IV of the Execu-
10 tive Schedule.

11 (e) Any employee paid a rate of basic pay (including
12 any locality-based payments under section 5304 of title
13 5, United States Code, or similar authority) at or above
14 level IV of the Executive Schedule who serves under a po-
15 litical appointment may not receive a pay rate increase
16 in calendar year 2016, notwithstanding any other provi-
17 sion of law, except as provided in subsection (g), (h), or
18 (i). This subsection does not apply to employees in the
19 General Schedule pay system or the Foreign Service pay
20 system, or to employees appointed under section 3161 of
21 title 5, United States Code, or to employees in another
22 pay system whose position would be classified at GS-15
23 or below if chapter 51 of title 5, United States Code, ap-
24 plied to them.

1 (f) Nothing in subsections (b) through (e) shall pre-
2 vent employees who do not serve under a political appoint-
3 ment from receiving pay increases as otherwise provided
4 under applicable law.

5 (g) A career appointee in the Senior Executive Serv-
6 ice who receives a Presidential appointment and who
7 makes an election to retain Senior Executive Service basic
8 pay entitlements under section 3392 of title 5, United
9 States Code, is not subject to this section.

10 (h) A member of the Senior Foreign Service who re-
11 ceives a Presidential appointment to any position in the
12 executive branch and who makes an election to retain Sen-
13 ior Foreign Service pay entitlements under section 302(b)
14 of the Foreign Service Act of 1980 (Public Law 96–465)
15 is not subject to this section.

16 (i) Notwithstanding subsections (b) through (e), an
17 employee in a covered position may receive a pay rate in-
18 crease upon an authorized movement to a different cov-
19 ered position with higher-level duties and a pre-established
20 higher level or range of pay, except that any such increase
21 must be based on the rates of pay and applicable pay limi-
22 tations in effect on December 31, 2013.

23 (j) Notwithstanding any other provision of law, for
24 an individual who is newly appointed to a covered position
25 during the period of time subject to this section, the initial

1 pay rate shall be based on the rates of pay and applicable
2 pay limitations in effect on December 31, 2013.

3 (k) If an employee affected by subsections (b)
4 through (e) is subject to a biweekly pay period that begins
5 in calendar year 2016 but ends in calendar year 2017,
6 the bar on the employee's receipt of pay rate increases
7 shall apply through the end of that pay period.

8 SEC. 739. (a) The head of any Executive branch de-
9 partment, agency, board, commission, or office funded by
10 this or any other appropriations Act shall submit annual
11 reports to the Inspector General or senior ethics official
12 for any entity without an Inspector General, regarding the
13 costs and contracting procedures related to each con-
14 ference held by any such department, agency, board, com-
15 mission, or office during fiscal year 2016 for which the
16 cost to the United States Government was more than
17 \$100,000.

18 (b) Each report submitted shall include, for each con-
19 ference described in subsection (a) held during the applica-
20 ble period—

21 (1) a description of its purpose;

22 (2) the number of participants attending;

23 (3) a detailed statement of the costs to the
24 United States Government, including—

25 (A) the cost of any food or beverages;

1 (B) the cost of any audio-visual services;

2 (C) the cost of employee or contractor
3 travel to and from the conference; and

4 (D) a discussion of the methodology used
5 to determine which costs relate to the con-
6 ference; and

7 (4) a description of the contracting procedures
8 used including—

9 (A) whether contracts were awarded on a
10 competitive basis; and

11 (B) a discussion of any cost comparison
12 conducted by the departmental component or
13 office in evaluating potential contractors for the
14 conference.

15 (c) Within 15 days of the date of a conference held
16 by any Executive branch department, agency, board, com-
17 mission, or office funded by this or any other appropria-
18 tions Act during fiscal year 2016 for which the cost to
19 the United States Government was more than \$20,000,
20 the head of any such department, agency, board, commis-
21 sion, or office shall notify the Inspector General or senior
22 ethics official for any entity without an Inspector General,
23 of the date, location, and number of employees attending
24 such conference.

1 (d) A grant or contract funded by amounts appro-
2 priated by this or any other appropriations Act may not
3 be used for the purpose of defraying the costs of a con-
4 ference described in subsection (c) that is not directly and
5 programmatically related to the purpose for which the
6 grant or contract was awarded, such as a conference held
7 in connection with planning, training, assessment, review,
8 or other routine purposes related to a project funded by
9 the grant or contract.

10 (e) None of the funds made available in this or any
11 other appropriations Act may be used for travel and con-
12 ference activities that are not in compliance with Office
13 of Management and Budget Memorandum M-12-12
14 dated May 11, 2012.

15 SEC. 740. None of the funds made available in this
16 or any other appropriations Act may be used to increase,
17 eliminate, or reduce funding for a program, project, or ac-
18 tivity as proposed in the President's budget request for
19 a fiscal year until such proposed change is subsequently
20 enacted in an appropriation Act, or unless such change
21 is made pursuant to the reprogramming or transfer provi-
22 sions of this or any other appropriations Act.

23 SEC. 741. None of the funds made available by this
24 or any other Act may be used to implement, administer,
25 enforce, or apply the rule entitled "Competitive Area"

1 published by the Office of Personnel Management in the
2 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
3 et seq.).

4 SEC. 742. None of the funds appropriated or other-
5 wise made available by this or any other Act may be used
6 to begin or announce a study or public-private competition
7 regarding the conversion to contractor performance of any
8 function performed by Federal employees pursuant to Of-
9 fice of Management and Budget Circular A-76 or any
10 other administrative regulation, directive, or policy.

11 SEC. 743. (a) None of the funds appropriated or oth-
12 erwise made available by this or any other Act may be
13 available for a contract, grant, or cooperative agreement
14 with an entity that requires employees or contractors of
15 such entity seeking to report fraud, waste, or abuse to sign
16 internal confidentiality agreements or statements prohib-
17 iting or otherwise restricting such employees or contrac-
18 tors from lawfully reporting such waste, fraud, or abuse
19 to a designated investigative or law enforcement represent-
20 ative of a Federal department or agency authorized to re-
21 ceive such information.

22 (b) The limitation in subsection (a) shall not con-
23 travene requirements applicable to Standard Form 312,
24 Form 4414, or any other form issued by a Federal depart-

1 ment or agency governing the nondisclosure of classified
2 information.

3 SEC. 744. None of the funds made available by this
4 or any other Act may be used to enter into a contract,
5 memorandum of understanding, or cooperative agreement
6 with, make a grant to, or provide a loan or loan guarantee
7 to, any corporation that has any unpaid Federal tax liabil-
8 ity that has been assessed, for which all judicial and ad-
9 ministrative remedies have been exhausted or have lapsed,
10 and that is not being paid in a timely manner pursuant
11 to an agreement with the authority responsible for col-
12 lecting the tax liability, where the awarding agency is
13 aware of the unpaid tax liability, unless a Federal agency
14 has considered suspension or debarment of the corporation
15 and has made a determination that this further action is
16 not necessary to protect the interests of the Government.

17 SEC. 745. None of the funds made available by this
18 or any other Act may be used to enter into a contract,
19 memorandum of understanding, or cooperative agreement
20 with, make a grant to, or provide a loan or loan guarantee
21 to, any corporation that was convicted of a felony criminal
22 violation under any Federal law within the preceding 24
23 months, where the awarding agency is aware of the convic-
24 tion, unless a Federal agency has considered suspension
25 or debarment of the corporation and has made a deter-

1 mination that this further action is not necessary to pro-
2 tect the interests of the Government.

3 SEC. 746. (a) No funds appropriated in this or any
4 other Act may be used to implement or enforce the agree-
5 ments in Standard Forms 312 and 4414 of the Govern-
6 ment or any other nondisclosure policy, form, or agree-
7 ment if such policy, form, or agreement does not contain
8 the following provisions: “These provisions are consistent
9 with and do not supersede, conflict with, or otherwise alter
10 the employee obligations, rights, or liabilities created by
11 existing statute or Executive order relating to (1) classi-
12 fied information, (2) communications to Congress, (3) the
13 reporting to an Inspector General of a violation of any
14 law, rule, or regulation, or mismanagement, a gross waste
15 of funds, an abuse of authority, or a substantial and spe-
16 cific danger to public health or safety, or (4) any other
17 whistleblower protection. The definitions, requirements,
18 obligations, rights, sanctions, and liabilities created by
19 controlling Executive orders and statutory provisions are
20 incorporated into this agreement and are controlling.”:
21 *Provided*, That notwithstanding the preceding provision of
22 this section, a nondisclosure policy form or agreement that
23 is to be executed by a person connected with the conduct
24 of an intelligence or intelligence-related activity, other
25 than an employee or officer of the United States Govern-

1 ment, may contain provisions appropriate to the particular
2 activity for which such document is to be used. Such form
3 or agreement shall, at a minimum, require that the person
4 will not disclose any classified information received in the
5 course of such activity unless specifically authorized to do
6 so by the United States Government. Such nondisclosure
7 forms shall also make it clear that they do not bar disclo-
8 sures to Congress, or to an authorized official of an execu-
9 tive agency or the Department of Justice, that are essen-
10 tial to reporting a substantial violation of law.

11 (b) A nondisclosure agreement may continue to be
12 implemented and enforced notwithstanding subsection (a)
13 if it complies with the requirements for such agreement
14 that were in effect when the agreement was entered into.

15 (c) No funds appropriated in this or any other Act
16 may be used to implement or enforce any agreement en-
17 tered into during fiscal year 2014 which does not contain
18 substantially similar language to that required in sub-
19 section (a).

20 SEC. 747. None of the funds made available by this
21 or any other Act may be used to implement, administer,
22 carry out, modify, revise, or enforce Executive Order
23 13690 (entitled “Establishing a Federal Flood Risk Man-
24 agement Standard and a Process for Further Soliciting
25 and Considering Stakeholder Input”).

1 SEC. 748. If, for fiscal year 2016, new budget author-
2 ity provided in appropriations Acts exceeds the discre-
3 tionary spending limit for any category set forth in section
4 251(c) of the Balanced Budget and Emergency Deficit
5 Control Act of 1985 due to estimating differences with the
6 Congressional Budget Office, an adjustment to the discre-
7 tionary spending limit in such category for fiscal year
8 2016 shall be made by the Director of the Office of Man-
9 agement and Budget in the amount of the excess but the
10 total of all such adjustments shall not exceed 0.2 percent
11 of the sum of the adjusted discretionary spending limits
12 for all categories for that fiscal year.

13 SEC. 749. Except as expressly provided otherwise,
14 any reference to “this Act” contained in any title other
15 than title IV or VIII shall not apply to such title IV or
16 VIII.

17 TITLE VIII

18 GENERAL PROVISIONS—DISTRICT OF

19 COLUMBIA

20 (INCLUDING TRANSFERS OF FUNDS)

21 SEC. 801. There are appropriated from the applicable
22 funds of the District of Columbia such sums as may be
23 necessary for making refunds and for the payment of legal
24 settlements or judgments that have been entered against
25 the District of Columbia government.

1 SEC. 802. None of the Federal funds provided in this
2 Act shall be used for publicity or propaganda purposes or
3 implementation of any policy including boycott designed
4 to support or defeat legislation pending before Congress
5 or any State legislature.

6 SEC. 803. (a) None of the Federal funds provided
7 under this Act to the agencies funded by this Act, both
8 Federal and District government agencies, that remain
9 available for obligation or expenditure in fiscal year 2016,
10 or provided from any accounts in the Treasury of the
11 United States derived by the collection of fees available
12 to the agencies funded by this Act, shall be available for
13 obligation or expenditures for an agency through a re-
14 programming of funds which—

15 (1) creates new programs;

16 (2) eliminates a program, project, or responsi-
17 bility center;

18 (3) establishes or changes allocations specifi-
19 cally denied, limited or increased under this Act;

20 (4) increases funds or personnel by any means
21 for any program, project, or responsibility center for
22 which funds have been denied or restricted;

23 (5) re-establishes any program or project pre-
24 viously deferred through reprogramming;

1 (6) augments any existing program, project, or
2 responsibility center through a reprogramming of
3 funds in excess of \$3,000,000 or 10 percent, which-
4 ever is less; or

5 (7) increases by 20 percent or more personnel
6 assigned to a specific program, project or responsi-
7 bility center,

8 unless prior approval is received from the Committees on
9 Appropriations of the House of Representatives and the
10 Senate.

11 (b) The District of Columbia government is author-
12 ized to approve and execute reprogramming and transfer
13 requests of local funds under this title through November
14 7, 2016.

15 SEC. 804. None of the Federal funds provided in this
16 Act may be used by the District of Columbia to provide
17 for salaries, expenses, or other costs associated with the
18 offices of United States Senator or United States Rep-
19 resentative under section 4(d) of the District of Columbia
20 Statehood Constitutional Convention Initiatives of 1979
21 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

22 SEC. 805. Except as otherwise provided in this sec-
23 tion, none of the funds made available by this Act or by
24 any other Act may be used to provide any officer or em-
25 ployee of the District of Columbia with an official vehicle

1 unless the officer or employee uses the vehicle only in the
2 performance of the officer's or employee's official duties.
3 For purposes of this section, the term "official duties"
4 does not include travel between the officer's or employee's
5 residence and workplace, except in the case of—

6 (1) an officer or employee of the Metropolitan
7 Police Department who resides in the District of Co-
8 lumbia or is otherwise designated by the Chief of the
9 Department;

10 (2) at the discretion of the Fire Chief, an offi-
11 cer or employee of the District of Columbia Fire and
12 Emergency Medical Services Department who re-
13 sides in the District of Columbia and is on call 24
14 hours a day;

15 (3) at the discretion of the Director of the De-
16 partment of Corrections, an officer or employee of
17 the District of Columbia Department of Corrections
18 who resides in the District of Columbia and is on
19 call 24 hours a day;

20 (4) at the discretion of the Chief Medical Ex-
21 aminer, an officer or employee of the Office of the
22 Chief Medical Examiner who resides in the District
23 of Columbia and is on call 24 hours a day;

24 (5) at the discretion of the Director of the
25 Homeland Security and Emergency Management

1 Agency, an officer or employee of the Homeland Se-
2 curity and Emergency Management Agency who re-
3 sides in the District of Columbia and is on call 24
4 hours a day;

5 (6) the Mayor of the District of Columbia; and

6 (7) the Chairman of the Council of the District
7 of Columbia.

8 SEC. 806. (a) None of the Federal funds contained
9 in this Act may be used by the District of Columbia Attor-
10 ney General or any other officer or entity of the District
11 government to provide assistance for any petition drive or
12 civil action which seeks to require Congress to provide for
13 voting representation in Congress for the District of Co-
14 lumbia.

15 (b) Nothing in this section bars the District of Co-
16 lumbia Attorney General from reviewing or commenting
17 on briefs in private lawsuits, or from consulting with offi-
18 cials of the District government regarding such lawsuits.

19 SEC. 807. None of the Federal funds contained in
20 this Act may be used to distribute any needle or syringe
21 for the purpose of preventing the spread of blood borne
22 pathogens in any location that has been determined by the
23 local public health or local law enforcement authorities to
24 be inappropriate for such distribution.

1 SEC. 808. Nothing in this Act may be construed to
2 prevent the Council or Mayor of the District of Columbia
3 from addressing the issue of the provision of contraceptive
4 coverage by health insurance plans, but it is the intent
5 of Congress that any legislation enacted on such issue
6 should include a “conscience clause” which provides excep-
7 tions for religious beliefs and moral convictions.

8 SEC. 809. None of the Federal funds appropriated
9 under this Act shall be expended for any abortion except
10 where the life of the mother would be endangered if the
11 fetus were carried to term or where the pregnancy is the
12 result of an act of rape or incest.

13 SEC. 810. (a) No later than 30 calendar days after
14 the date of the enactment of this Act, the Chief Financial
15 Officer for the District of Columbia shall submit to the
16 appropriate committees of Congress, the Mayor, and the
17 Council of the District of Columbia, a revised appropriated
18 funds operating budget in the format of the budget that
19 the District of Columbia government submitted pursuant
20 to section 442 of the District of Columbia Home Rule Act
21 (D.C. Official Code, sec. 1–204.42), for all agencies of the
22 District of Columbia government for fiscal year 2016 that
23 is in the total amount of the approved appropriation and
24 that realigns all budgeted data for personal services and

1 other-than-personal services, respectively, with anticipated
2 actual expenditures.

3 (b) This section shall apply only to an agency for
4 which the Chief Financial Officer for the District of Co-
5 lumbia certifies that a reallocation is required to address
6 unanticipated changes in program requirements.

7 SEC. 811. No later than 30 calendar days after the
8 date of the enactment of this Act, the Chief Financial Offi-
9 cer for the District of Columbia shall submit to the appro-
10 priate committees of Congress, the Mayor, and the Council
11 for the District of Columbia, a revised appropriated funds
12 operating budget for the District of Columbia Public
13 Schools that aligns schools budgets to actual enrollment.
14 The revised appropriated funds budget shall be in the for-
15 mat of the budget that the District of Columbia govern-
16 ment submitted pursuant to section 442 of the District
17 of Columbia Home Rule Act (D.C. Official Code, sec. 1-
18 204.42).

19 SEC. 812. (a) Amounts appropriated in this Act as
20 operating funds may be transferred to the District of Co-
21 lumbia's enterprise and capital funds and such amounts,
22 once transferred, shall retain appropriation authority con-
23 sistent with the provisions of this Act.

24 (b) The District of Columbia government is author-
25 ized to reprogram or transfer for operating expenses any

1 local funds transferred or reprogrammed in this or the
2 four prior fiscal years from operating funds to capital
3 funds, and such amounts, once transferred or repro-
4 grammed, shall retain appropriation authority consistent
5 with the provisions of this Act.

6 (c) The District of Columbia government may not
7 transfer or reprogram for operating expenses any funds
8 derived from bonds, notes, or other obligations issued for
9 capital projects.

10 SEC. 813. None of the Federal funds appropriated
11 in this Act shall remain available for obligation beyond
12 the current fiscal year, nor may any be transferred to
13 other appropriations, unless expressly so provided herein.

14 SEC. 814. Except as otherwise specifically provided
15 by law or under this Act, not to exceed 50 percent of unob-
16 ligated balances remaining available at the end of fiscal
17 year 2016 from appropriations of Federal funds made
18 available for salaries and expenses for fiscal year 2016 in
19 this Act, shall remain available through September 30,
20 2017, for each such account for the purposes authorized:
21 *Provided*, That a request shall be submitted to the Com-
22 mittees on Appropriations of the House of Representatives
23 and the Senate for approval prior to the expenditure of
24 such funds: *Provided further*, That these requests shall be

1 made in compliance with reprogramming guidelines out-
2 lined in section 803 of this Act.

3 SEC. 815. (a) During fiscal year 2017, during a pe-
4 riod in which neither a District of Columbia continuing
5 resolution or a regular District of Columbia appropriation
6 bill is in effect, local funds are appropriated in the amount
7 provided for any project or activity for which local funds
8 are provided in the Fiscal Year 2017 Budget Request Act
9 of 2016 as submitted to Congress (subject to any modi-
10 fications enacted by the District of Columbia as of the be-
11 ginning of the period during which this subsection is in
12 effect) at the rate set forth by such Act.

13 (b) Appropriations made by subsection (a) shall cease
14 to be available—

15 (1) during any period in which a District of Co-
16 lumbia continuing resolution for fiscal year 2017 is
17 in effect; or

18 (2) upon the enactment into law of the regular
19 District of Columbia appropriation bill for fiscal year
20 2017.

21 (c) An appropriation made by subsection (a) is pro-
22 vided under the authority and conditions as provided
23 under this Act and shall be available to the extent and
24 in the manner that would be provided by this Act.

1 (d) An appropriation made by subsection (a) shall
2 cover all obligations or expenditures incurred for such
3 project or activity during the portion of fiscal year 2017
4 for which this section applies to such project or activity.

5 (e) This section shall not apply to a project or activity
6 during any period of fiscal year 2017 if any other provi-
7 sion of law (other than an authorization of appropria-
8 tions)—

9 (1) makes an appropriation, makes funds avail-
10 able, or grants authority for such project or activity
11 to continue for such period; or

12 (2) specifically provides that no appropriation
13 shall be made, no funds shall be made available, or
14 no authority shall be granted for such project or ac-
15 tivity to continue for such period.

16 (f) Nothing in this section shall be construed to affect
17 obligations of the government of the District of Columbia
18 mandated by other law.

19 SEC. 816. (a) This section may be cited as the “D.C.
20 Opportunity Scholarship Program School Certification Re-
21 quirements Act”.

22 (b) Section 3007(a) of the Scholarships for Oppor-
23 tunity and Results Act (Public Law 112–10; 125 Stat.
24 203) is amended—

25 (1) in paragraph (4)—

1 (A) in subparagraph (E), by striking
2 “and” after the semicolon;

3 (B) in subparagraph (F), by striking the
4 period at the end and inserting a semicolon;
5 and

6 (C) by adding at the end the following:

7 “(G)(i) is provisionally or fully accredited
8 by a national or regional accrediting agency
9 that is recognized in the District of Columbia
10 School Reform Act of 1995 (sec. 38–
11 1802.02(16)(A)–(G), D.C. Official Code) or any
12 other accrediting body deemed appropriate by
13 the Office of the State Superintendent for
14 Schools for the purposes of accrediting an ele-
15 mentary or secondary school; or

16 “(ii) in the case of a school that is a
17 participating school as of the day before
18 the date of enactment of the D.C. Oppor-
19 tunity Scholarship Program School Certifi-
20 cation Requirements Act and, as of such
21 day, does not meet the requirements of
22 clause (i)—

23 “(I) by not later than 1 year
24 after such date of enactment, is pur-
25 suing accreditation by a national or

1 regional accrediting agency recognized
2 in the District of Columbia School Re-
3 form Act of 1995 (sec. 38-
4 1802.02(16)(A)–(G), D.C. Official
5 Code) or any other accrediting body
6 deemed appropriate by the Office of
7 the State Superintendent for Schools
8 for the purposes of accrediting an ele-
9 mentary or secondary school; and

10 “(II) by not later than 5 years
11 after such date of enactment, is provi-
12 sionally or fully accredited by such ac-
13 crediting agency, except that an eligi-
14 ble entity may grant not more than
15 one 1-year extension to meet this re-
16 quirement for each participating
17 school that provides evidence to the el-
18 igible entity from such accrediting
19 agency that the school’s application
20 for accreditation is in process and the
21 school will be awarded accreditation
22 before the end of the 1-year extension
23 period;

1 “(H) conducts criminal background checks
2 on school employees who have direct and unsu-
3 pervised interaction with students; and

4 “(I) complies with all requests for data
5 and information regarding the reporting re-
6 quirements described in section 3010.”; and

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

8 “(5) NEW PARTICIPATING SCHOOLS.—If a
9 school is not a participating school as of the date of
10 enactment of the D.C. Opportunity Scholarship Pro-
11 gram School Certification Requirements Act, the
12 school shall not become a participating school and
13 none of the funds provided under this division for
14 opportunity scholarships may be used by an eligible
15 student to enroll in that school unless the school—

16 “(A) is actively pursuing provisional or full
17 accreditation by a national or regional accred-
18 iting agency that is recognized in the District of
19 Columbia School Reform Act of 1995 (sec. 38–
20 1802.02(16)(A)–(G), D.C. Official Code) or any
21 other accrediting body deemed appropriate by
22 the Office of the State Superintendent for
23 Schools for the purposes of accrediting an ele-
24 mentary or secondary school; and

1 “(B) meets all of the other requirements
2 for participating schools under this Act.

3 “(6) ENROLLING IN ANOTHER SCHOOL.—An el-
4 igible entity shall assist the parents of a partici-
5 pating eligible student in identifying, applying to,
6 and enrolling in an another participating school for
7 which opportunity scholarship funds may be used,
8 if—

9 “(A) such student is enrolled in a partici-
10 pating private school and may no longer use op-
11 portunity scholarship funds for enrollment in
12 that participating private school because such
13 school fails to meet a requirement under para-
14 graph 4, or any other requirement of this Act;
15 or

16 “(B) a participating eligible student is en-
17 rolled in a school that ceases to be a partici-
18 pating school.”.

19 (c) REPORT TO ELIGIBLE ENTITIES.—Section 3010
20 of the Scholarships for Opportunity and Results Act (Pub-
21 lic Law 112–10; 125 Stat. 203) is further amended—

22 (1) by redesignating subsection (d) as sub-
23 section (e); and

24 (2) by inserting after subsection (c) the fol-
25 lowing:

1 “(d) REPORTS TO ELIGIBLE ENTITIES.—The eligible
2 entity receiving funds under section 3004(a) shall ensure
3 that each participating school under this division submits
4 to the eligible entity beginning not later than 5 years after
5 the date of the enactment of the D.C. Opportunity Schol-
6 arship Program School Certification Requirements Act, a
7 certification that the school has been awarded provisional
8 or full accreditation, or has been granted an extension by
9 the eligible entity in accordance with section
10 3007(a)(4)(G).”.

11 (d) Unless specifically provided otherwise, this sec-
12 tion, and the amendments made by this section, shall take
13 effect 1 year after the date of enactment of this Act.

14 SEC. 817. Subparagraph (G) of section 3(c)(2) of the
15 District of Columbia College Access Act of 1999 (Public
16 Law 106–98), as amended, is further amended:

17 (1) by inserting after “(G)”, “(i) for individuals
18 who began an undergraduate course of study prior
19 to school year 2015–2016,”; and

20 (2) by inserting the following before the period
21 at the end: “and (ii) for individuals who begin an
22 undergraduate course of study in or after school
23 year 2016–2017, is from a family with a taxable an-
24 nual income of less than \$450,000. Beginning with
25 school year 2017–2018, the Mayor shall adjust the

1 amounts in clauses (i) and (ii) for inflation, as meas-
 2 ured by the percentage increase, if any, from the
 3 preceding fiscal year in the Consumer Price Index
 4 for All Urban Consumers, published by the Bureau
 5 of Labor Statistics of the Department of Labor”.

6 SEC. 818. Except as expressly provided otherwise,
 7 any reference to “this Act” contained in this title or in
 8 title IV shall be treated as referring only to the provisions
 9 of this title or of title IV.

10 **TITLE IX—FINANCIAL** 11 **REGULATORY IMPROVEMENTS**

12 **SEC. 901. SHORT TITLE.**

13 This title may be cited as the “Financial Regulatory
 14 Improvement Act of 2015”.

15 **Subtitle A—Regulatory Relief and** 16 **Protection of Consumer Access** 17 **to Credit**

18 **SEC. 902. EXCEPTION TO ANNUAL WRITTEN PRIVACY NO-** 19 **TICE REQUIREMENT UNDER THE GRAMM-** 20 **LEACH-BLILEY ACT.**

21 Section 503 of the Gramm-Leach-Bliley Act (15
 22 U.S.C. 6803) is amended by adding at the end the fol-
 23 lowing:

24 “(f) EXCEPTION TO ANNUAL WRITTEN NOTICE RE-
 25 QUIREMENT.—

1 “(1) IN GENERAL.—A financial institution de-
2 scribed in paragraph (2) shall not be required to
3 provide an annual written disclosure under this sec-
4 tion until such time as the financial institution fails
5 to comply with subparagraph (A), (B), or (C) of
6 paragraph (2).

7 “(2) COVERED INSTITUTIONS.—A financial in-
8 stitution described in this paragraph is a financial
9 institution that—

10 “(A) provides nonpublic personal informa-
11 tion only in accordance with the provisions of
12 subsection (b)(2) or (e) of section 502 or regu-
13 lations prescribed under section 504(b);

14 “(B) has not changed its policies and prac-
15 tices with respect to disclosing nonpublic per-
16 sonal information from the policies and prac-
17 tices that were disclosed in the most recent dis-
18 closure sent to consumers in accordance with
19 this section; and

20 “(C) otherwise provides customers access
21 to such most recent disclosure in electronic or
22 other form permitted by regulations prescribed
23 under section 504.”.

1 **SEC. 903. PRIVATELY INSURED CREDIT UNIONS AUTHOR-**
 2 **IZED TO BECOME MEMBERS OF A FEDERAL**
 3 **HOME LOAN BANK.**

4 (a) IN GENERAL.—Section 4(a) of the Federal Home
 5 Loan Bank Act (12 U.S.C. 1424(a)) is amended by adding
 6 at the end the following:

7 “(5) CERTAIN PRIVATELY INSURED CREDIT
 8 UNIONS.—

9 “(A) IN GENERAL.—Subject to the re-
 10 quirements of subparagraph (B), a credit union
 11 that lacks insurance of its member accounts
 12 under Federal law shall be treated as an in-
 13 sured depository institution for purposes of this
 14 Act.

15 “(B) CERTIFICATION BY APPROPRIATE
 16 STATE SUPERVISOR.—For purposes of this
 17 paragraph, a credit union that lacks insurance
 18 of its member accounts under Federal law and
 19 that has applied for membership in a Federal
 20 Home Loan Bank shall be treated as an in-
 21 sured depository institution if the following has
 22 occurred:

23 “(i) DETERMINATION BY STATE SU-
 24 PERVISOR OF THE CREDIT UNION.—

25 “(I) IN GENERAL.—Subject to
 26 subclause (II), the appropriate super-

1 visor of the State in which the credit
2 union is chartered has determined
3 that the credit union meets all the eli-
4 gibility requirements under section
5 201(a) of the Federal Credit Union
6 Act (12 U.S.C. 1781(a)) to apply for
7 insurance of its member accounts as
8 of the date of the application for
9 membership.

10 “(II) CERTIFICATION DEEMED
11 VALID.—In the case of any credit
12 union to which subclause (I) applies,
13 if the appropriate supervisor of the
14 State in which such credit union is
15 chartered fails to make the determina-
16 tion required pursuant to such sub-
17 clause by the end of the 12-month pe-
18 riod beginning on the date on which
19 the application is submitted to the su-
20 pervisor, the credit union shall be
21 deemed to have met the requirements
22 of subclause (I).

23 “(ii) DETERMINATION BY STATE SU-
24 PERVISOR OF THE PRIVATE DEPOSIT IN-
25 SURER.—The licensing entity of the pri-

1 vate deposit insurer that is insuring the
2 member accounts of the credit union—

3 “(I) receives, on an annual basis,
4 an independent actuarial opinion that
5 the private insurer has set aside suffi-
6 cient reserves for losses; and

7 “(II) obtains, as frequently as
8 appropriate, but not less frequently
9 than once every 36 months, a study
10 by an independent actuary on the cap-
11 ital adequacy of the private insurer.

12 “(iii) SUBMISSION OF FINANCIAL IN-
13 FORMATION.—The credit union or the ap-
14 propriate supervisor of the State in which
15 the credit union is chartered makes avail-
16 able, and continues to make available for
17 such time as the credit union is a member
18 of a Federal Home Loan Bank, to the
19 Federal Housing Finance Agency or to the
20 Federal Home Loan Bank all reports,
21 records, and other information related to
22 any examination or inquiry performed by
23 the supervisor concerning the financial
24 condition of the credit union, as soon as is
25 practicable.

1 “(C) SECURITY INTERESTS OF FEDERAL
2 HOME LOAN BANK NOT AVOIDABLE.—Notwith-
3 standing any provision of State law authorizing
4 a conservator or liquidating agent of a credit
5 union to repudiate contracts, no such provision
6 shall apply with respect to—

7 “(i) any extension of credit from any
8 Federal Home Loan Bank to any credit
9 union that is a member of any such bank
10 pursuant to this paragraph; or

11 “(ii) any security interest in the as-
12 sets of such a credit union securing any
13 such extension of credit.

14 “(D) PROTECTION FOR CERTAIN FEDERAL
15 HOME LOAN BANK ADVANCES.—Notwith-
16 standing any State law to the contrary, if a
17 Bank makes an advance under section 10 to a
18 State-chartered credit union that is not feder-
19 ally insured—

20 “(i) the interest of the Bank in any
21 collateral securing the advance has the
22 same priority and is afforded the same
23 standing and rights that the security inter-
24 est would have had if the advance had

1 been made to a federally insured credit
2 union; and

3 “(ii) the Bank has the same right to
4 access such collateral that the Bank would
5 have had if the advance had been made to
6 a federally insured credit union.”.

7 (b) COPIES OF AUDITS OF PRIVATE INSURERS OF
8 CERTAIN DEPOSITORY INSTITUTIONS REQUIRED TO BE
9 PROVIDED TO SUPERVISORY AGENCIES.—Section
10 43(a)(2)(A) of the Federal Deposit Insurance Act (12
11 U.S.C. 1831t(a)(2)(A)) is amended—

12 (1) in clause (i), by striking “; and” and insert-
13 ing a semicolon;

14 (2) in clause (ii), by striking the period at the
15 end and inserting “; and”; and

16 (3) by adding at the end the following:

17 “(iii) in the case of depository institu-
18 tions described in subsection (e)(2)(A), the
19 member accounts of which are insured by
20 the private deposit insurer, which are
21 members of a Federal home loan bank, to
22 the Federal Housing Finance Agency, not
23 later than 7 days after the audit is com-
24 pleted.”.

1 (c) GAO REPORT.—Not later than 18 months after
2 the date of enactment of this title, the Comptroller Gen-
3 eral of the United States shall conduct a study and submit
4 to Congress a report on—

5 (1) the adequacy of insurance reserves held by
6 any private deposit insurer that insures the member
7 accounts of any entity described in section
8 43(e)(2)(A) of the Federal Deposit Insurance Act
9 (12 U.S.C. 1831t(e)(2)(A)); and

10 (2) for any entity described in paragraph (1),
11 the member accounts of which are insured by a pri-
12 vate deposit insurer, the level of compliance with
13 Federal regulations relating to the disclosure of a
14 lack of Federal deposit insurance.

15 **SEC. 904. DESIGNATION OF RURAL AREA.**

16 (a) APPLICATION.—Not later than 90 days after the
17 date of enactment of this title, the Bureau of Consumer
18 Financial Protection shall establish an application process
19 under which a person who lives or does business in a State
20 may, with respect to an area identified by the person in
21 the State that has not been designated by the Bureau of
22 Consumer Financial Protection as a rural area for pur-
23 poses of a Federal consumer financial law (as defined in
24 section 1002 of the Consumer Financial Protection Act

1 of 2010 (12 U.S.C. 5481)), apply for such area to be so
2 designated.

3 (b) EVALUATION CRITERIA.—In evaluating an appli-
4 cation submitted under subsection (a), the Bureau of Con-
5 sumer Financial Protection shall take into consideration
6 the following factors:

7 (1) Criteria used by the Director of the Bureau
8 of the Census for classifying geographical areas as
9 rural or urban.

10 (2) Criteria used by the Director of the Office
11 of Management and Budget to designate counties as
12 metropolitan, micropolitan, or neither.

13 (3) Criteria used by the Secretary of Agri-
14 culture to determine property eligibility for rural de-
15 velopment programs.

16 (4) The Department of Agriculture rural-urban
17 commuting area codes.

18 (5) A written opinion provided by the State
19 bank supervisor (as defined in section 3 of the Fed-
20 eral Deposit Insurance Act (12 U.S.C. 1813)).

21 (6) Population density.

22 (c) RULE OF CONSTRUCTION.—If, at any time before
23 the date on which an application is submitted under sub-
24 section (a), the area subject to review has been designated
25 as nonrural by any Federal agency described in subsection

1 (b) using any of the criteria described in that subsection,
2 the Bureau of Consumer Financial Protection shall not
3 be required to consider such designation in its evaluation.

4 (d) PUBLIC COMMENT PERIOD.—

5 (1) IN GENERAL.—Not later than 60 days after
6 the date on which an application submitted under
7 subsection (a) is received, the Bureau of Consumer
8 Financial Protection shall—

9 (A) publish the application on the website
10 of the Bureau of Consumer Financial Protec-
11 tion; and

12 (B) make the application available for pub-
13 lic comment for not fewer than 90 days.

14 (2) LIMITATION ON ADDITIONAL APPLICA-
15 TIONS.—Nothing in this section shall be construed
16 to require the Bureau of Consumer Financial Pro-
17 tection, during the public comment period described
18 in paragraph (1) with respect to an application sub-
19 mitted under subsection (a), to accept an additional
20 application with respect to the area that is the sub-
21 ject of the initial application.

22 (e) DECISION ON DESIGNATION.—Not later than 90
23 days after the end of the public comment period described
24 in subsection (d)(1), the Bureau of Consumer Financial
25 Protection shall—

1 (1) grant or deny such application, in whole or
2 in part; and

3 (2) publish such grant or denial in the Federal
4 Register, along with an explanation of the factors on
5 which the Bureau of Consumer Financial Protection
6 relied in making such decision.

7 (f) SUBSEQUENT APPLICATIONS.—A decision by the
8 Bureau under subsection (e) to deny an application for
9 an area to be designated as a rural area shall not preclude
10 the Bureau of Consumer Financial Protection from ac-
11 cepting a subsequent application submitted under sub-
12 section (a) for the area to be so designated if the subse-
13 quent application is submitted after the date on which the
14 90-day period beginning on the date on which the Bureau
15 of Consumer Financial Protection denies the application
16 under subsection (e) expires.

17 (g) OPERATIONS IN RURAL AREAS.—The Truth in
18 Lending Act (15 U.S.C. 1601 et seq.) is amended—

19 (1) in section 129C(b)(2)(E)(iv)(I) (15 U.S.C.
20 1639c(b)(2)(E)(iv)(I)), by striking “predominantly”;
21 and

22 (2) in section 129D(c)(1) (15 U.S.C.
23 1639d(c)(1)), by striking “predominantly”.

1 **SEC. 905. INDEPENDENT EXAMINATION REVIEW.**

2 (a) IN GENERAL.—The Federal Financial Institu-
3 tions Examination Council Act of 1978 (12 U.S.C. 3301
4 et seq.) is amended by adding at the end the following:

5 **“SEC. 1012. OFFICE OF INDEPENDENT EXAMINATION RE-
6 VIEW.**

7 “(a) ESTABLISHMENT.—There is established in the
8 Council an Office of Independent Examination Review.

9 “(b) HEAD OF OFFICE.—

10 “(1) ESTABLISHMENT.—There is established
11 the position of the Director as the head of the Office
12 of Independent Examination Review, who shall be
13 appointed by the Council for a term of 5 years.

14 “(2) REMOVAL.—

15 “(A) IN GENERAL.—The President may re-
16 move the Director from office.

17 “(B) CONGRESSIONAL NOTIFICATION.—
18 Not later than 30 days after the date on which
19 the Director is removed from office under sub-
20 paragraph (A), the President shall submit to
21 Congress a written notification describing the
22 reasons for the removal.

23 “(c) STAFFING.—The Director may hire staff to sup-
24 port the activities of the Office of Independent Examina-
25 tion Review.

26 “(d) DUTIES.—The Director shall—

1 “(1) receive and, at the discretion of the Direc-
2 tor, investigate complaints from financial institu-
3 tions, representatives of financial institutions, or any
4 other entity acting on behalf of financial institutions,
5 concerning examinations, examination practices, or
6 examination reports;

7 “(2) hold meetings, not less than once every 90
8 days and in locations designed to encourage partici-
9 pation from all regions of the United States, with fi-
10 nancial institutions, representatives of financial in-
11 stitutions, or any other entity acting on behalf of fi-
12 nancial institutions, to discuss examination proce-
13 dures, examination practices, or examination poli-
14 cies;

15 “(3) review examination procedures of the Fed-
16 eral financial institutions regulatory agencies to en-
17 sure that the written examination policies of the
18 agencies are being followed in practice and adhere to
19 the standards for consistency established by the
20 Council;

21 “(4) conduct a continuing and regular program
22 of examination quality assurance for all types of ex-
23 aminations conducted by the Federal financial insti-
24 tutions regulatory agencies; and

1 “(5) submit to the Committee on Banking,
2 Housing, and Urban Affairs of the Senate, the Com-
3 mittee on Financial Services of the House of Rep-
4 resentatives, and the Council an annual report on
5 the reviews carried out pursuant to paragraphs (3)
6 and (4), including recommendations for improve-
7 ments in examination procedures, practices, and
8 policies.

9 “(e) CONFIDENTIALITY.—The Director shall keep
10 confidential—

11 “(1) all meetings, discussions, and information
12 provided by financial institutions; and

13 “(2) any confidential or privileged information
14 provided by a Federal financial institutions regu-
15 latory agency.

16 “(f) FUNDING; BUDGET.—

17 “(1) IN GENERAL.—One-fifth of the costs and
18 expenses of the Office of Independent Examination
19 Review, including the salaries of its employees, shall
20 be paid by each of the Federal financial institutions
21 regulatory agencies, which shall be based on the
22 budget submitted under paragraph (2).

23 “(2) BUDGET.—Not later than April 15 of each
24 fiscal year, the Director shall submit to the Council

1 a projected budget for the Office of Independent Ex-
2 amination Review for the following fiscal year.”.

3 (b) DEFINITIONS.—Section 1003 of the Federal Fi-
4 nancial Institutions Examination Council Act of 1978 (12
5 U.S.C. 3302) is amended—

6 (1) by striking paragraph (1) and inserting the
7 following:

8 “(1) the term ‘Federal financial institutions
9 regulatory agencies’ means the Office of the Comp-
10 troller of the Currency, the Board of Governors of
11 the Federal Reserve System, the Federal Deposit In-
12 surance Corporation, the National Credit Union Ad-
13 ministration, and the Bureau of Consumer Financial
14 Protection;”;

15 (2) in paragraph (2), by striking “; and” and
16 inserting a semicolon;

17 (3) in paragraph (3), by striking the semicolon
18 and inserting “; and”; and

19 (4) by adding at the end the following:

20 “(4) the term ‘Director’ means the Director es-
21 tablished under section 1012.”.

22 (c) FEDERAL BANKING AGENCY OMBUDSMAN.—

23 (1) IN GENERAL.—Section 309 of the Riegle
24 Community Development and Regulatory Improve-
25 ment Act of 1994 (12 U.S.C. 4806) is amended—

1 (A) in the first sentence of subsection (a),
2 by inserting “, the Bureau of Consumer Finan-
3 cial Protection,” after “Federal banking agen-
4 cy”;

5 (B) in subsection (b)—

6 (i) by redesignating paragraphs (1)
7 and (2) as subparagraphs (A) and (B), re-
8 spectively, and adjusting the margins ac-
9 cordingly;

10 (ii) in the matter preceding subpara-
11 graph (A), as so redesignated, by striking
12 “In establishing” and inserting the fol-
13 lowing:

14 “(1) IN GENERAL.—In establishing”;

15 (iii) in paragraph (1)(B), as so redес-
16 igned, by striking “the appellant from
17 retaliation by agency examiners” and in-
18 serting “the insured depository institution
19 or insured credit union from retaliation by
20 an agency referred to in subsection (a)”;
21 and

22 (iv) by adding at the end the fol-
23 lowing:

24 “(2) RETALIATION.—For purposes of this sub-
25 section and subsection (e), retaliation includes delay-

1 ing consideration of, or withholding approval of, any
2 request, notice, or application that otherwise would
3 have been approved, but for the exercise of the
4 rights of the insured depository institution or in-
5 sured credit union under this section.”; and

6 (C) in subsection (e)(2)—

7 (i) in subparagraph (B), by striking “;
8 and” and inserting a semicolon;

9 (ii) in subparagraph (C), by striking
10 the period at the end and inserting “;
11 and”; and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(D) ensure that appropriate safeguards
15 exist for protecting the insured depository insti-
16 tution or insured credit union from retaliation
17 by any appropriate Federal banking agency for
18 exercising the rights of the insured depository
19 institution or insured credit union under this
20 subsection.”.

21 (2) EFFECT.—Nothing in this subsection shall
22 be construed to affect the authority of an appro-
23 priate Federal banking agency (as defined in section
24 3 of the Federal Deposit Insurance Act (12 U.S.C.
25 1813)) or the National Credit Union Administration

1 Board to take enforcement or other supervisory ac-
2 tion.

3 (d) FEDERAL CREDIT UNION ACT.—Section 205(j)
4 of the Federal Credit Union Act (12 U.S.C. 1785(j)) is
5 amended by inserting “the Bureau of Consumer Financial
6 Protection,” before “the Administration” each place that
7 term appears.

8 (e) FEDERAL FINANCIAL INSTITUTIONS EXAMINA-
9 TION COUNCIL ACT.—Section 1005 of the Federal Finan-
10 cial Institutions Examination Council Act of 1978 (12
11 U.S.C. 3304) is amended by striking “One-fifth” and in-
12 serting “One-fourth”.

13 **SEC. 906. CONFIDENTIALITY OF INFORMATION SHARED BE-**
14 **TWEEN STATE AND FEDERAL FINANCIAL**
15 **SERVICES REGULATORS.**

16 Section 1512(a) of the S.A.F.E. Mortgage Licensing
17 Act of 2008 (12 U.S.C. 5111(a)) is amended by inserting
18 “or financial services” before “industry”.

19 **SEC. 907. SAFE HARBOR FOR CERTAIN LOANS HELD IN**
20 **PORTFOLIO.**

21 (a) IN GENERAL.—Section 129C of the Truth in
22 Lending Act (15 U.S.C. 1639c) is amended by adding at
23 the end the following:

24 “(j) SAFE HARBOR FOR CERTAIN LOANS HELD IN
25 PORTFOLIO.—

1 “(1) DEFINITIONS.—In this section—

2 “(A) the term ‘appropriate Federal bank-
3 ing agency’ has the meaning given that term in
4 section 3 of the Federal Deposit Insurance Act
5 (12 U.S.C. 1813);

6 “(B) the term ‘depository institution’ has
7 the meaning given that term in section 19(b)(1)
8 of the Federal Reserve Act (12 U.S.C.
9 461(b)(1)); and

10 “(C) the term ‘financial institution regu-
11 lator’ means an appropriate Federal banking
12 agency, the Bureau, and the National Credit
13 Union Administration.

14 “(2) SAFE HARBOR FOR CREDITORS.—

15 “(A) IN GENERAL.—A creditor shall not be
16 subject to suit for failure to comply with sub-
17 section (a), (c)(1), or (f)(2) of this section or
18 section 129H with respect to a residential mort-
19 gage loan, and the financial institution regu-
20 lators shall treat such loan as a qualified mort-
21 gage, if—

22 “(i)(I) the creditor has, since the
23 origination of the loan, held the loan on
24 the balance sheet of the creditor; or

1 “(II) any person acquiring the loan
2 has continued to hold the loan on the bal-
3 ance sheet of the person;

4 “(ii) the loan has not been acquired
5 through a securitization;

6 “(iii) all prepayment penalties with respect
7 to the loan comply with the limitations de-
8 scribed in subsection (c)(3);

9 “(iv) the loan does not have—

10 “(I) negative amortization;

11 “(II) interest-only features; or

12 “(III) a loan term of more than 30
13 years; and

14 “(v) the creditor has documented the con-
15 sumer’s—

16 “(I) income;

17 “(II) employment;

18 “(III) assets; and

19 “(IV) credit history.

20 “(B) EXCEPTION FOR CERTAIN TRANS-
21 FERS.—In the case of a depository institution
22 that transfers a loan originated by that institu-
23 tion to another depository institution by reason
24 of the bankruptcy or failure of the originating
25 depository institution or the purchase of the

1 originating depository institution, the depository
2 institution acquiring the loan shall be deemed
3 to have complied with the requirement under
4 subparagraph (A)(i).”.

5 (b) REVIEWING THE PORTFOLIO OF SYSTEMICALLY
6 IMPORTANT BANKS.—Section 18(o) of the Federal De-
7 posit Insurance Act (12 U.S.C. 1828(o)) is amended by
8 adding at the end the following:

9 “(5) SYSTEMICALLY IMPORTANT BANK RE-
10 VIEW.—The appropriate Federal banking agency
11 shall periodically review the mortgage portfolio or
12 targeted segments of the portfolios of a bank subject
13 to a determination under section 113A(a) of the Fi-
14 nancial Stability Act of 2010 if—

15 “(A) there is elevated risk;

16 “(B) there is an increase in delinquency
17 and loss rates;

18 “(C) there are new lines of business;

19 “(D) there are new acquisition channels;

20 “(E) there is rapid growth; or

21 “(F) an internal audit is inadequate.”.

22 (c) RULE OF CONSTRUCTION.—Nothing in the
23 amendment made by subsection (a) shall be construed to
24 prevent a balloon loan from qualifying for the safe harbor
25 provided under section 129C(j) of the Truth in Lending

1 Act, as added by subsection (a), if the balloon loan other-
2 wise meets all of the requirements under subsection (j)
3 of that section, regardless of whether the balloon loan
4 meets the requirements described under clauses (i)
5 through (iv) of section 129C(b)(2)(E) of that Act (12
6 U.S.C. 129C(b)(2)(E)).

7 **SEC. 908. PROTECTING CONSUMER ACCESS TO MORTGAGE**
8 **CREDIT.**

9 (a) **DEFINITION OF HIGH-COST MORTGAGE.**—Sec-
10 tion 103 of the Truth in Lending Act (15 U.S.C. 1602)
11 is amended—

12 (1) by redesignating subsections (aa) and (bb)
13 as subsections (bb) and (aa), respectively, and mov-
14 ing subsection (bb), as so redesignated, after sub-
15 section (aa), as so redesignated; and

16 (2) in subsection (aa)(4), as so redesignated—

17 (A) in the matter preceding subparagraph
18 (A), by striking “paragraph (1)(B)” and insert-
19 ing “paragraph (1)(A) and section 129C”;

20 (B) in subparagraph (C)—

21 (i) in the matter preceding clause (i),
22 by inserting “and insurance” after
23 “taxes”; and

24 (ii) in clause (iii), by striking “; and”
25 and inserting a semicolon; and

1 (C) in subparagraph (D)—

2 (i) by striking “accident,”; and

3 (ii) by striking “or any payments”

4 and inserting “and any payments”.

5 (b) RULEMAKING.—Not later than 90 days after the
6 date of enactment of this title, the Bureau of Consumer
7 Financial Protection shall promulgate regulations to carry
8 out the amendments made by subsection (a)(2).

9 (c) STUDY AND REPORT ON CONSUMER ACCESS TO
10 MORTGAGE CREDIT.—

11 (1) STUDY REQUIRED.—The Comptroller Gen-
12 eral of the United States shall conduct a study to
13 determine the effects that the Dodd-Frank Wall
14 Street Reform and Consumer Protection Act (12
15 U.S.C. 5301 et seq.) has had on the availability and
16 affordability of credit for consumers, small busi-
17 nesses, first-time homebuyers, and mortgage lending,
18 including the effects—

19 (A) on the mortgage market for mortgages
20 that are not qualified mortgages;

21 (B) on the ability of prospective home-
22 buyers to obtain financing, including first-time
23 homebuyers;

24 (C) on the ability of homeowners facing
25 resets or adjustments to refinance, including

1 whether homeowners have fewer refinancing op-
2 tions due to the unavailability of certain loan
3 products that were available before the date of
4 enactment of the Dodd-Frank Wall Street Re-
5 form and Consumer Protection Act (12 U.S.C.
6 5301 et seq.);

7 (D) on the ability of minorities to access
8 affordable credit compared with other prospec-
9 tive borrowers;

10 (E) on home sales and construction;

11 (F) of extending any right of rescission on
12 adjustable rate loans and the impact of the
13 right of rescission on litigation;

14 (G) of any State foreclosure law and the
15 ability of investors to transfer a property after
16 foreclosure;

17 (H) of expanding the existing provisions of
18 the Home Ownership and Equity Protection
19 Act of 1994 (15 U.S.C. 1601 note and 1602
20 note);

21 (I) of prohibiting prepayment penalties on
22 high-cost mortgages;

23 (J) of establishing counseling services
24 under the Department of Housing and Urban

1 Development and offered through the Office of
2 Housing Counseling; and

3 (K) on the differences in title insurance
4 premiums and ancillary charges paid by low-
5 and moderate-income consumers to affiliates of
6 mortgage lenders to purchase title insurance
7 versus title insurance premiums and ancillary
8 charges paid by low- and moderate-income con-
9 sumers to unaffiliated title agencies or attor-
10 neys to purchase title insurance in those mar-
11 kets in which both affiliated and unaffiliated
12 mortgage lenders compete.

13 (2) REPORT.—Not later than 1 year after the
14 date of enactment of this title, the Comptroller Gen-
15 eral of the United States shall submit to the Com-
16 mittee on Banking, Housing, and Urban Affairs of
17 the Senate and the Committee on Financial Services
18 of the House of Representatives a report that in-
19 cludes—

20 (A) the findings and conclusions of the
21 Comptroller General with respect to the study
22 conducted under paragraph (1); and

23 (B) any recommendations for legislative or
24 regulatory actions that—

1 (i) would enhance the access of a con-
2 sumer to mortgage credit;

3 (ii) is consistent with consumer pro-
4 tections and safe and sound banking oper-
5 ations; and

6 (iii) would address any negative ef-
7 fects on mortgage credit and mortgage
8 availability identified in the study.

9 **SEC. 909. PROTECTING ACCESS TO MANUFACTURED**
10 **HOMES.**

11 (a) MORTGAGE ORIGINATOR DEFINITION.—Section
12 103 of the Truth in Lending Act (15 U.S.C. 1602) is
13 amended—

14 (1) by redesignating the second subsection des-
15 igned as subsection (cc) and subsection (dd) as
16 subsections (dd) and (ee), respectively; and

17 (2) in subsection (dd)(2)(C), as so redesignated,
18 by striking “an employee of a retailer of manufac-
19 tured homes who is not described in clause (i) or
20 (iii) of subparagraph (A) and who does not advise a
21 consumer on loan terms (including rates, fees, and
22 other costs)” and inserting “a retailer of manufac-
23 tured or modular homes or its employees, unless
24 such retailer or its employees receive compensation
25 or gain for engaging in activities described in sub-

1 paragraph (A) that is in excess of any compensation
2 or gain received in a comparable cash transaction”.

3 (b) HIGH-COST MORTGAGE DEFINITION.—Section
4 103(aa)(1)(A) of the Truth in Lending Act (15 U.S.C.
5 1602(aa)(1)(A)), as redesignated by section 908(a)(1) of
6 this title, is amended—

7 (1) in clause (i)(I), by striking “(8.5 percentage
8 points, if the dwelling is personal property and the
9 transaction is for less than \$50,000)” and inserting
10 “(10 percentage points, if the dwelling is personal
11 property or is a transaction that does not include
12 the purchase of real property on which a dwelling is
13 to be placed, and the transaction is for less than
14 \$75,000 (as such amount is adjusted by the Bureau
15 to reflect the change in the Consumer Price
16 Index))”; and

17 (2) in clause (ii)—

18 (A) in subclause (I), by striking “; or” and
19 inserting a semicolon; and

20 (B) by adding at the end the following:

21 “(III) in the case of a trans-
22 action for less than \$75,000 (as such
23 amount is adjusted by the Bureau to
24 reflect the change in the Consumer
25 Price Index) in which the dwelling is

1 personal property (or is a consumer
2 credit transaction that does not in-
3 clude the purchase of real property on
4 which a dwelling is to be placed), the
5 greater of 5 percent of the total trans-
6 action amount or \$3,000 (as such
7 amount is adjusted by the Bureau to
8 reflect the change in the Consumer
9 Price Index); or”.

10 **SEC. 910. STREAMLINING BANK EXAMS.**

11 Section 10(d) of the Federal Deposit Insurance Act
12 (12 U.S.C. 1820(d)) is amended—

13 (1) in paragraph (4)(A), by striking
14 “\$500,000,000” and inserting “\$1,000,000,000”;
15 and

16 (2) in paragraph (10), by striking
17 “\$500,000,000” and inserting “\$1,000,000,000”.

18 **SEC. 911. ADJUSTMENTS FOR CHANGES IN GROSS DOMES-**
19 **TIC PRODUCT.**

20 (a) **COMMODITY EXCHANGE ACT.**—Section
21 2(h)(7)(C)(ii) of the Commodity Exchange Act (7 U.S.C.
22 2(h)(7)(C)(ii)) is amended by inserting “(as such amount
23 is adjusted annually by the Commission to reflect the per-
24 centage change for the previous calendar year in the gross
25 domestic product of the United States, as calculated by

1 the Bureau of Economic Analysis of the Department of
2 Commerce)” after “\$10,000,000,000” each place that
3 term appears.

4 (b) CONSUMER FINANCIAL PROTECTION BUREAU
5 EXAMINATION AND REPORTING THRESHOLD.—

6 (1) INCREASE IN THE EXAMINATION THRESH-
7 OLD.—Section 1025(a) of the Consumer Financial
8 Protection Act of 2010 (12 U.S.C. 5515(a)) is
9 amended by striking “\$10,000,000,000” each place
10 that term appears and inserting “\$50,000,000,000
11 (as such amount is adjusted annually by the Com-
12 mission to reflect the percentage change for the pre-
13 vious calendar year in the gross domestic product of
14 the United States, as calculated by the Bureau of
15 Economic Analysis of the Department of Com-
16 merce)”.

17 (2) INCREASE IN THE REPORTING THRESH-
18 OLD.—Section 1026(a) of the Consumer Financial
19 Protection Act of 2010 (12 U.S.C. 5516(a)) is
20 amended by striking “\$10,000,000,000” each place
21 that term appears and inserting “\$50,000,000,000
22 (as such amount is adjusted annually by the Com-
23 mission to reflect the percentage change for the pre-
24 vious calendar year in the gross domestic product of
25 the United States, as calculated by the Bureau of

1 Economic Analysis of the Department of Com-
2 merce)”.

3 (3) EFFECTIVE DATE.—This subsection and the
4 amendments made by this subsection shall take ef-
5 fect on the date that is 45 days after the date of en-
6 actment of this title.

7 (c) SECURITIES EXCHANGE ACT OF 1934.—Section
8 3C(g)(3)(B) of the Securities Exchange Act of 1934 (15
9 U.S.C. 78c–3(g)(3)(B)) is amended by inserting “(as such
10 amount is adjusted annually by the Commission to reflect
11 the percentage change for the previous calendar year in
12 the gross domestic product of the United States, as cal-
13 culated by the Bureau of Economic Analysis of the De-
14 partment of Commerce)” after “\$10,000,000,000” each
15 place that term appears.

16 (d) ELECTRONIC FUND TRANSFER ACT.—Section
17 920(a)(6)(A) of the Electronic Fund Transfer Act (15
18 U.S.C. 1693o–2(a)(6)(A)) is amended by inserting “(as
19 such amount is adjusted annually by the Board to reflect
20 the percentage change for the previous calendar year in
21 the gross domestic product of the United States, as cal-
22 culated by the Bureau of Economic Analysis of the De-
23 partment of Commerce)” after “\$10,000,000,000”.

24 (e) ENHANCING FINANCIAL INSTITUTION SAFETY
25 AND SOUNDNESS ACT OF 2010.—Section 334(e) of the

1 Enhancing Financial Institution Safety and Soundness
2 Act of 2010 (title III of Public Law 111–203; 124 Stat.
3 1539) is amended by inserting “(as such amount is ad-
4 justed annually by the Corporation to reflect the percent-
5 age change for the previous calendar year in the gross do-
6 mestic product of the United States, as calculated by the
7 Bureau of Economic Analysis of the Department of Com-
8 merce)” after “\$10,000,000,000”.

9 (f) INVESTOR PROTECTION AND SECURITIES RE-
10 FORM ACT OF 2010.—Section 956(f) of the Investor Pro-
11 tection and Securities Reform Act of 2010 (15 U.S.C.
12 5641(f)) is amended by inserting “(as such amount is ad-
13 justed annually by the appropriate Federal regulator to
14 reflect the percentage change for the previous calendar
15 year in the gross domestic product of the United States,
16 as calculated by the Bureau of Economic Analysis of the
17 Department of Commerce)” after “\$1,000,000,000”.

18 **SEC. 912. STUDY ON THE PRIVACY RISKS OF GOVERNMENT**
19 **PUBLICATION OF PERSONAL FINANCIAL**
20 **DATA.**

21 Section 304 of the Home Mortgage Disclosure Act
22 of 1975 (12 U.S.C. 2803) is amended—

23 (1) in subsection (n), by inserting “Such data
24 shall not be publicly disclosed by the Bureau or a
25 depository institution before the date on which the

1 report is submitted under subsection (o)(2).” after
2 the period at the end; and

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

4 “(o) STUDY AND REPORT TO CONGRESS.—

5 “(1) STUDY REQUIRED.—The Comptroller Gen-
6 eral of the United States shall conduct a study to
7 determine whether the data published under this
8 Act, in connection with other publicly available data
9 sources, could allow for or increase the probability
10 of—

11 “(A) exposure of the identity of mortgage
12 applicants or mortgagors through reverse engi-
13 neering;

14 “(B) exposure of mortgage applicants or
15 mortgagors to identity theft or the loss of sen-
16 sitive personal financial information;

17 “(C) the marketing or sale of unfair, de-
18 ceptive, or abusive financial products to mort-
19 gage applicants or mortgagors based on the
20 data published under this Act;

21 “(D) personal financial loss or emotional
22 distress resulting from the exposure of mort-
23 gage applicants or mortgagors to identify theft
24 or the loss of sensitive personal financial infor-
25 mation; and

1 “(E) the potential legal liability facing the
2 Bureau and market participants in the event
3 the published data leads or contributes to iden-
4 tity theft or the capture of sensitive personal fi-
5 nancial information.

6 “(2) REPORT.—Not later than 1 year after the
7 date of enactment of this subsection, the Comp-
8 troller General of the United States shall submit to
9 the Committee on Banking, Housing, and Urban Af-
10 fairs of the Senate and the Committee on Financial
11 Services of the House of Representatives a report
12 that includes—

13 “(A) the findings and conclusions of the
14 Comptroller General with respect to the study
15 conducted under paragraph (1); and

16 “(B) any recommendations for legislative
17 or regulatory actions that—

18 “(i) would enhance the privacy of a
19 consumer when accessing mortgage credit;
20 and

21 “(ii) are consistent with consumer
22 protections and safe and sound banking
23 operations.”.

1 **SEC. 913. ENSURING THE REPORTING OF APPRAISAL MIS-**
2 **CONDUCT.**

3 Section 129E of the Truth in Lending Act (15 U.S.C.
4 1639e) is amended—

5 (1) in subsection (e)—

6 (A) by striking “Any mortgage lender”
7 and inserting the following:

8 “(1) IN GENERAL.—Any mortgage lender”; and

9 (B) by adding at the end the following:

10 “(2) LIMITATION ON CIVIL LIABILITY.—No per-
11 son may be held civilly liable under any provision of
12 Federal, State, or other law for a disclosure made in
13 good faith pursuant to this section.”; and

14 (2) in subsection (k), by adding at the end the
15 following:

16 “(4) APPLICABILITY.—This subsection shall not
17 apply to subsection (e).”.

18 **SEC. 914. MUTUAL HOLDING COMPANY DIVIDEND WAIVERS.**

19 Notwithstanding the rule of the Board of Governors
20 of the Federal Reserve System regarding Mutual Holding
21 Company Dividend Waivers in section 239.63 of title 12,
22 Code of Federal Regulations (or any successor thereto),
23 grandfathered mutual holding companies and all other
24 mutual holding companies shall be permitted to waive the
25 receipt of dividends declared on the common stock of their
26 bank or mid-size holding companies.

1 **SEC. 915. SAFEGUARDING ACCESS TO HABITAT FOR HU-**
2 **MANITY HOMES.**

3 Section 129E(i)(2) of the Truth in Lending Act (15
4 U.S.C. 1639e(i)(2)) is amended—

5 (1) by redesignating subparagraphs (A) and
6 (B) as clauses (i) and (ii), respectively, and adjust-
7 ing the margins accordingly;

8 (2) in the matter preceding clause (i), as so re-
9 designated, by striking “For purposes of” and in-
10 serting the following:

11 “(A) IN GENERAL.—For purposes of”; and
12 (3) by adding at the end the following:

13 “(B) RULE OF CONSTRUCTION RELATED
14 TO APPRAISAL DONATIONS.—In the case of an
15 appraisal for which the appraiser voluntarily
16 does not receive a fee, the appraiser is not, and
17 shall not be construed to be, with respect to the
18 donated appraisal, a fee appraiser for purposes
19 of this section.”.

20 **SEC. 916. CLARIFYING THE APPLICABILITY OF SECTION**
21 **13(H)(1) OF THE BANK HOLDING COMPANY**
22 **ACT OF 1956.**

23 (a) IN GENERAL.—Section 13(h)(1) of the Bank
24 Holding Company Act of 1956 (12 U.S.C. 1851(h)(1)) is
25 amended—

1 (1) in subparagraph (D), by redesignating
2 clauses (i) and (ii) as subclauses (I) and (II), respec-
3 tively, and adjusting the margins accordingly;

4 (2) by redesignating subparagraphs (A), (B),
5 (C), and (D) as clauses (i), (ii), (iii), and (iv), re-
6 spectively, and adjusting the margins accordingly;

7 (3) by striking “institution that functions solely
8 in a trust or fiduciary capacity, if—”and inserting
9 the following: “institution—

10 “(A) that functions solely in a trust or fi-
11 duciary capacity, if—”; and

12 (4) by striking the period at the end and insert-
13 ing the following: “; or

14 “(B) with total consolidated assets of
15 \$10,000,000,000 or less if such institution is
16 not controlled by a company with total consoli-
17 dated assets of more than \$10,000,000,000 (as
18 such amounts are adjusted annually by the
19 Board to reflect the percentage change for the
20 previous calendar year in the gross domestic
21 product of the United States, as calculated by
22 the Bureau of Economic Analysis of the De-
23 partment of Commerce).”.

1 (b) RESERVATION OF AUTHORITY.—Section 13 of
2 the Bank Holding Company Act of 1956 (12 U.S.C. 1851)
3 is amended by adding at the end the following:

4 “(i) RESERVATION OF AUTHORITY FOR CERTAIN IN-
5 SURED DEPOSITORY INSTITUTIONS.—

6 “(1) IN GENERAL.—Notwithstanding subsection
7 (h)(1)(B), the appropriate Federal banking agency
8 for an insured depository institution with total con-
9 solidated assets of \$10,000,000,000 or less may
10 apply the prohibitions and restrictions of this section
11 to the activities of the insured depository institution
12 that, but for subsection (h)(1)(B), would be subject
13 to the prohibitions and restrictions of this section if
14 the appropriate Federal banking agency determines
15 that those activities—

16 “(A) are inconsistent with traditional
17 banking activities; or

18 “(B) due to their nature or volume, pose
19 a risk to the safety and soundness of the in-
20 sured depository institution.

21 “(2) NOTICE AND RESPONSE.—Each of the ap-
22 propriate Federal banking agencies shall establish a
23 procedure for providing notice to an insured deposi-
24 tory institution of a determination under paragraph
25 (1) and an opportunity for response.”.

1 **SEC. 917. STUDY OF MORTGAGE SERVICING ASSETS.**

2 (a) DEFINITIONS.—In this section:

3 (1) BANKING INSTITUTION.—The term “bank-
4 ing institution” means an insured depository institu-
5 tion, Federal credit union, State credit union, bank
6 holding company, or savings and loan holding com-
7 pany.

8 (2) BASEL III CAPITAL REQUIREMENTS.—The
9 term “Basel III capital requirements” means the
10 Global Regulatory Framework for More Resilient
11 Banks and Banking Systems issued by the Basel
12 Committee on Banking Supervision on December 16,
13 2010, as revised on June 1, 2011.

14 (3) FEDERAL BANKING AGENCIES.—The term
15 “Federal banking agencies” means the Board of
16 Governors of the Federal Reserve System, the Office
17 of the Comptroller of the Currency, the Federal De-
18 posit Insurance Corporation, and the National Cred-
19 it Union Administration.

20 (4) MORTGAGE SERVICING ASSETS.—The term
21 “mortgage servicing assets” means those assets that
22 result from contracts to service loans secured by real
23 estate, where such loans are owned by third parties.

24 (5) NCUA CAPITAL REQUIREMENTS.—The
25 term “NCUA capital requirements” means the pro-
26 posed rule of the National Credit Union Administra-

1 tion entitled “Risk-Based Capital” (80 Fed. Reg.
2 4340 (January 27, 2015)).

3 (6) OTHER DEFINITIONS.—

4 (A) BANKING DEFINITIONS.—The terms
5 “bank holding company”, “insured depository
6 institution”, and “savings and loan holding
7 company” have the meanings given those terms
8 in section 3 of the Federal Deposit Insurance
9 Act (12 U.S.C. 1813).

10 (B) CREDIT UNION DEFINITIONS.—The
11 terms “Federal credit union” and “State credit
12 union” have the meanings given those terms in
13 section 101 of the Federal Credit Union Act
14 (12 U.S.C. 1752).

15 (b) STUDY OF THE APPROPRIATE CAPITAL FOR
16 MORTGAGE SERVICING ASSETS.—

17 (1) IN GENERAL.—The Federal banking agen-
18 cies shall jointly conduct a study of the appropriate
19 capital requirements for mortgage servicing assets
20 for banking institutions.

21 (2) ISSUES TO BE STUDIED.—The study re-
22 quired under paragraph (1) shall include, with a
23 specific focus on banking institutions—

24 (A) the risk to banking institutions of
25 holding mortgage servicing assets;

1 (B) the history of the market for mortgage
2 servicing assets, including in particular the
3 market for those assets in the period of the fi-
4 nancial crisis;

5 (C) the ability of banking institutions to
6 establish a value for mortgage servicing assets
7 of the institution through periodic sales or other
8 means;

9 (D) regulatory approaches to mortgage
10 servicing assets and capital requirements that
11 may be used to address concerns about the
12 value of and ability to sell mortgage servicing
13 assets;

14 (E) the impact of imposing the Basel III
15 capital requirements and the NCUA capital re-
16 quirements on banking institutions on the abil-
17 ity of those institutions—

18 (i) to compete in the mortgage serv-
19 icing business, including the need for
20 economies of scale to compete in that busi-
21 ness; and

22 (ii) to provide service to consumers to
23 whom the institutions have made mortgage
24 loans;

1 (F) an analysis of what the mortgage serv-
2 icing marketplace would look like if the Basel
3 III capital requirements and the NCUA capital
4 requirements on mortgage servicing assets—

5 (i) were fully implemented; and

6 (ii) applied to both banking institu-
7 tions and nondepository residential mort-
8 gage loan servicers;

9 (G) the significance of problems with mort-
10 gage servicing assets, if any, in banking institu-
11 tion failures and problem banking institutions,
12 including specifically identifying failed banking
13 institutions where mortgage servicing assets
14 contributed to the failure; and

15 (H) an analysis of the relevance of the
16 Basel III capital requirements and the NCUA
17 capital requirements on mortgage servicing as-
18 sets to the banking systems of other signifi-
19 cantly developed countries.

20 (3) REPORT TO CONGRESS.—Not later than
21 180 days after the date of enactment of this title,
22 the Federal banking agencies shall submit to the
23 Committee on Banking, Housing, and Urban Affairs
24 of the Senate and the Committee on Financial Serv-

1 ices of the House of Representatives a report con-
2 taining—

3 (A) the results of the study required under
4 paragraph (1);

5 (B) any analysis on the specific issue of
6 mortgage servicing assets undertaken by the
7 Federal banking agencies before finalizing regu-
8 lations implementing the Basel III capital re-
9 quirements and the NCUA capital require-
10 ments; and

11 (C) any recommendations for legislative or
12 regulatory actions that would address concerns
13 about the value of and ability to sell and the
14 ability of banking institutions to hold mortgage
15 servicing assets.

16 **SEC. 918. NO WAIT FOR LOWER MORTGAGE RATES.**

17 (a) IN GENERAL.—Section 129(b) of the Truth in
18 Lending Act (15 U.S.C. 1639(b)) is amended—

19 (1) by redesignating paragraph (3) as para-
20 graph (4); and

21 (2) by inserting after paragraph (2) the fol-
22 lowing:

23 “(3) NO WAIT FOR LOWER RATE.—If a creditor
24 extends to a consumer a second offer of credit with
25 a lower annual percentage rate, the transaction may

1 be consummated without regard to the period speci-
2 fied in paragraph (1).”.

3 (b) SAFE HARBOR FOR GOOD FAITH COMPLIANCE
4 WITH TILA-RESPA INTEGRATED DISCLOSURE RULE.—
5 Section 1032(f) of the Consumer Financial Protection Act
6 of 2010 (12 U.S.C. 5532(f)) is amended—

7 (1) by striking “Not later than” and inserting
8 the following:

9 “(1) IN GENERAL.—Not later than”; and

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

11 “(2) SAFE HARBOR FOR GOOD FAITH COMPLI-
12 ANCE.—

13 “(A) SAFE HARBOR.—Notwithstanding
14 any other provision of law, during the period
15 described in subparagraph (B), an entity that
16 provides the disclosures required under the
17 Truth in Lending Act (15 U.S.C. 1601 et seq.)
18 and sections 4 and 5 of the Real Estate Settle-
19 ment Procedures Act of 1974 (12 U.S.C. 2603
20 and 2604), as in effect on July 31, 2015, shall
21 not be subject to any civil, criminal, or adminis-
22 trative action or penalty for failure to fully
23 comply with any requirement under this sub-
24 section.

1 “(B) APPLICABLE PERIOD.—Subparagraph
2 (A) shall apply to an entity during the period
3 beginning on the date of enactment of this
4 paragraph and ending on the date that is 30
5 days after the date on which a certification by
6 the Director that the model disclosures required
7 under paragraph (1) are accurate and in com-
8 pliance with all State laws is published in the
9 Federal Register.”.

10 **SEC. 919. ELIMINATING BARRIERS TO JOBS FOR LOAN**
11 **ORIGINATORS.**

12 (a) IN GENERAL.—The S.A.F.E. Mortgage Licensing
13 Act of 2008 (12 U.S.C. 5101 et seq.) is amended by add-
14 ing at the end the following:

15 **“SEC. 1518. EMPLOYMENT TRANSITION.**

16 “(a) TEMPORARY LICENSE FOR PERSONS MOVING
17 FROM A FINANCIAL INSTITUTION TO A NON-BANK ORIGI-
18 NATOR.—A registered loan originator shall be deemed to
19 be a State-licensed loan originator for the 120-day period
20 beginning on the date on which a State-licensed mortgage
21 lender, mortgage banker, or mortgage servicer that is not
22 a depository institution registers with the Nationwide
23 Mortgage Licensing System and Registry that the reg-
24 istered loan originator is employed by the State-licensed

1 mortgage lender, mortgage banker, or mortgage servicer,
2 as applicable.

3 “(b) TEMPORARY LICENSE FOR PERSONS MOVING
4 INTERSTATE.—A registered loan originator or State-li-
5 censed loan originator in 1 State shall be deemed to be
6 a State-licensed loan originator in another State for the
7 120-day period beginning on the date on which a State-
8 licensed mortgage lender, mortgage banker, or mortgage
9 servicer in that State registers with the Nationwide Mort-
10 gage Licensing System and Registry that the registered
11 loan originator or State-licensed loan originator is em-
12 ployed by the State-licensed mortgage lender, mortgage
13 banker, or mortgage servicer, as applicable.

14 “(c) FEDERAL AND STATE RECOGNITION.—The reg-
15 istration provided under subsections (a) and (b) shall ful-
16 fill any licensing or registration requirement for a loan
17 originator under section 1504 and any State law or regu-
18 lation.”.

19 (b) TECHNICAL AND CONFORMING AMENDMENT.—
20 The table of contents for the Housing and Economic Re-
21 covery Act of 2008 (Public Law 110–289; 122 Stat. 2654)
22 is amended by inserting after the item relating to section
23 1517 the following:

“Sec. 1518. Employment transition.”.

1 **SEC. 920. SHORT FORM CALL REPORTS.**

2 Section 7(a) of the Federal Deposit Insurance Act
3 (12 U.S.C. 1817(a)) is amended by adding at the end the
4 following:

5 “(12) SHORT FORM REPORTING.—

6 “(A) REVIEW OF REPORTS OF CONDI-
7 TION.—The appropriate Federal banking agen-
8 cies shall jointly review the information and
9 schedules that are required to be filed by an in-
10 sured depository institution in a report of con-
11 dition required under paragraph (3). As part of
12 this review, the appropriate Federal banking
13 agencies shall jointly—

14 “(i) establish guiding principles for
15 determining the appropriateness of infor-
16 mation and schedules collected in a report
17 of condition; and

18 “(ii) consistent with the principles es-
19 tablished under clause (i), consider and
20 document the need for each data item col-
21 lected, the frequency with which each data
22 item will be collected, and the population
23 of insured depository institutions from
24 which each data item is required.

25 “(B) DEVELOPMENT OF SHORT FORM RE-
26 PORTS OF CONDITION.—After completing the

1 review required under subparagraph (A), the
2 appropriate Federal banking agencies shall
3 jointly develop, to the extent appropriate, 1 or
4 more report of condition forms that reduce or
5 eliminate information or schedules required to
6 be filed by an insured depository institution in
7 a report of condition required under paragraph
8 (3). Such form or forms shall, as determined by
9 the appropriate Federal banking agencies, be
10 appropriate for the size and complexity of the
11 insured depository institution.

12 “(C) REPORTS TO CONGRESS.—Not later
13 than 180 days after the date of enactment of
14 this paragraph, and every 180 days thereafter
15 until the appropriate Federal banking agencies
16 have jointly completed the requirements under
17 subparagraphs (A) and (B), the appropriate
18 Federal banking agencies shall submit to the
19 Committee on Banking, Housing, and Urban
20 Affairs of the Senate and the Committee on Fi-
21 nancial Services of the House of Representa-
22 tives a report describing the progress made con-
23 cerning the completion of such responsibil-
24 ities.”.

1 **SEC. 921. APPLICATION OF THE EXPEDITED FUNDS AVAIL-**
2 **ABILITY ACT.**

3 (a) IN GENERAL.—The Expedited Funds Availability
4 Act (12 U.S.C. 4001 et seq.) is amended—

5 (1) in section 602 (12 U.S.C. 4001)—

6 (A) in paragraph (20), by inserting “, lo-
7 cated in the United States,” after “ATM”;

8 (B) in paragraph (21), by inserting
9 “American Samoa, the Commonwealth of the
10 Northern Mariana Islands,” after “Puerto
11 Rico,”; and

12 (C) in paragraph (23), by inserting “Amer-
13 ican Samoa, the Commonwealth of the North-
14 ern Mariana Islands,” after “Puerto Rico,”;
15 and

16 (2) in section 603(d)(2)(A) (12 U.S.C.
17 4002(d)(2)(A)), by inserting “American Samoa, the
18 Commonwealth of the Northern Mariana Islands,”
19 after “Puerto Rico,”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 subsection (a) shall take effect on January 1, 2016.

22 **SEC. 922. APPLICATION OF THE FEDERAL ADVISORY COM-**
23 **MITTEE ACT.**

24 Section 1013 of the Consumer Financial Protection
25 Act of 2010 (12 U.S.C. 5493) is amended by adding at
26 the end the following:

1 “(h) APPLICATION OF FACA.—Notwithstanding any
2 provision of the Federal Advisory Committee Act (5
3 U.S.C. App.), such Act shall apply to each advisory com-
4 mittee of the Bureau and each subcommittee of such an
5 advisory committee.”.

6 **SEC. 923. BUDGET TRANSPARENCY FOR THE NCUA.**

7 Section 209(b) of the Federal Credit Union Act (12
8 U.S.C. 1789) is amended—

9 (1) by redesignating paragraphs (1) and (2) as
10 paragraphs (2) and (3), respectively;

11 (2) by inserting before paragraph (2), as so re-
12 designated, the following:

13 “(1) on an annual basis and prior to the sub-
14 mission of the detailed business-type budget required
15 under paragraph (2)—

16 “(A) make publicly available and cause to
17 be printed in the Federal Register a draft of
18 the detailed business-type budget; and

19 “(B) hold a public hearing, with public no-
20 tice provided of the hearing, wherein the public
21 may submit comments on the draft of the de-
22 tailed business-type budget;”;

23 (3) in paragraph (2), as so redesignated—

24 (A) by inserting “detailed” after “submit
25 a”; and

1 (B) by inserting “, which shall address any
 2 comment submitted by the public under para-
 3 graph (1)(B)” after “Control Act”.

4 **SEC. 924. DATE FOR DETERMINING CONSOLIDATED AS-**
 5 **SETS.**

6 Section 171(b)(4)(C) of the Financial Stability Act
 7 of 2010 (12 U.S.C. 5371(b)(4)(C)) is amended by insert-
 8 ing “or March 31, 2010,” after “December 31, 2009,”.

9 **SEC. 925. FHLB MEMBERSHIP.**

10 (a) FHLB MEMBERSHIP PROPOSED RULE.—

11 (1) DEFINITIONS.—In this subsection:

12 (A) COMMUNITY DEVELOPMENT FINAN-
 13 CIAL INSTITUTION.—The term “community de-
 14 velopment financial institution” has the mean-
 15 ing given that term in section 103 of the Com-
 16 munity Development Banking and Financial In-
 17 stitutions Act of 1994 (12 U.S.C. 4702).

18 (B) COVERED PROPOSED RULE.—The
 19 term “covered proposed rule” means the pro-
 20 posed rule of the Federal Housing Finance
 21 Agency entitled “Members of Federal Home
 22 Loan Banks” (79 Fed. Reg. 54848 (September
 23 12, 2014)).

24 (C) OTHER TERMS FROM THE FEDERAL
 25 HOME LOAN BANK ACT.—The terms “commu-

1 nity financial institution”, “Federal Home
2 Loan Bank”, and “Federal Home Loan Bank
3 System” have the meanings given those terms
4 in section 2 of the Federal Home Loan Bank
5 Act (12 U.S.C. 1422).

6 (2) WITHDRAWAL OF PROPOSED RULE.—Not
7 later than 30 days after the date of enactment of
8 this title, the Federal Housing Finance Agency shall
9 withdraw the covered proposed rule.

10 (3) GAO STUDY AND REPORT ON PROPOSED
11 RULE.—

12 (A) STUDY.—

13 (i) IN GENERAL.—The Comptroller
14 General of the United States shall conduct
15 a study on the impact that the covered
16 proposed rule would have, if adopted as
17 proposed, on—

18 (I) the ability of the Federal
19 Home Loan Banks to fulfill the man-
20 date to provide liquidity to support
21 housing finance and economic and
22 community development;

23 (II) the safety and soundness of
24 the Federal Home Loan Bank Sys-
25 tem;

1 (III) the liquidity needs of finan-
2 cial intermediaries;

3 (IV) the stability of the Federal
4 Home Loan Bank System;

5 (V) the benefits of a diverse
6 membership base for Federal Home
7 Loan Banks; and

8 (VI) the ability of member insti-
9 tutions to rely on access to Federal
10 Home Loan Bank advances.

11 (ii) CONSIDERATIONS.—In conducting
12 the study under clause (i), the Comptroller
13 General of the United States shall con-
14 sider—

15 (I) the comment letters sub-
16 mitted in response to the notice of
17 proposed rulemaking for the covered
18 proposed rule;

19 (II) the legislative and adminis-
20 trative history of the Federal Home
21 Loan Bank membership rules;

22 (III) the burden placed on com-
23 munity financial institutions and com-
24 munity development financial institu-
25 tions; and

1 (IV) the legal authority of the
2 Federal Housing Finance Agency to
3 exclude from membership any class or
4 category of insurance companies.

5 (B) REPORT.—Not later than 1 year after
6 the date of enactment of this title, the Comp-
7 troller General of the United States shall sub-
8 mit to the Committee on Banking, Housing,
9 and Urban Affairs of the Senate and the Com-
10 mittee on Financial Services of the House of
11 Representatives a report on the findings of the
12 study conducted under subparagraph (A)(i).

13 (b) CREDIT UNION PARITY FOR FHLB MEMBER-
14 SHIP ELIGIBILITY.—Section 2(10)(A)(i) of the Federal
15 Home Loan Bank Act (12 U.S.C. 1422(10)(A)(i)) is
16 amended to read as follows:

17 “(i) the deposits of which—

18 “(I) are insured under the Fed-
19 eral Deposit Insurance Act (12 U.S.C.
20 1811 et seq.); or

21 “(II) are insured under or eligi-
22 ble to be insured under the Federal
23 Credit Union Act (12 U.S.C. 1751 et
24 seq.); and”.

1 **SEC. 926. ENSURING A COMPREHENSIVE REGULATORY RE-**
2 **VIEW.**

3 Section 2222 of the Economic Growth and Regu-
4 latory Paperwork Reduction Act of 1996 (12 U.S.C. 3311)
5 is amended—

6 (1) in subsection (a)—

7 (A) by striking “each appropriate Federal
8 banking agency represented on the Council”
9 and inserting “each of the Office of the Comp-
10 troller of the Currency, the Federal Deposit In-
11 surance Corporation, the Board of Governors of
12 the Federal Reserve System, the Bureau of
13 Consumer Financial Protection, and the Na-
14 tional Credit Union Administration Board as
15 the Federal agency representatives on the
16 Council”;

17 (B) by inserting “, joint or otherwise, and
18 including all regulations issued pursuant to any
19 authority provided under the Dodd-Frank Wall
20 Street Reform and Consumer Protection Act
21 (Public Law 111–203; 124 Stat. 1376),” after
22 “prescribed by the Council”;

23 (C) by striking “any such appropriate Fed-
24 eral banking agency” and inserting “any such
25 Federal agency”; and

1 (D) by striking “insured depository institu-
2 tions” and inserting “financial institutions”;

3 (2) in subsections (b), (c), and (d), by striking
4 “the appropriate Federal banking agency” each
5 place that term appears and inserting “the appro-
6 priate Federal agency”; and

7 (3) in subsection (e)—

8 (A) in paragraph (1), by striking “the ap-
9 propriate Federal banking agencies” and insert-
10 ing “the appropriate Federal agencies”; and

11 (B) in paragraph (2), by striking “the ap-
12 propriate Federal banking agency” and insert-
13 ing “the appropriate Federal agency”.

14 **SEC. 927. PROHIBITION ON IMPLEMENTATION OR PARTICI-
15 PATION IN OPERATION CHOKE POINT.**

16 The Federal Deposit Insurance Corporation, the Of-
17 fice of the Comptroller of the Currency, the Board of Gov-
18 ernors of the Federal Reserve System, the Bureau of Con-
19 sumer Financial Protection, or the National Credit Union
20 Administration may not implement or participate in the
21 Operation Choke Point initiative of the Department of
22 Justice.

23 **SEC. 928. EXEMPTIVE AUTHORITY.**

24 (a) EXEMPTIVE AUTHORITY FOR THE FEDERAL DE-
25 POSIT INSURANCE CORPORATION.—Section 10 of the Fed-

1 eral Deposit Insurance Act (12 U.S.C. 1820) is amended
2 by adding at the end the following:

3 “(1) EXEMPTIVE AUTHORITY.—

4 “(1) IN GENERAL.—Notwithstanding any other
5 provision of law, the Corporation, after considering
6 the factors in paragraph (3), may exempt by rule
7 any depository institution having less than
8 \$10,000,000,000 in total assets from—

9 “(A) any provision of this Act;

10 “(B) any rule promulgated under this Act;

11 or

12 “(C) any rule promulgated under any
13 other Act conferring authority to the Corpora-
14 tion.

15 “(2) CONDITIONS.—The Corporation may im-
16 pose conditions on an exemption granted under
17 paragraph (1).

18 “(3) FACTORS TO CONSIDER.—In issuing an ex-
19 emption under paragraph (1), the Corporation shall
20 consider, as appropriate, the extent to which—

21 “(A) the provision or rule would impose an
22 unnecessary or undue burden or cost on the de-
23 pository institution;

1 “(B) the provision or rule is unnecessary
2 or unwarranted in order to promote the safety
3 and soundness of the depository institution; and

4 “(C) the exemption is necessary, appro-
5 priate, or consistent with the public interest.

6 “(4) ADJUSTMENT FOR CHANGES IN GROSS DO-
7 MESTIC PRODUCT.—The asset threshold identified in
8 paragraph (1) shall be adjusted annually by the Cor-
9 poration to reflect the percentage change for the
10 previous calendar year in the gross domestic product
11 of the United States, as calculated by the Bureau of
12 Economic Analysis of the Department of Com-
13 merce.”.

14 (b) EXEMPTIVE AUTHORITY FOR THE OFFICE OF
15 THE COMPTROLLER OF THE CURRENCY.—

16 (1) EXEMPTIVE AUTHORITY FOR NATIONAL
17 BANKS.—Section 5239A of the Revised Statutes is
18 amended—

19 (A) by striking “Except” and inserting the
20 following:

21 “(a) IN GENERAL.—Except”.; and

22 (B) by adding at the end the following:

23 “(b) EXEMPTIVE AUTHORITY.—

24 “(1) DEFINITION.—In this subsection, the term
25 ‘insured depository institution’ has the meaning

1 given the term in section 3 of the Federal Deposit
2 Insurance Act (12 U.S.C. 1813).

3 “(2) EXEMPTION.—Notwithstanding any other
4 provision of law, the Comptroller of the Currency,
5 after considering the factors in paragraph (4), may
6 exempt by rule any national bank having less than
7 \$10,000,000,000 in total assets from—

8 “(A) any provision of this title;

9 “(B) any rule promulgated under this title;

10 or

11 “(C) any rule promulgated under any
12 other title or Act that confers authority to the
13 Comptroller.

14 “(3) CONDITIONS.—The Comptroller may im-
15 pose conditions on an exemption granted under
16 paragraph (2).

17 “(4) FACTORS TO CONSIDER.—In issuing an ex-
18 emption under paragraph (2), the Comptroller shall
19 consider, as appropriate, the extent to which—

20 “(A) the provision or rule would impose an
21 unnecessary or undue burden or cost on the na-
22 tional bank;

23 “(B) the provision or rule is unnecessary
24 or unwarranted to promote the safety and
25 soundness of the national bank; and

1 “(C) the exemption is necessary, appro-
2 priate, or consistent with the public interest.

3 “(5) ADJUSTMENT FOR CHANGES IN GROSS DO-
4 MESTIC PRODUCT.—The asset threshold identified in
5 paragraph (2) shall be adjusted annually by the
6 Comptroller to reflect the percentage change for the
7 previous calendar year in the gross domestic product
8 of the United States, as calculated by the Bureau of
9 Economic Analysis of the Department of Com-
10 merce.”.

11 (2) EXEMPTIVE AUTHORITY FOR SAVINGS ASSO-
12 CIATIONS.—Section 4(a) of the Home Owners’ Loan
13 Act (12 U.S.C. 1463) is amended by adding at the
14 end the following:

15 “(4) EXEMPTIVE AUTHORITY.—

16 “(A) DEFINITION.—In this paragraph, the
17 term ‘insured depository institution’ has the
18 meaning given the term in section 3 of the Fed-
19 eral Deposit Insurance Act (12 U.S.C. 1813).

20 “(B) EXEMPTION.—Notwithstanding any
21 other provision of law, the Comptroller of the
22 Currency, after considering the factors in sub-
23 paragraph (D), may exempt by rule any savings
24 association having less than \$10,000,000,000 in
25 total assets from—

1 “(i) any provision of this title;

2 “(ii) any rule promulgated under this
3 title; or

4 “(iii) any rule promulgated under any
5 other title or act conferring authority on
6 the Comptroller.

7 “(C) CONDITIONS.—The Comptroller may
8 impose conditions on an exemption granted
9 under subparagraph (B).

10 “(D) FACTORS TO CONSIDER.—In issuing
11 an exemption under subparagraph (B), the
12 Comptroller shall consider, as appropriate, the
13 extent to which—

14 “(i) the provision or rule would im-
15 pose an unnecessary or undue burden or
16 cost on the savings association;

17 “(ii) the provision or rule is unneces-
18 sary or unwarranted to promote the safety
19 and soundness of the savings association;
20 and

21 “(iii) the exemption is necessary, ap-
22 propriate, or consistent with the public in-
23 terest.

24 “(E) ADJUSTMENT FOR CHANGES IN
25 GROSS DOMESTIC PRODUCT.—The asset thresh-

1 old identified in subparagraph (B) shall be ad-
2 justed annually by the Comptroller to reflect
3 the percentage change for the previous calendar
4 year in the gross domestic product of the
5 United States, as calculated by the Bureau of
6 Economic Analysis of the Department of Com-
7 merce.”.

8 (c) EXEMPTIVE AUTHORITY FOR THE BOARD OF
9 GOVERNORS OF THE FEDERAL RESERVE SYSTEM.—

10 (1) EXEMPTIVE AUTHORITY FOR STATE MEM-
11 BER BANKS.—Section 11 of the Federal Reserve Act
12 (12 U.S.C. 248) is amended by adding at the end
13 the following:

14 “(t) EXEMPTIVE AUTHORITY.—

15 “(1) DEFINITION.—In this section, the term
16 ‘insured depository institution’ has the meaning
17 given the term in section 3 of the Federal Deposit
18 Insurance Act (12 U.S.C. 1813).

19 “(2) EXEMPTION.—Notwithstanding any other
20 provision of law, the Board, after considering the
21 factors in paragraph (4), may exempt by rule any
22 state member bank having less than
23 \$10,000,000,000 in total assets from—

24 “(A) any provision of this Act;

1 “(B) any rule promulgated under this Act;

2 or

3 “(C) any rule promulgated under any
4 other act conferring authority on the Board.

5 “(3) CONDITIONS.—The Board may impose
6 conditions on an exemption granted under para-
7 graph (2).

8 “(4) FACTORS TO CONSIDER.—In issuing an ex-
9 emption under paragraph (2), the Board shall con-
10 sider, as appropriate, the extent to which—

11 “(A) the provision or rule would impose an
12 unnecessary or undue burden or cost on the
13 state member bank;

14 “(B) the provision or rule is unnecessary
15 or unwarranted to promote the safety and
16 soundness of the state member bank; and

17 “(C) the exemption is necessary, appro-
18 priate, or consistent with the public interest.

19 “(5) ADJUSTMENT FOR CHANGES IN GROSS DO-
20 MESTIC PRODUCT.—The asset threshold identified in
21 paragraph (2) shall be adjusted annually by the
22 Board to reflect the percentage change for the pre-
23 vious calendar year in the gross domestic product of
24 the United States, as calculated by the Bureau of

1 Economic Analysis of the Department of Com-
2 merce.”.

3 (2) EXEMPTIVE AUTHORITY FOR BANK HOLD-
4 ING COMPANIES.—The Bank Holding Company Act
5 of 1956 (12 U.S.C. 1841 et seq.) is amended by
6 adding at the end the following:

7 **“SEC. 15. EXEMPTIVE AUTHORITY.**

8 “(a) DEFINITION.—In this section, the term ‘insured
9 depository institution’ has the meaning given the term in
10 section 3 of the Federal Deposit Insurance Act (12 U.S.C.
11 1813).

12 “(b) EXEMPTION.—Notwithstanding any other provi-
13 sion of law, the Board, after considering the factors in
14 subsection (d), may exempt by rule any bank holding com-
15 pany having less than \$10,000,000,000 in total assets
16 from—

17 “(1) any provision of this Act;

18 “(2) any rule promulgated under this Act; or

19 “(3) any rule promulgated under any other act
20 conferring authority on the Board.

21 “(c) CONDITIONS.—The Board may impose condi-
22 tions on an exemption granted under subsection (b).

23 “(d) FACTORS TO CONSIDER.—In issuing an exemp-
24 tion under subsection (b), the Board shall consider, as ap-
25 propriate, the extent to which—

1 “(1) the provision or rule would impose an un-
2 necessary or undue burden or cost on the bank hold-
3 ing company;

4 “(2) the provision or rule is unnecessary or un-
5 warranted to promote the safety and soundness of
6 the bank holding company; and

7 “(3) the exemption is necessary, appropriate, or
8 consistent with the public interest.

9 “(e) ADJUSTMENT FOR CHANGES IN GROSS DOMES-
10 TIC PRODUCT.—The asset threshold identified in sub-
11 section (b) shall be adjusted annually by the Board to re-
12 flect the percentage change for the previous calendar year
13 in the gross domestic product of the United States, as cal-
14 culated by the Bureau of Economic Analysis of the De-
15 partment of Commerce.”.

16 (3) EXEMPTIVE AUTHORITY FOR SAVINGS AND
17 LOAN HOLDING COMPANIES AND MUTUAL HOLDING
18 COMPANIES.—Section 10 of the Home Owners’ Loan
19 Act (12 U.S.C. 1467a) is amended by adding at the
20 end the following:

21 “(u) EXEMPTIVE AUTHORITY.—

22 “(1) DEFINITIONS.—In this subsection—

23 “(A) the term ‘insured depository institu-
24 tion’ has the meaning given the term in section

1 3 of the Federal Deposit Insurance Act (12
2 U.S.C. 1813); and

3 “(B) the term ‘mutual holding company’
4 has the meaning given the term in subsection
5 (o)(10)(A).

6 “(2) EXEMPTION.—Notwithstanding any other
7 provision of law, the Board, after considering the
8 factors in paragraph (4), may exempt by rule any
9 savings and loan holding company or any mutual
10 holding company having less than \$10,000,000,000
11 in total assets from—

12 “(A) any provision of this Act;

13 “(B) any rule promulgated under this Act;

14 or

15 “(C) any rule promulgated under any
16 other Act conferring authority on the Board.

17 “(3) CONDITIONS.—The Board may impose
18 conditions on an exemption granted under para-
19 graph (2).

20 “(4) FACTORS TO CONSIDER.—In issuing an ex-
21 emption under paragraph (2), the Board shall con-
22 sider the extent to which—

23 “(A) the provision or rule would impose an
24 unnecessary or undue burden or cost on the

1 savings and loan holding company or the mu-
2 tual holding company;

3 “(B) the provision or rule is unnecessary
4 or unwarranted to promote the safety and
5 soundness of the savings and loan holding com-
6 pany or the mutual holding company; and

7 “(C) the exemption is necessary, appro-
8 priate, or consistent with the public interest.

9 “(5) LIMITATION.—The authority granted
10 under paragraph (2) shall not apply with respect to
11 a savings and loan holding company described in
12 subsection (c)(9)(C).

13 “(6) ADJUSTMENT FOR CHANGES IN GROSS DO-
14 MESTIC PRODUCT.—The asset threshold identified in
15 paragraph (2) shall be adjusted annually by the
16 Board to reflect the percentage change for the pre-
17 vious calendar year in the gross domestic product of
18 the United States, as calculated by the Bureau of
19 Economic Analysis of the Department of Com-
20 merce.”.

1 **Subtitle B—Systemically Important**
2 **Bank Holding Companies**

3 **SEC. 931. REVISIONS TO COUNCIL AUTHORITY.**

4 (a) PURPOSES AND DUTIES.—Section 112(a)(2)(I) of
5 the Financial Stability Act of 2010 (12 U.S.C.
6 5322(a)(2)(I)) is amended—

7 (1) by striking “and large, interconnected bank
8 holding companies”; and

9 (2) by inserting “and bank holding companies
10 subject to a determination under section 113A(a)”
11 before the semicolon at the end.

12 (b) AUTHORITY TO REQUIRE SUPERVISION AND
13 REGULATION OF CERTAIN BANK HOLDING COMPA-
14 NIES.—The Financial Stability Act of 2010 (12 U.S.C.
15 5311 et seq.) is amended by adding after section 113 (12
16 U.S.C. 5323) the following:

17 **“SEC. 113A. AUTHORITY TO REQUIRE SUPERVISION AND**
18 **REGULATION OF SYSTEMICALLY IMPORTANT**
19 **BANK HOLDING COMPANIES.**

20 “(a) IN GENERAL.—The Council may, in accordance
21 with the procedures described in subsections (e) and (d),
22 determine that a bank holding company shall be deemed
23 systemically important.

24 “(b) CONSIDERATIONS.—

1 “(1) The Council shall, not later than 90 days
2 after the date of enactment of this section, issue reg-
3 ulations describing with specificity the factors that
4 the Council will use to make a determination under
5 subsection (a). Such factors shall initially include
6 the following:

7 “(A) The size of the bank holding com-
8 pany.

9 “(B) The interconnectedness of the bank
10 holding company.

11 “(C) The extent of readily available sub-
12 stitutes or financial institution infrastructure
13 for the services provided by the bank holding
14 company.

15 “(D) The global cross-jurisdictional activ-
16 ity of the bank holding company.

17 “(E) The complexity of the bank holding
18 company.

19 “(2) The Council may, by regulation, add to,
20 subtract, or modify the factors used by the Council
21 pursuant to paragraph (1) if the Council—

22 “(A) provides notice to the public and op-
23 portunity for comment on any proposed
24 changes;

1 “(B) explains, as part of the notice re-
2 quired in subparagraph (A), with specificity
3 how any proposed changes would result in fac-
4 tors that more accurately measure the threat
5 that the material financial distress of a bank
6 holding company could pose to the financial sta-
7 bility of the United States, in comparison with
8 the existing factors; and

9 “(C) finds, on a nondelegable basis and by
10 a vote of not fewer than $\frac{2}{3}$ of the voting mem-
11 bers then serving, including an affirmative vote
12 by the Chairperson, that such a change would
13 result in factors that more accurately measure
14 the threat that the material financial distress of
15 a bank holding company could pose to the fi-
16 nancial stability of the United States, in com-
17 parison with the existing factors.

18 “(c) BANK HOLDING COMPANIES DEEMED SYSTEM-
19 ICALLY IMPORTANT.—

20 “(1) IN GENERAL.—With respect to a bank
21 holding company with total consolidated assets of
22 not less than \$50,000,000,000 and not more than
23 \$500,000,000,000 (as such amounts are adjusted
24 annually by the Council to reflect the percentage
25 change for the previous calendar year in the gross

1 domestic product of the United States, as calculated
2 by the Bureau of Economic Analysis of the Depart-
3 ment of Commerce), the Council may, on a nondele-
4 gable basis and by a vote of not fewer than $\frac{2}{3}$ of
5 the voting members then serving, including an af-
6 firmative vote by the Chairperson, make a deter-
7 mination under subsection (a) if the Council deter-
8 mines, based on the factors considered pursuant to
9 subsection (b), that the material financial distress of
10 a bank holding company could pose a threat to the
11 financial stability of the United States.

12 “(2) REQUIREMENTS FOR PROPOSED DETER-
13 MINATION, NOTICE AND OPPORTUNITY FOR HEAR-
14 ING, AND FINAL DETERMINATION.—

15 “(A) INITIAL EVALUATION BY THE BOARD
16 OF GOVERNORS.—The Board of Governors may
17 identify a bank holding company for an evalua-
18 tion of whether, based on the factors considered
19 pursuant to subsection (b), the material finan-
20 cial distress of the bank holding company could
21 pose a threat to the financial stability of the
22 United States. Upon identifying such bank
23 holding company, the Board of Governors—

24 “(i) shall provide the bank holding
25 company with—

1 “(I) a written notice that shall
2 include any quantitative analysis used
3 in identifying the bank holding com-
4 pany and shall explain with specificity
5 the basis for identifying the bank
6 holding company;

7 “(II) an opportunity to submit
8 written materials for consideration by
9 the Board of Governors as part of an
10 evaluation by the Board of Governors
11 under clause (ii); and

12 “(III) an opportunity to meet
13 with representatives of the Board of
14 Governors to discuss the analysis con-
15 ducted by the Board of Governors to
16 identify the bank holding company;

17 “(ii) may, after fulfilling the require-
18 ments of clause (i), evaluate whether,
19 based on the factors considered pursuant
20 to subsection (b), the material financial
21 distress of the bank holding company could
22 pose a threat to the financial stability of
23 the United States;

24 “(iii) may, at the conclusion of an
25 evaluation under clause (ii), make a rec-

1 ommendation to the Council that the
2 Council perform an evaluation under sub-
3 paragraph (B)(ii)(I); and

4 “(iv) shall, if a recommendation is
5 made under clause (iii), provide written no-
6 tice to the bank holding company that a
7 recommendation was made, which notice
8 shall include a detailed explanation of the
9 basis for the recommendation, including
10 how each factor considered pursuant to
11 subsection (b) relates to the potential
12 threat posed by the bank holding company
13 to the financial stability of the United
14 States.

15 “(B) EVALUATION BY THE COUNCIL.—

16 “(i) IN GENERAL.—The Council may
17 only make a proposed determination with
18 respect to a bank holding company under
19 subparagraph (C)(i) if the Council—

20 “(I) has received a recommenda-
21 tion under subparagraph (A)(iii) with
22 respect to the bank holding company;
23 or

24 “(II) not earlier than the effec-
25 tive date of this section, and after

1 consultation and coordination with the
2 Board of Governors, on a nondele-
3 gable basis and by a vote of not fewer
4 than $\frac{2}{3}$ of the voting members then
5 serving, including an affirmative vote
6 by the Chairperson, decides to evalu-
7 ate the bank holding company for a
8 proposed determination under sub-
9 paragraph (C)(i).

10 “(ii) REQUIREMENTS BEFORE MAKING
11 A PROPOSED DETERMINATION.—Before
12 making a proposed determination with re-
13 spect to a bank holding company under
14 subparagraph (C)(i), and after receiving a
15 recommendation under clause (i)(I) or
16 making a decision under clause (i)(II), the
17 Council shall—

18 “(I) perform an evaluation of the
19 bank holding company, including an
20 evaluation of—

21 “(aa) whether the material
22 financial distress of the bank
23 holding company could pose a
24 threat to the financial stability of
25 the United States; and

1 “(bb) how each of the fac-
2 tors considered pursuant to sub-
3 section (b) relates to the poten-
4 tial threat posed by the bank
5 holding company to the financial
6 stability of the United States;
7 and

8 “(II) provide the bank holding
9 company with—

10 “(aa) a written notice that
11 the bank holding company is
12 being evaluated;

13 “(bb) an opportunity to
14 meet with representatives of the
15 Council to discuss the evaluation
16 by the Council; and

17 “(cc) an opportunity to sub-
18 mit written materials to the
19 Council, within such time as the
20 Council deems appropriate (but
21 not earlier than 30 days after the
22 date of receipt of the notice
23 under item (aa)).

24 “(C) PROPOSED DETERMINATION.—

1 “(i) VOTING.—After fulfilling the re-
2 quirements of subparagraph (B), the
3 Council may, on a nondelegable basis and
4 by a vote of not fewer than $\frac{2}{3}$ of the vot-
5 ing members then serving, including an af-
6 firmative vote by the Chairperson, propose
7 to make a determination under paragraph
8 (1) with respect to a bank holding com-
9 pany.

10 “(ii) NOTICE OF PROPOSED DETER-
11 MINATION.—If the Council makes a pro-
12 posed determination under clause (i), the
13 Council shall provide a notice to the bank
14 holding company, which notice shall con-
15 tain the basis for the proposed determina-
16 tion, including a detailed explanation of
17 the evaluation performed under subpara-
18 graph (B)(ii)(I).

19 “(D) REQUIREMENTS BEFORE FINAL DE-
20 TERMINATION.—After making a proposed deter-
21 mination under subparagraph (C)(i) and prior
22 to making a final determination under para-
23 graph (1), the Council shall—

24 “(i) not later than 30 days after the
25 date of receipt of any notice under sub-

1 paragraph (C)(ii), provide the bank holding
2 company with an opportunity to request, in
3 writing, a hearing before the Council to
4 contest the proposed determination;

5 “(ii) if the Council receives a timely
6 request under clause (i), fix a time (not
7 earlier than 30 days after the date of re-
8 ceipt of the request) and place at which
9 the bank holding company may appear,
10 personally or through counsel, to, at the
11 discretion of the bank holding company—

12 “(I) submit a plan to modify the
13 business, structure, or operations of
14 the bank holding company in order to
15 address the factors and the potential
16 threat posed by the bank holding com-
17 pany to the financial stability of the
18 United States identified pursuant to
19 subparagraph (C)(ii);

20 “(II) submit written materials in
21 addition to or separate from the plan
22 described in subclause (I); and

23 “(III) provide oral testimony and
24 oral argument to the members of the
25 Council, with not fewer than $\frac{2}{3}$ of the

1 voting members of the Council, in-
2 cluding the Chairperson, in attend-
3 ance; and

4 “(iii) in the event a plan is submitted
5 to the Council under clause (ii)(I)—

6 “(I) consider whether the plan, if
7 implemented, would address the fac-
8 tors and the potential threat posed by
9 the bank holding company to the fi-
10 nancial stability of the United States
11 identified pursuant to subparagraph
12 (C)(ii); and

13 “(II) provide the bank holding
14 company with—

15 “(aa) analysis of whether
16 and to what extent the plan ad-
17 dresses the factors and the po-
18 tential threat posed by the bank
19 holding company to the financial
20 stability of the United States
21 identified pursuant to subpara-
22 graph (C)(ii);

23 “(bb) an opportunity to
24 meet with representatives of the

1 Council to discuss the analysis
2 provided under item (aa); and

3 “(cc) an opportunity to re-
4 vise the plan after discussions
5 with representatives of the Coun-
6 cil.

7 “(E) FINAL DETERMINATION.—

8 “(i) IN GENERAL.—After fulfilling the
9 requirements of subparagraph (D), and not
10 later than 90 days after the date on which
11 a hearing is held under subparagraph
12 (D)(ii), the Council may vote to make a
13 final determination under paragraph (1).
14 The Council may delay the vote up to 1
15 additional year after the conclusion of the
16 90-day period if considering a plan under
17 subparagraph (D)(iii).

18 “(ii) OUTCOME OF THE VOTE.—If the
19 Council votes on a final determination
20 under paragraph (1), the Council shall
21 promptly inform the bank holding company
22 of the outcome of the vote in writing.

23 “(iii) NOTICE OF FINAL DETERMINA-
24 TION.—If the Council votes to make a final
25 determination under paragraph (1), the

1 Council shall, not later than 30 days after
2 the date of the vote, provide a notice to the
3 bank holding company, which notice shall
4 contain—

5 “(I) the basis for the determina-
6 tion, including—

7 “(aa) a detailed analysis of
8 any plan submitted by the bank
9 holding company and considered
10 by the Council under subpara-
11 graph (D), if applicable, which
12 analysis shall, at a minimum, in-
13 clude—

14 “(AA) whether and to
15 what extent successful im-
16 plementation of the plan
17 could address the factors
18 and the potential threat
19 posed by the bank holding
20 company to the financial
21 stability of the United
22 States identified pursuant to
23 subparagraph (C)(ii); and

24 “(BB) a detailed expla-
25 nation of why the plan

1 would not address the fac-
2 tors and the potential threat
3 posed by the bank holding
4 company to the financial
5 stability of the United
6 States identified pursuant to
7 subparagraph (C)(ii), if the
8 Council, during its consider-
9 ation of the plan under sub-
10 paragraph (D)(iii)(I), con-
11 cluded that the plan would
12 not address such factors or
13 potential threat;

14 “(bb) the reasons why the
15 materials and other information
16 submitted or provided by the
17 bank holding company under
18 subclauses (II) and (III) of sub-
19 paragraph (D)(ii) did not address
20 the potential threat posed by the
21 bank holding company to the fi-
22 nancial stability of the United
23 States;

24 “(cc) a detailed analysis of
25 how the factors, including an ex-

1 planation of how each factor re-
2 lates to the potential threat posed
3 by the bank holding company to
4 the financial stability of the
5 United States, that the Council
6 considered pursuant to sub-
7 section (b) resulted in the final
8 determination under paragraph
9 (1); and

10 “(dd) specific aspects of the
11 business, operations, or structure
12 of the bank holding company
13 that the Council believes could
14 pose a threat to the financial sta-
15 bility of the United States, in-
16 cluding an assessment by the
17 Council of the probability and
18 magnitude of the threat; and

19 “(II) an explanation of actions
20 the bank holding company could take
21 in order for the Council to rescind the
22 determination.

23 “(3) REEVALUATION AND RESCISSION.—

24 “(A) REEVALUATION REQUIREMENT.—The
25 Council shall, in accordance with this para-

1 graph, reevaluate a final determination made
2 under paragraph (1) with respect to a bank
3 holding company—

4 “(i) if, at any time, the Board of Gov-
5 ernors recommends that the Council do so;
6 and

7 “(ii) not less frequently than once
8 every 5 years.

9 “(B) REEVALUATION PROCEDURE.—The
10 Council, in conducting any reevaluation of a
11 bank holding company required under subpara-
12 graph (A), shall—

13 “(i) provide a written notice to the
14 bank holding company being reevaluated;

15 “(ii) afford the bank holding company
16 an opportunity to submit a plan, within
17 such time as the Council determines to be
18 appropriate (but which shall be not earlier
19 than 30 days after the date of receipt by
20 the bank holding company of the notice
21 provided under clause (i)), to modify the
22 business, structure, or operations of the
23 bank holding company;

24 “(iii) afford the bank holding com-
25 pany an opportunity to submit written ma-

1 materials in addition to, or separate from, the
2 plan described in clause (ii), within such
3 time as the Council determines to be ap-
4 propriate (but which shall be not earlier
5 than 30 days after the date of receipt by
6 the bank holding company of the notice
7 provided under clause (i)), to contest the
8 determination, including materials con-
9 cerning whether, in the view of the bank
10 holding company, the material financial
11 distress at the bank holding company could
12 pose a threat to the financial stability of
13 the United States;

14 “(iv) provide an opportunity for the
15 bank holding company to meet with rep-
16 resentatives of the Council to present the
17 information described in clauses (ii) and
18 (iii);

19 “(v) not earlier than 30 days after the
20 date of receipt of any notice under clause
21 (i), provide the bank holding company with
22 an opportunity to request, in writing, a
23 hearing before the Council to contest its
24 final determination under paragraph (1);
25 and

1 “(vi) if the Council receives a timely
2 request under clause (v), fix a time (not
3 earlier than 30 days after the date of re-
4 ceipt of the request) and place at which
5 the bank holding company may appear,
6 personally or through counsel, to, at the
7 discretion of the bank holding company,
8 provide oral testimony and oral argument
9 to the members of the Council, with not
10 fewer than $\frac{2}{3}$ of the voting members of the
11 Council, including the Chairperson, in at-
12 tendance.

13 “(C) COMPANY PLAN.—If a bank holding
14 company submits a plan in accordance with
15 subparagraph (B)(ii), the Council shall—

16 “(i) consider whether the plan, if im-
17 plemented, would result in the bank hold-
18 ing company no longer meeting the criteria
19 for a final determination under paragraph
20 (1); and

21 “(ii) provide the bank holding com-
22 pany with—

23 “(I) analysis of whether and to
24 what extent the plan addresses the po-
25 tential threat posed by the bank hold-

1 ing company to the financial stability
2 of the United States;

3 “(II) an opportunity to meet with
4 representatives of the Council to dis-
5 cuss the analysis provided under sub-
6 clause (I); and

7 “(III) an opportunity to revise
8 the plan after discussions with rep-
9 resentatives of the Council.

10 “(D) VOTING AND EXPLANATION.—

11 “(i) IN GENERAL.—After evaluating
12 the materials and information provided by
13 a bank holding company under subpara-
14 graph (B) and fulfilling the requirements
15 of subparagraph (C), and not later than
16 180 days after the date of receipt by the
17 bank holding company of the notice pro-
18 vided under subparagraph (B)(i), the
19 Council shall, on a nondelegable basis and
20 by a vote of not fewer than $\frac{2}{3}$ of the vot-
21 ing members then serving, including an af-
22 firmative vote by the Chairperson, deter-
23 mine whether to renew a final determina-
24 tion under paragraph (1).

1 “(ii) NOTICE OF FINAL DETERMINA-
2 TION.—If the Council votes to renew a
3 final determination under clause (i), the
4 Council shall provide a notice to the bank
5 holding company with the reasons for the
6 decision by the Council, which notice shall
7 address with specificity—

8 “(I) any changes to the basis for
9 the final determination decision made
10 under paragraph (1) since the date on
11 which the final determination under
12 paragraph (1) was made, including
13 any changes to the information pro-
14 vided to the bank holding company
15 under—

16 “(aa) paragraph
17 (2)(E)(iii)(I)(cc); or

18 “(bb) this clause, in prior
19 years;

20 “(II) any plan submitted by the
21 bank holding company and considered
22 by the Council under subparagraph
23 (C), and shall, at a minimum, in-
24 clude—

1 “(aa) a detailed analysis of
2 whether and to what extent suc-
3 cessful implementation of the
4 plan could result in the bank
5 holding company no longer meet-
6 ing the criteria for a final deter-
7 mination under paragraph (1);
8 and

9 “(bb) a detailed explanation
10 of why, if the plan were imple-
11 mented, the bank holding com-
12 pany would still meet the criteria
13 for a final determination under
14 paragraph (1), if the Council,
15 during its consideration of the
16 plan under subparagraph (C),
17 concluded that the bank holding
18 company would still meet those
19 criteria if the plan were imple-
20 mented;

21 “(III) aspects of the business,
22 operations, or structure of the bank
23 holding company that the Council be-
24 lieves could pose a threat to the finan-
25 cial stability of the United States, in-

1 including the probability and magnitude
2 of that threat; and

3 “(IV) an explanation of actions
4 the bank holding company could take
5 in order for the Council to rescind the
6 determination.

7 “(iii) NO FINAL DETERMINATION.—If
8 the Council does not vote to renew a final
9 determination under clause (i), then the
10 existing final determination under para-
11 graph (1) shall be rescinded and the Coun-
12 cil shall inform the bank holding company
13 in writing.

14 “(iv) VOTING THRESHOLD FOR RE-
15 SCISSION OF DETERMINATION.—Notwith-
16 standing clause (iii), the Council may, at
17 any time, on a nondelegable basis and by
18 a vote of not fewer than $\frac{2}{3}$ of the voting
19 members then serving, including an affirm-
20 ative vote by the Chairperson, determine
21 that a bank holding company no longer
22 meets the criteria for a final determination
23 under paragraph (1), in which case the
24 Council shall rescind the final determina-
25 tion.

1 “(4) EMERGENCY EXCEPTION.—

2 “(A) IN GENERAL.—The Council may
3 waive or modify the requirements of paragraph
4 (2) with respect to a bank holding company
5 with total consolidated assets of not less than
6 \$50,000,000,000 and not more than
7 \$500,000,000,000 (as such amounts are ad-
8 justed annually by the Council to reflect the
9 percentage change for the previous calendar
10 year in the gross domestic product of the
11 United States, as calculated by the Bureau of
12 Economic Analysis of the Department of Com-
13 merce) if the Council determines, on a nondele-
14 gable basis and by a vote of not fewer than $\frac{2}{3}$
15 of the voting members then serving, including
16 an affirmative vote by the Chairperson, that
17 such waiver or modification is necessary or ap-
18 propriate to prevent or mitigate threats posed
19 by the bank holding company to the financial
20 stability of the United States.

21 “(B) NOTICE.—The Council shall provide
22 notice of a waiver or modification under this
23 paragraph to the bank holding company con-
24 cerned as soon as practicable, but not later

1 than 24 hours after the waiver or modification
2 is granted.

3 “(C) INTERNATIONAL COORDINATION.—In
4 making a determination under subparagraph
5 (A), the Council shall consult with the appro-
6 priate home country supervisor, if any, of a for-
7 eign bank holding company that is being con-
8 sidered for such a determination.

9 “(D) OPPORTUNITY FOR HEARING.—The
10 Council shall allow a bank holding company to
11 request, in writing, an opportunity for a hear-
12 ing before the Council to contest a waiver or
13 modification under this paragraph, not later
14 than 10 days after the date of receipt of the no-
15 tice of waiver or modification. Upon receipt of
16 a timely request, the Council shall fix a time
17 (not later than 15 days after the date of receipt
18 of the request) and place at which the bank
19 holding company may appear, personally or
20 through counsel, to submit written materials
21 (or, at the sole discretion of the Council, oral
22 testimony and oral argument).

23 “(E) NOTICE OF FINAL DETERMINA-
24 TION.—Not later than 30 days after the date of
25 any hearing under subparagraph (D), the Coun-

1 cil shall notify the subject bank holding com-
2 pany of the final determination of the Council
3 under this paragraph, which shall contain a
4 statement of the basis for the decision of the
5 Council.

6 “(5) CONSULTATION.—The Council shall con-
7 sult with the primary financial regulatory agency for
8 each bank holding company that is being considered
9 by the Council under this section from the outset of
10 the consideration of the bank holding company by
11 the Council, including before the Council makes any
12 proposed determination under paragraph (2)(C)(i)
13 or final determination under paragraph (1).

14 “(6) JUDICIAL REVIEW.—If the Council makes
15 or renews a final determination under this sub-
16 section with respect to a bank holding company,
17 such bank holding company may, not later than 30
18 days after the date of receipt of the notice of final
19 determination under paragraph (2)(E)(iii) or of re-
20 newal of a final determination under paragraph
21 (3)(D)(ii), bring an action in the United States dis-
22 trict court for the judicial district in which the home
23 office of such bank holding company is located, or
24 in the United States District Court for the District
25 of Columbia, for an order requiring that the final

1 determination be rescinded, and the court shall,
2 upon review, dismiss such action or direct the final
3 determination to be rescinded. Review of such an ac-
4 tion shall be limited to whether the final determina-
5 tion made under this subsection was arbitrary and
6 capricious.

7 “(7) PUBLIC DISCLOSURE REQUIREMENT.—The
8 Council shall—

9 “(A) in each case that a bank holding com-
10 pany has received a notice under paragraph
11 (2)(B)(ii)(II)(aa), and the bank holding com-
12 pany has publicly disclosed that the bank hold-
13 ing company is being evaluated by the Council,
14 confirm that the bank holding company is being
15 evaluated by the Council, in response to a re-
16 quest from a third party;

17 “(B) upon making a final determination
18 under paragraph (1) or renewing a final deter-
19 mination under paragraph (3)(D)(i), publicly
20 provide a detailed written explanation of the
21 basis for the final determination with sufficient
22 detail to provide the public with an under-
23 standing of the specific bases of the determina-
24 tion by the Council, including any assumptions

1 related thereof, subject to the requirements of
2 section 112(d)(5); and

3 “(C) include, in the annual report required
4 under section 112—

5 “(i) the number of bank holding com-
6 panies from the previous year that received
7 a notice under paragraph
8 (2)(B)(ii)(II)(aa);

9 “(ii) the number of bank holding com-
10 panies from the previous year that were
11 subject to a proposed determination under
12 paragraph (2)(C)(i); and

13 “(iii) the number of bank holding
14 companies from the previous year that
15 were subject to a final determination under
16 paragraph (1).

17 “(d) BANK HOLDING COMPANIES AUTOMATICALLY
18 DEEMED SYSTEMICALLY IMPORTANT.—

19 “(1) AUTOMATIC DETERMINATION.—A bank
20 holding company with total consolidated assets of
21 more than \$500,000,000,000 (as such amount is ad-
22 justed annually by the Council to reflect the percent-
23 age change for the previous calendar year in the
24 gross domestic product of the United States, as cal-
25 culated by the Bureau of Economic Analysis of the

1 Department of Commerce) shall automatically be
2 subject to a determination under subsection (a).

3 “(2) RULE OF CONSTRUCTION.—

4 “(A) BANK HOLDING COMPANY INCREAS-
5 ING IN SIZE.—If, subsequent to the effective
6 date, a bank holding company that was pre-
7 viously subject to a final determination under
8 subsection (c)(1) grows to have total consoli-
9 dated assets of more than \$500,000,000,000
10 (as such amount is adjusted annually by the
11 Council to reflect the percentage change for the
12 previous calendar year in the gross domestic
13 product of the United States, as calculated by
14 the Bureau of Economic Analysis of the De-
15 partment of Commerce) for a period of 180
16 consecutive days, the bank holding company
17 shall be subject to an automatic determination
18 under paragraph (1) and not subject to a deter-
19 mination under subsection (c)(1) for the pur-
20 poses of this section.

21 “(B) BANK HOLDING COMPANY DECREAS-
22 ING IN SIZE.—If a bank holding company sub-
23 ject to an automatic determination under para-
24 graph (1) decreases in size, such that the bank
25 holding company no longer is a bank holding

1 company with total consolidated assets of more
2 than \$500,000,000,000 (as such amount is ad-
3 justed annually by the Council to reflect the
4 percentage change for the previous calendar
5 year in the gross domestic product of the
6 United States, as calculated by the Bureau of
7 Economic Analysis of the Department of Com-
8 merce) for a period of 180 consecutive days, the
9 bank holding company shall be considered sub-
10 ject to a final determination under subsection
11 (c)(1) and not subject to an automatic deter-
12 mination under paragraph (1) for the purposes
13 of this section.

14 “(e) INTERNATIONAL COORDINATION.—In exercising
15 its duties under this title with respect to foreign bank
16 holding companies, foreign-based bank holding companies,
17 and cross-border activities and markets, the Council shall
18 consult with appropriate foreign regulatory authorities, to
19 the extent appropriate.”.

20 (c) ENHANCED SUPERVISION.—Section 115 of the
21 Financial Stability Act of 2010 (12 U.S.C. 5325) is
22 amended—

23 (1) in subsection (a)—

24 (A) in the matter preceding subparagraph

25 (A) of paragraph (1), by striking “large, inter-

1 connected bank holding companies” and insert-
2 ing “bank holding companies subject to a deter-
3 mination under section 113A(a)”;

4 (B) in paragraph (2)—

5 (i) in subparagraph (A), by striking “;
6 or” and inserting a period;

7 (ii) by striking “the Council may” and
8 all that follows through “differentiate” and
9 inserting “the Council may differentiate”;
10 and

11 (iii) by striking subparagraph (B);
12 and

13 (2) in subsection (b)(3), by inserting “and the
14 factors used by the Council pursuant to section
15 113A(b)” after “subsections (a) and (b) of section
16 113” each place that term appears.

17 (d) REPORTS.—The matter preceding paragraph (1)
18 of section 116(a) of the Financial Stability Act of 2010
19 (12 U.S.C. 5326(a)) is amended by striking “with total
20 consolidated assets of \$50,000,000,000 or greater” and
21 inserting “subject to a determination under section
22 113A(a)”.

23 (e) MITIGATION.—Section 121 of the Financial Sta-
24 bility Act of 2010 (12 U.S.C. 5331) is amended—

1 (1) in the matter preceding paragraph (1) of
2 subsection (a), by striking “with total consolidated
3 assets of \$50,000,000,000 or more” and inserting
4 “subject to a determination under section 113A(a)”;
5 and

6 (2) in subsection (c), by inserting “in the case
7 of a nonbank financial company, and the factors
8 used by the Council pursuant to section 113A(b) in
9 the case of a bank holding company” after “as ap-
10 plicable,”.

11 (f) OFFICE OF FINANCIAL RESEARCH.—Section
12 155(d) of the Financial Stability Act of 2010 (12 U.S.C.
13 5345(d)) is amended by striking “with total consolidated
14 assets of 50,000,000,000 or greater” and inserting “sub-
15 ject to a determination under section 113A(a)”.

16 **SEC. 932. REVISIONS TO BOARD AUTHORITY.**

17 (a) ACQUISITIONS.—Section 163 of the Financial
18 Stability Act of 2010 (12 U.S.C. 5363) is amended by
19 striking “with total consolidated assets equal to or greater
20 than \$50,000,000,000” each place that term appears and
21 inserting “subject to a determination under section
22 113A(a)”.

23 (b) MANAGEMENT INTERLOCKS.—Section 164 of the
24 Financial Stability Act of 2010 (12 U.S.C. 5364) is
25 amended by striking “with total consolidated assets equal

1 to or greater than \$50,000,000,000” and inserting “sub-
2 ject to a determination under section 113A(a)”.

3 (c) ENHANCED SUPERVISION AND PRUDENTIAL
4 STANDARDS.—Section 165 of the Financial Stability Act
5 of 2010 (12 U.S.C. 5365) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1), by striking “with
8 total consolidated assets equal to or greater
9 than \$50,000,000,000” and inserting “subject
10 to a determination under section 113A(a)”; and

11 (B) in paragraph (2)—

12 (i) by striking “APPLICATION” and all
13 that follows through “In prescribing” and
14 inserting “APPLICATION.—In prescribing”;
15 and

16 (ii) by striking subparagraph (B);

17 (2) in subsection (b)(3), by inserting “and the
18 factors used by the Council pursuant to section
19 113A(b)” after “subsections (a) and (b) of section
20 113” each place that term appears;

21 (3) in subsection (h), by striking
22 “\$10,000,000,000” each place that term appears
23 and inserting “\$50,000,000,000 (as such amount is
24 adjusted annually by the Council to reflect the per-
25 centage change for the previous calendar year in the

1 gross domestic product of the United States, as cal-
2 culated by the Bureau of Economic Analysis of the
3 Department of Commerce)”;

4 (4) in subsection (i)(2)(A), by striking
5 “\$10,000,000,000” and inserting “\$50,000,000,000
6 (as such amount is adjusted annually by the Council
7 to reflect the percentage change for the previous cal-
8 endar year in the gross domestic product of the
9 United States, as calculated by the Bureau of Eco-
10 nomic Analysis of the Department of Commerce)”;
11 and

12 (5) in subsection (j)—

13 (A) in paragraph (1), by striking “with
14 total consolidated assets equal to or greater
15 than \$50,000,000,000” and inserting “de-
16 scribed in subsection (a)”; and

17 (B) by striking paragraph (2) and insert-
18 ing the following:

19 “(2) CONSIDERATIONS.—In making a deter-
20 mination under this subsection, the Council shall—

21 “(A) in the case of a nonbank financial
22 company supervised by the Board of Governors,
23 consider the factors described in subsections (a)
24 and (b) of section 113 and any other risk-re-

1 lated factors that the Council deems appro-
2 priate; and

3 “(B) in the case of a bank holding com-
4 pany described in subsection (a), consider the
5 factors used by the Council pursuant to section
6 113A(b).”.

7 (d) CONFORMING AMENDMENT.—The second sub-
8 section designated as subsection (s)(2) of the Federal Re-
9 serve Act (12 U.S.C. 248(s)(2)) (relating to assessments,
10 fees, and other charges for certain companies) is amend-
11 ed—

12 (1) in subparagraph (A), by striking “having
13 total consolidated assets of \$50,000,000,000 or
14 more;” and inserting “subject to a determination
15 under section 113A(a) of the Financial Stability Act
16 of 2010; and”;

17 (2) by striking subparagraph (B); and

18 (3) by redesignating subparagraph (C) as sub-
19 paragraph (B).

20 **SEC. 933. EFFECTIVE DATE.**

21 (a) IN GENERAL.—The amendments made by this
22 subtitle shall, except as otherwise provided, take effect on
23 the date that is 180 days after the date on which the regu-
24 lations required under section 113A(b) of the Financial

1 Stability Act of 2010, as added by section 931(b) of this
2 title, are issued.

3 (b) **RULE OF CONSTRUCTION.**—Nothing in this sub-
4 title shall be construed to prohibit the Financial Stability
5 Oversight Council established under section 111 of the Fi-
6 nancial Stability Act of 2010 (12 U.S.C. 5321) or the
7 Board of Governors of the Federal Reserve System from
8 complying with any of the requirements of section 113A
9 of that Act, as added by section 931(b) of this title, with
10 respect to a bank holding company (as defined in section
11 2 of the Bank Holding Company Act of 1956 (12 U.S.C.
12 1841)) prior to the effective date described in subsection
13 (a).

14 **SEC. 934. SENSE OF CONGRESS.**

15 (a) **DEFINITIONS.**—In this section:

16 (1) **APPROPRIATE FEDERAL BANKING AGEN-**
17 **CIES; BANK HOLDING COMPANY.**—The terms “ap-
18 propriate Federal banking agencies” and “bank
19 holding company” have the meanings given those
20 terms in section 3 of the Federal Deposit Insurance
21 Act (12 U.S.C. 1813).

22 (2) **NONBANK FINANCIAL COMPANY.**—The term
23 “nonbank financial company” has the meaning given
24 that term in section 102(a) of the Financial Sta-
25 bility Act of 2010 (12 U.S.C. 5311).

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the appropriate Federal banking agencies
3 should seek to properly tailor prudential regulations and,
4 in doing so, differentiate among bank holding companies
5 and among nonbank financial companies supervised by the
6 Board of Governors of the Federal Reserve System based
7 on their capital structure, riskiness, complexity, financial
8 activities (including the financial activities of their subsidi-
9 aries), size, and other risk-related factors, using existing
10 authorities, including waiver authorities provided in stat-
11 ute or regulation.

12 **SEC. 935. PRESERVATION OF AUTHORITY.**

13 Nothing in this title shall be construed to limit the
14 supervisory, regulatory, or enforcement authority of a
15 Federal banking agency (as defined in section 3 of the
16 Federal Deposit Insurance Act (12 U.S.C. 1813)) to fur-
17 ther the safe and sound operation of an institution that
18 the Federal banking agency supervises, except as specifi-
19 cally provided in this title.

1 **Subtitle C—Greater Transparency**
2 **for the Financial Stability Over-**
3 **sight Council Process for**
4 **Nonbank Financial Companies**

5 **SEC. 941. ACCESS TO COUNCIL MEETINGS BY AGENCY MEM-**
6 **BERS.**

7 Section 111(e) of the Financial Stability Act of 2010
8 (12 U.S.C. 5321(e)) is amended by adding at the end the
9 following:

10 “(3) ACCESS.—Any member of the governing
11 body of a member agency headed by a member of
12 the Council described in subparagraph (B), (E), (F),
13 (G), or (I) of paragraph (1) of subsection (b)—

14 “(A) may attend a meeting of the Council,
15 including any meeting of representatives of the
16 members of the Council; and

17 “(B) shall have access to the same infor-
18 mation and materials that a member of the
19 Council described in subparagraph (B), (E),
20 (F), (G), or (I) of paragraph (1) of subsection
21 (b) is provided or entitled to.”.

22 **SEC. 942. NONBANK DETERMINATION PROCESS.**

23 Section 113 of the Financial Stability Act of 2010
24 (12 U.S.C. 5323) is amended—

25 (1) in subsection (a)(2)—

1 (A) in the matter preceding subparagraph
2 (A), by inserting “factors, including” after
3 “consider”;

4 (B) in subparagraph (H), by striking “1 or
5 more primary financial regulatory agencies”
6 and inserting “its primary financial regulatory
7 agency, including the appropriateness of the im-
8 position of prudential standards in addition to
9 or as opposed to other forms of regulation”;

10 (C) in subparagraph (J), by striking “and”
11 at the end;

12 (D) by redesignating subparagraph (K) as
13 subparagraph (L); and

14 (E) by inserting after subparagraph (J)
15 the following:

16 “(K) actions taken by the primary finan-
17 cial regulatory agency pursuant to subsection
18 (e)(1)(C); and”;

19 (2) in subsection (b)(2)—

20 (A) in the matter preceding subparagraph
21 (A), by inserting “factors, including” after
22 “consider”;

23 (B) in subparagraph (H), by inserting “,
24 including the appropriateness of the imposition
25 of prudential standards in addition to or as op-

1 posed to other forms of regulation” before the
2 semicolon at the end;

3 (C) in subparagraph (J), by striking “and”
4 at the end;

5 (D) by redesignating subparagraph (K) as
6 subparagraph (L); and

7 (E) by inserting after subparagraph (J)
8 the following:

9 “(K) actions taken by the primary finan-
10 cial regulatory agency pursuant to subsection
11 (e)(1)(C); and”;

12 (3) by striking subsections (d) and (e) and in-
13 serting the following:

14 “(d) ANNUAL REEVALUATION AND RESCISSION.—

15 “(1) ANNUAL REEVALUATION.—Not less fre-
16 quently than annually, except with respect to sub-
17 paragraph (E), the Council shall reevaluate each
18 final determination made under subsection (a) or (b)
19 with respect to a nonbank financial company super-
20 vised by the Board of Governors and shall—

21 “(A) provide a written notice to the
22 nonbank financial company being reevaluated;

23 “(B) afford the nonbank financial company
24 an opportunity to submit a plan, within such
25 time as the Council determines to be appro-

1 priate (but which shall be not earlier than 30
2 days after the date of receipt by the nonbank
3 financial company of the notice provided under
4 subparagraph (A)), to modify the business,
5 structure, or operations of the nonbank finan-
6 cial company;

7 “(C) afford the nonbank financial company
8 an opportunity to submit written materials in
9 addition to, or separate from, the plan de-
10 scribed in subparagraph (B), within such time
11 as the Council determines to be appropriate
12 (but which shall be not earlier than 30 days
13 after the date of receipt by the nonbank finan-
14 cial company of the notice provided under sub-
15 paragraph (A)), to contest the determination,
16 including materials concerning whether, in the
17 view of the nonbank financial company, the ma-
18 terial financial distress at the nonbank financial
19 company, or the nature, scope, size, scale, con-
20 centration, interconnectedness, or mix of the ac-
21 tivities of the nonbank financial company, could
22 pose a threat to the financial stability of the
23 United States;

24 “(D) provide an opportunity for the
25 nonbank financial company to meet with rep-

1 representatives of the Council to present the infor-
2 mation described in subparagraphs (B) and (C);
3 and

4 “(E) not less than once every 5 years and
5 prior to a vote under paragraph (3)(A)(ii)—

6 “(i) not earlier than 30 days after the
7 date of receipt of any notice under sub-
8 paragraph (A), provide the nonbank finan-
9 cial company with an opportunity to re-
10 quest, in writing, a hearing before the
11 Council to contest its final determination
12 under subsection (a) or (b); and

13 “(ii) if the Council receives a timely
14 request under clause (i), fix a time (not
15 earlier than 30 days after the date of re-
16 ceipt of the request) and place at which
17 the nonbank financial company may ap-
18 pear, personally or through counsel, to, at
19 the discretion of the nonbank financial
20 company, provide oral testimony and oral
21 argument to the members of the Council,
22 with not fewer than $\frac{2}{3}$ of the voting mem-
23 bers of the Council, including the Chair-
24 person, in attendance.

1 “(2) COMPANY PLAN.—If a nonbank financial
2 company submits a plan in accordance with para-
3 graph (1)(B), the Council shall—

4 “(A) consider whether the plan, if imple-
5 mented, would result in the nonbank financial
6 company no longer meeting the criteria for a
7 final determination under subsection (a) or (b);
8 and

9 “(B) provide the nonbank financial com-
10 pany with—

11 “(i) analysis of whether and to what
12 extent the plan addresses the potential
13 threat posed by the nonbank financial com-
14 pany to the financial stability of the
15 United States;

16 “(ii) an opportunity to meet with rep-
17 resentatives of the Council to discuss the
18 analysis provided under clause (i); and

19 “(iii) an opportunity to revise the
20 plan, after discussions with representatives
21 of the Council.

22 “(3) VOTING AND EXPLANATION.—

23 “(A) IN GENERAL.—After evaluating the
24 materials and information provided by a
25 nonbank financial company under paragraph

1 (1) and fulfilling the requirements of paragraph
2 (2), and not later than 180 days after the date
3 of receipt by the nonbank financial company of
4 the notice provided under paragraph (1)(A), the
5 Council shall, on a nondelegable basis and by a
6 vote of not fewer than $\frac{2}{3}$ of the voting members
7 then serving, including an affirmative vote by
8 the Chairperson—

9 “(i) except as otherwise provided in
10 clause (ii), determine whether the nonbank
11 financial company no longer meets the cri-
12 teria for a final determination under sub-
13 section (a) or (b), in which case the Coun-
14 cil shall rescind such determination; and

15 “(ii) not less than once every 5 years,
16 and following a hearing held under para-
17 graph (1)(E)(ii), determine whether to
18 renew a final determination under sub-
19 section (a) or (b).

20 “(B) NOTICE OF FINAL DETERMINA-
21 TION.—If the Council does not vote to rescind
22 a final determination under subparagraph
23 (A)(i) or votes to renew a final determination
24 under subparagraph (A)(ii), the Council shall
25 provide a notice to the nonbank financial com-

1 pany and the primary financial regulatory agen-
2 cy of the nonbank financial company with the
3 reasons for the decision by the Council, which
4 notice shall address with specificity—

5 “(i) any changes to the basis for the
6 final determination decision made under
7 subsection (a) or (b) since the date on
8 which the final determination under sub-
9 section (a) or (b) was made, including any
10 changes to the information provided to the
11 nonbank financial company under—

12 “(I) subsection (e)(2)(C)(i)(IV);

13 “(II) this clause, in prior years;

14 or

15 “(III) subparagraph (D);

16 “(ii) any plan submitted by the
17 nonbank financial company and considered
18 by the Council under paragraph (2), and
19 shall, at a minimum, include—

20 “(I) a detailed analysis of wheth-
21 er and to what extent successful im-
22 plementation of the plan could result
23 in the nonbank financial company no
24 longer meeting the criteria for a final

1 determination under subsection (a) or
2 (b); and

3 “(II) a detailed explanation of
4 why, if the plan were implemented,
5 the nonbank financial company would
6 still meet the criteria for a final deter-
7 mination under subsection (a) or (b),
8 if the Council, during its consideration
9 of the plan under paragraph (2), con-
10 cluded that the nonbank financial
11 company would still meet those cri-
12 teria if the plan were implemented;

13 “(iii) aspects of the business, oper-
14 ations, or structure, including the nature,
15 scope, size, scale, concentration, inter-
16 connectedness, or mix of the activities, of
17 the nonbank financial company that the
18 Council believes could pose a threat to the
19 financial stability of the United States, in-
20 cluding an assessment by the Council of
21 the probability and magnitude of the
22 threat; and

23 “(iv) an explanation of actions the
24 nonbank financial company could take in

1 order for the Council to rescind the deter-
2 mination.

3 “(C) NO FINAL DETERMINATION.—If the
4 Council votes to rescind a final determination
5 under subparagraph (A)(i) or does not vote to
6 renew a final determination under subpara-
7 graph (A)(ii), the existing final determination
8 under subsection (a) or (b) shall be rescinded
9 and the Council shall inform the nonbank fi-
10 nancial company in writing.

11 “(D) EXPLANATION FOR CERTAIN COMPA-
12 NIES.—With respect to a reevaluation under
13 this subsection in which the final determination
14 under subsection (a) or (b) being reevaluated
15 was made before the date of enactment of this
16 subparagraph, the Council, as part of such re-
17 evaluation, shall provide a statement that—

18 “(i) explains with specificity the basis
19 for such determination; and

20 “(ii) includes the analysis required
21 under subsection (e)(2)(C)(i)(IV).

22 “(E) VOTING THRESHOLD FOR RESCISSION
23 OF DETERMINATION.—Notwithstanding sub-
24 paragraph (A), the Council may, at any time,
25 on a nondelegable basis and by a vote of not

1 fewer than $\frac{2}{3}$ of the voting members then serv-
2 ing, including an affirmative vote by the Chair-
3 person, determine that a nonbank financial
4 company no longer meets the criteria for a final
5 determination under subsection (a) or (b), in
6 which case the Council shall rescind the final
7 determination.

8 “(e) REQUIREMENTS FOR PROPOSED DETERMINA-
9 TION, NOTICE AND OPPORTUNITY FOR HEARING, AND
10 FINAL DETERMINATION.—

11 “(1) IN GENERAL.—Prior to making a final de-
12 termination under subsection (a) or (b) with respect
13 to a nonbank financial company, the Council must—

14 “(A) provide the nonbank financial com-
15 pany and its primary financial regulatory agen-
16 cy with a notice that the nonbank financial
17 company is being evaluated, which notice shall,
18 at minimum—

19 “(i) include any quantitative analysis
20 used by the Council as part of its evalua-
21 tion;

22 “(ii) identify with specificity any fac-
23 tors that the Council has considered pursu-
24 ant to subsection (a)(2) or (b)(2) relating
25 to the nonbank financial company that

1 could cause the nonbank financial company
2 to be subject to a final determination
3 under subsection (a) or (b); and

4 “(iii) include an explanation of how
5 each factor identified in clause (ii) relates
6 to the potential threat posed by the
7 nonbank financial company to the financial
8 stability of the United States;

9 “(B) provide the nonbank financial com-
10 pany an opportunity, not earlier than 30 days
11 after the date of receipt by the nonbank finan-
12 cial company of the notice under subparagraph
13 (A), to meet with representatives of the Coun-
14 cil, including to discuss the notice and any anal-
15 ysis and factors considered by the Council;

16 “(C) provide the primary financial regu-
17 latory agency of the nonbank financial company
18 with not less than 180 days from the date of
19 receipt of the notice in subparagraph (A) to—

20 “(i) provide a written response to the
21 Council that includes an assessment of—

22 “(I) the factors identified pursu-
23 ant to subparagraph (A)(ii);

1 “(II) the explanation provided
2 pursuant to subparagraph (A)(iii);
3 and

4 “(III) the degree to which the po-
5 tential threat to the financial stability
6 of the United States is currently ad-
7 dressed or could be addressed by ex-
8 isting or pending regulation or other
9 regulatory action; and

10 “(ii) issue proposed regulations or un-
11 dertake other regulatory action to ad-
12 dress—

13 “(I) the factors identified pursu-
14 ant to subparagraph (A)(ii), as appli-
15 cable; and

16 “(II) the potential threat posed
17 by the nonbank financial company to
18 the financial stability of the United
19 States;

20 “(D) in the event that the primary finan-
21 cial regulatory agency has provided a written
22 response under subparagraph (C)(i) or issued
23 proposed regulations or taken other regulatory
24 actions under subparagraph (C)(ii), find that—

1 “(i) taking into account the written
2 response by the primary financial regu-
3 latory agency under subparagraph (C)(i),
4 the nonbank financial company merits a
5 proposed determination under subpara-
6 graph (E); and

7 “(ii) the primary financial regulatory
8 agency has not proposed regulations or
9 taken other regulatory actions after receipt
10 of the notice under subparagraph (A) that
11 sufficiently address the factors identified
12 pursuant to subparagraph (A)(ii), as appli-
13 cable, and the potential threat posed by
14 the nonbank financial company to the fi-
15 nancial stability of the United States;

16 “(E) after fulfilling the requirements of
17 subparagraphs (A), (B), (C), and (D), on a
18 nondelegable basis and by a vote of not fewer
19 than $\frac{2}{3}$ of the voting members then serving, in-
20 cluding an affirmative vote by the Chairperson,
21 propose to make a determination under sub-
22 section (a) or (b) with respect to the nonbank
23 financial company; and

24 “(F) subsequent to making a proposed de-
25 termination under subparagraph (E)—

1 “(i) provide a notice to the nonbank
2 financial company and its primary finan-
3 cial regulatory agency, which notice shall
4 contain the basis for the proposed deter-
5 mination under subparagraph (E), includ-
6 ing—

7 “(I) the information and expla-
8 nation required under subparagraph
9 (A), along with any updates to such
10 information or explanation related to
11 the proposed determination under
12 subparagraph (E); and

13 “(II) an explanation and jus-
14 tification for any finding under sub-
15 paragraph (D);

16 “(ii) not later than 30 days after the
17 date of receipt of any notice under clause
18 (i), provide the nonbank financial company
19 with an opportunity to request, in writing,
20 a hearing before the Council to contest the
21 proposed determination under subpara-
22 graph (E);

23 “(iii) if the Council receives a timely
24 request under clause (ii), fix a time (not
25 earlier than 30 days after the date of re-

1 cept of the request) and place at which
2 the nonbank financial company may ap-
3 pear, personally or through counsel, to, at
4 the discretion of the nonbank financial
5 company—

6 “(I) submit a plan to modify the
7 business, structure, or operations of
8 the nonbank financial company in
9 order to address the factors and the
10 potential threat posed by the nonbank
11 financial company to the financial sta-
12 bility of the United States identified
13 pursuant to clause (i)(I), as applica-
14 ble;

15 “(II) submit written materials in
16 addition to or separate from the plan
17 described in subclause (I); and

18 “(III) provide oral testimony and
19 oral argument to the members of the
20 Council, with not fewer than $\frac{2}{3}$ of the
21 voting members of the Council, in-
22 cluding the Chairperson, in attend-
23 ance; and

24 “(iv) in the event a plan is submitted
25 to the Council under clause (iii)(I)—

1 “(I) consider whether the plan, if
2 implemented, would address the fac-
3 tors and the potential threat posed by
4 the nonbank financial company to the
5 financial stability of the United States
6 identified pursuant to clause (i)(I), as
7 applicable; and

8 “(II) provide the nonbank finan-
9 cial company with—

10 “(aa) analysis of whether
11 and to what extent the plan ad-
12 dresses the factors and the po-
13 tential threat posed by the
14 nonbank financial company to
15 the financial stability of the
16 United States identified pursuant
17 to clause (i)(I), as applicable;

18 “(bb) an opportunity to
19 meet with representatives of the
20 Council to discuss the analysis
21 provided under item (aa); and

22 “(cc) an opportunity to re-
23 vise the plan, after discussions
24 with representatives of the Coun-
25 cil.

1 “(2) FINAL DETERMINATION.—

2 “(A) IN GENERAL.—After fulfilling the re-
3 quirements of paragraph (1), and not later than
4 90 days after the date on which a hearing is
5 held under paragraph (1)(F)(iii), the Council
6 may vote to make a final determination under
7 subsection (a) or (b). The Council may delay
8 the vote up to 1 additional year after the con-
9 clusion of the 90-day period if considering a
10 plan under paragraph (1)(F)(iv)(I).

11 “(B) OUTCOME OF THE VOTE.—If the
12 Council votes on a final determination under
13 subsection (a) or (b), the Council shall promptly
14 inform the nonbank financial company of the
15 outcome of the vote in writing.

16 “(C) NOTICE OF FINAL DETERMINA-
17 TION.—If the Council votes to make a final de-
18 termination under subsection (a) or (b), the
19 Council shall, not later than 30 days after the
20 date of the vote, provide a notice to the
21 nonbank financial company and its primary fi-
22 nancial regulatory agency, which notice shall
23 contain—

24 “(i) the basis for the determination,
25 including—

1 “(I) a detailed analysis of any
2 plan submitted by the nonbank finan-
3 cial company and considered by the
4 Council under paragraph (1)(F), if
5 applicable, which analysis shall, at a
6 minimum, include—

7 “(aa) whether and to what
8 extent successful implementation
9 of the plan could address the fac-
10 tors, as applicable, and the po-
11 tential threat posed by the
12 nonbank financial company to
13 the financial stability of the
14 United States identified pursuant
15 to paragraph (1)(F)(i)(I); and

16 “(bb) a detailed explanation
17 of why the plan would not ad-
18 dress the factors and the poten-
19 tial threat posed by the nonbank
20 financial company to the finan-
21 cial stability of the United States
22 identified pursuant to paragraph
23 (1)(F)(i)(I), if the Council, dur-
24 ing its consideration of the plan
25 under subparagraph

1 (1)(F)(iv)(I), concluded that the
2 plan would not address such fac-
3 tors or potential threat;

4 “(II) the reasons why the mate-
5 rials and other information submitted
6 or provided by the nonbank financial
7 company under subclauses (II) and
8 (III) of paragraph (1)(F)(iii) did not
9 address the potential threat posed by
10 the nonbank financial company to the
11 financial stability of the United
12 States;

13 “(III) a justification for any find-
14 ing under paragraph (1)(D);

15 “(IV) a detailed analysis of how
16 any factors, including an explanation
17 of how each factor relates to the po-
18 tential threat posed by the nonbank
19 financial company to the financial sta-
20 bility of the United States, that the
21 Council considered pursuant to sub-
22 section (a)(2) or (b)(2) resulted in the
23 final determination under subsection
24 (a) or (b); and

1 “(V) specific aspects of the busi-
2 ness, operations, or structure of the
3 nonbank financial company, including
4 the nature, scope, size, scale, con-
5 centration, interconnectedness, or mix
6 of the activities of the nonbank finan-
7 cial company, that the Council be-
8 lieves could pose a threat to the finan-
9 cial stability of the United States, in-
10 cluding an assessment by the Council
11 of the probability and magnitude of
12 the threat; and

13 “(ii) an explanation of actions the
14 nonbank financial company could take in
15 order for the Council to rescind the deter-
16 mination.”;

17 (4) in subsection (g), by striking “before the
18 Council makes any” and inserting “from the outset
19 of the consideration of the nonbank financial com-
20 pany by the Council, including before the Council
21 makes any proposed determination under subsection
22 (e)(1)(E) or”;

23 (5) in subsection (h)—

24 (A) by inserting “or renews” after
25 “makes”; and

1 (B) by striking “(d)(2), (e)(3), or (f)(5)”
2 and inserting “(d)(3)(B) or (f)(5) or of renewal
3 of a final determination under subsection
4 (e)(2)(C)”;

5 (6) by adding at the end the following:

6 “(j) PUBLIC DISCLOSURE REQUIREMENT.—The
7 Council shall—

8 “(1) in each case that a nonbank financial com-
9 pany has received a notice under subsection
10 (e)(1)(A), and the nonbank financial company has
11 publicly disclosed that the nonbank financial com-
12 pany is being reviewed by the Council, confirm that
13 the nonbank financial company is being reviewed, in
14 response to a request from a third party;

15 “(2) upon making a final determination under
16 subsection (a) or (b) or renewing a final determina-
17 tion under paragraph (3)(A) of subsection (d), pub-
18 licly provide a detailed written explanation of the
19 basis for the final determination with sufficient de-
20 tail to provide the public with an understanding of
21 the specific bases of the determination by the Coun-
22 cil, including any assumptions related thereof, sub-
23 ject to the requirements of section 112(d)(5);

24 “(3) include, in the annual report required by
25 section 112—

1 “(A) the number of nonbank financial
2 companies from the previous year that received
3 a notice under subsection (e)(1)(A);

4 “(B) the number of nonbank financial
5 companies from the previous year that were
6 subject to a proposed determination under sub-
7 section (e)(1)(E); and

8 “(C) the number of nonbank financial
9 companies from the previous year that were
10 subject to a final determination under sub-
11 section (a) or (b); and

12 “(4) not earlier than 180 days after the date of
13 enactment of this subsection, publish in the Federal
14 Register information regarding the methodology the
15 Council uses for calculating any quantitative thresh-
16 olds or other metrics used to consider the factors
17 listed in subsection (a)(2) or (b)(2).”.

18 **SEC. 943. RULE OF CONSTRUCTION.**

19 None of the amendments made by this subtitle shall
20 be construed as limiting the emergency powers of the Fi-
21 nancial Stability Oversight Council under section 113(f)
22 of the Financial Stability Act of 2010 (12 U.S.C.
23 5323(f)).

1 **Subtitle D—Improved Account-**
2 **ability and Transparency in the**
3 **Regulation of Insurance**

4 **SEC. 951. SENSE OF CONGRESS.**

5 It is the sense of Congress that the Act of March
6 9, 1945 (commonly known as the “McCarran-Ferguson
7 Act”; 59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.)
8 remains the preferred approach with respect to regulating
9 the business of insurance.

10 **SEC. 952. ENSURING THE PROTECTION OF INSURANCE POL-**
11 **ICYHOLDERS.**

12 (a) SOURCE OF STRENGTH.—Section 38A of the
13 Federal Deposit Insurance Act (12 U.S.C. 1831o–1) is
14 amended—

15 (1) by redesignating subsections (c), (d), and
16 (e) as subsections (d), (e), and (f), respectively; and

17 (2) by inserting after subsection (b) the fol-
18 lowing:

19 “(c) AUTHORITY OF STATE INSURANCE REGU-
20 LATOR.—

21 “(1) IN GENERAL.—The provisions of section
22 5(g) of the Bank Holding Company Act of 1956 (12
23 U.S.C. 1844(g)) shall apply to a savings and loan
24 holding company that is an insurance company, an
25 affiliate of an insured depository institution that is

1 an insurance company, and to any other company
2 that is an insurance company and that directly or
3 indirectly controls an insured depository institution,
4 to the same extent as the provisions of that section
5 apply to a bank holding company that is an insur-
6 ance company.

7 “(2) RULE OF CONSTRUCTION.—Requiring a
8 bank holding company that is an insurance com-
9 pany, a savings and loan holding company that is an
10 insurance company, an affiliate of an insured depository
11 institution that is an insurance company, or any
12 other company that is an insurance company and
13 that directly or indirectly controls an insured depository
14 institution to serve as a source of financial
15 strength under this section shall be deemed an ac-
16 tion of the Board that requires a bank holding com-
17 pany to provide funds or other assets to a subsidiary
18 depository institution for purposes of section 5(g) of
19 the Bank Holding Company Act of 1956 (12 U.S.C.
20 1844(g)).”.

21 (b) LIQUIDATION AUTHORITY.—The Dodd-Frank
22 Wall Street Reform and Consumer Protection Act (12
23 U.S.C. 5301 et seq.) is amended—

1 (1) in section 203(e)(3) (12 U.S.C. 5383(e)(3)),
2 by inserting “or rehabilitation” after “orderly liq-
3 uidation” each place that term appears; and

4 (2) in section 204(d)(4) (12 U.S.C.
5 5384(d)(4)), by inserting before the semicolon at the
6 end the following: “, except that, if the covered fi-
7 nancial company or covered subsidiary is an insur-
8 ance company or a subsidiary of an insurance com-
9 pany, the Corporation—

10 “(A) shall promptly notify the State insur-
11 ance authority for the insurance company of the
12 intention to take such lien; and

13 “(B) may only take such lien—

14 “(i) to secure repayment of funds
15 made available to such covered financial
16 company or covered subsidiary; and

17 “(ii) if the Corporation determines,
18 after consultation with the State insurance
19 authority, that such lien will not unduly
20 impede or delay the liquidation or rehabili-
21 tation of the insurance company, or the re-
22 covery by its policyholders”.

1 **SEC. 953. INTERNATIONAL INSURANCE CAPITAL STAND-**
2 **ARDS ACCOUNTABILITY.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) the Secretary of the Treasury, the Board of
6 Governors of the Federal Reserve System, and the
7 Director of the Federal Insurance Office should sup-
8 port increasing transparency at any global insurance
9 or international standard-setting regulatory or su-
10 pervisory forum in which they participate, including
11 supporting and advocating for greater public ob-
12 server access at any such forum; and

13 (2) to the extent that the Secretary of the
14 Treasury, the Board of Governors of the Federal
15 Reserve System, and the Director of the Federal In-
16 surance Office take a position on an insurance pro-
17 posal by a global insurance or international stand-
18 ard-setting regulatory or supervisory forum, the
19 Board of Governors of the Federal Reserve System
20 and the Director of the Federal Insurance Office
21 should achieve consensus positions with State insur-
22 ance regulators when they are participants rep-
23 resenting the United States in negotiations on insur-
24 ance issues before any international forum of finan-
25 cial regulators or supervisors that considers insur-
26 ance regulatory issues.

1 (b) INSURANCE POLICY ADVISORY COMMITTEE.—

2 (1) ESTABLISHMENT.—There is established the
3 Insurance Policy Advisory Committee on Inter-
4 national Capital Standards and Other Insurance
5 Issues at the Board of Governors of the Federal Re-
6 serve System.

7 (2) MEMBERSHIP.—The Committee established
8 under paragraph (1) shall be composed of not more
9 than 21 members, all of whom represent a diverse
10 set of expert perspectives from the various sectors of
11 the United States insurance industry, including life
12 insurance, property and casualty insurance and rein-
13 surance, agents and brokers, academics, consumer
14 advocates, or experts on issues facing underserved
15 insurance communities and consumers.

16 (c) REPORTS.—

17 (1) REPORTS AND TESTIMONY BY SECRETARY
18 OF THE TREASURY AND CHAIRMAN OF THE BOARD
19 OF GOVERNORS OF THE FEDERAL RESERVE SYS-
20 TEM.—

21 (A) IN GENERAL.—The Secretary of the
22 Treasury and the Chairman of the Board of
23 Governors of the Federal Reserve System, or
24 their designees, shall submit an annual report
25 and provide annual testimony to the Committee

1 on Banking, Housing, and Urban Affairs of the
2 Senate and the Committee on Financial Serv-
3 ices of the House of Representatives on the ef-
4 forts of the Secretary of the Treasury, the
5 Chairman of the Board of Governors of the
6 Federal Reserve System, and State insurance
7 regulators with respect to global insurance or
8 international standard-setting regulatory or su-
9 pervisory forums, including—

10 (i) a description of the insurance reg-
11 ulatory or supervisory standard-setting
12 issues under discussion at any inter-
13 national insurance standard-setting bodies;

14 (ii) a description of the effects that
15 proposals discussed at international insur-
16 ance regulatory or supervisory forums of
17 insurance could have on consumer and in-
18 surance markets in the United States;

19 (iii) a description of any position
20 taken by the Secretary of the Treasury,
21 the Chairman of the Board of Governors of
22 the Federal Reserve System, and the Di-
23 rector of the Federal Insurance Office in
24 international insurance discussions; and

1 (iv) a description of the efforts by the
2 Secretary of the Treasury, the Director of
3 the Federal Insurance Office, and the
4 Chairman of the Board of Governors of the
5 Federal Reserve System to increase trans-
6 parency at any international standard-set-
7 ting bodies with whom they participate, in-
8 cluding efforts to provide additional public
9 access to working groups and committees
10 of such international insurance standard-
11 setting bodies.

12 (B) TERMINATION.—This paragraph shall
13 cease to be effective on December 31, 2018.

14 (2) REPORTS AND TESTIMONY BY STATE IN-
15 SURANCE REGULATORS.—A State insurance regu-
16 lator may provide testimony to Congress on the
17 issues described in paragraph (1)(A).

18 (3) JOINT REPORT BY THE CHAIRMAN OF THE
19 FEDERAL RESERVE AND THE DIRECTOR OF THE
20 FEDERAL INSURANCE OFFICE.—

21 (A) IN GENERAL.—The Secretary of the
22 Treasury, the Chairman of the Board of Gov-
23 ernors of the Federal Reserve System, and the
24 Director of the Federal Insurance Office, in
25 consultation with State insurance regulators,

1 shall complete a study on, and submit to Con-
2 gress a report on the results of the study, the
3 impact on consumers and markets in the
4 United States before supporting or consenting
5 to the adoption of any key elements in any
6 international insurance proposal or inter-
7 national insurance capital standard.

8 (B) NOTICE AND COMMENT.—

9 (i) NOTICE.—The Secretary of the
10 Treasury, the Chairman of the Board of
11 Governors of the Federal Reserve System,
12 and the Director of the Federal Insurance
13 Office shall provide notice before the date
14 on which drafting the report described in
15 subparagraph (A) is commenced and after
16 the date on which the draft of the report
17 is completed.

18 (ii) OPPORTUNITY FOR COMMENT.—

19 There shall be an opportunity for public
20 comment for a period beginning on the
21 date on which the report is submitted
22 under subparagraph (A) and ending on the
23 date that is 60 days after the date on
24 which the report is submitted.

1 (C) REVIEW BY COMPTROLLER GEN-
2 ERAL.—The Secretary of the Treasury, the
3 Chairman of the Board of Governors of the
4 Federal Reserve System, and the Director of
5 the Federal Insurance Office shall submit to the
6 Comptroller General of the United States the
7 report described in subparagraph (A) for re-
8 view.

9 (4) REPORT ON PROMOTING TRANSPARENCY.—
10 Not later than 180 days after the date of enactment
11 of this title, the Chairman of the Board of Gov-
12 ernors of the Federal Reserve System and the Sec-
13 retary of the Treasury, or their designees, shall sub-
14 mit a report and provide testimony to the Committee
15 on Banking, Housing, and Urban Affairs of the Sen-
16 ate and the Committee on Financial Services of the
17 House of Representatives on the efforts of the Sec-
18 retary of the Treasury and the Chairman of the
19 Board of Governors of the Federal Reserve System
20 to improve transparency at any international insur-
21 ance standard-setting bodies in which they partici-
22 pate.

1 **Subtitle E—Improving the Federal**
2 **Reserve System**

3 **SEC. 961. REPORTS TO CONGRESS.**

4 Section 2B of the Federal Reserve Act (12 U.S.C.
5 225b) is amended by striking subsection (b) and inserting
6 the following:

7 “(b) QUARTERLY REPORTS TO CONGRESS.—

8 “(1) IN GENERAL.—The Federal Open Market
9 Committee shall, on a quarterly basis, and in such
10 a manner that 1 report is submitted concurrently
11 with each semi-annual hearing required by sub-
12 section (a), submit to the Committee on Banking,
13 Housing, and Urban Affairs of the Senate and the
14 Committee on Financial Services of the House of
15 Representatives a report explaining the policy deci-
16 sions of the Committee over the prior quarter and
17 the basis for those decisions.

18 “(2) CONTENTS.—The report described in
19 paragraph (1) shall include—

20 “(A) a detailed analysis of the conduct of
21 monetary policy and economic developments
22 and prospects for the future, taking into ac-
23 count past and prospective developments in—

24 “(i) employment;

25 “(ii) unemployment;

1 “(iii) production;

2 “(iv) investment;

3 “(v) real income;

4 “(vi) productivity;

5 “(vii) exchange rates;

6 “(viii) international trade and pay-
7 ments;

8 “(ix) prices;

9 “(x) inflation expectations;

10 “(xi) credit conditions; and

11 “(xii) interest rates;

12 “(B) a description of any monetary policy
13 rule or rules used or considered by the Com-
14 mittee that provides or provide the basis for
15 monetary policy decisions, including short-term
16 interest rate targets set by the Committee, open
17 market operations authorized under section 14,
18 and interest rates established by the Committee
19 pursuant to section 19(b)(12), and such de-
20 scription shall include, at a minimum, for each
21 rule, a mathematical formula that models how
22 monetary policy instruments will be adjusted
23 based on changes in quantitative inputs;

24 “(C) a description of any additional strat-
25 egy or strategies, if any such exist, used by the

1 Committee, separate from or supplementary to
2 any rule or rules described in subparagraph
3 (B), to affect monetary policy;

4 “(D) a detailed explanation of—

5 “(i) any deviation in the rule or rules
6 described in subparagraph (B) in the cur-
7 rent report from any rule or rules de-
8 scribed in subparagraph (B) in the most
9 recent quarterly report; and

10 “(ii) any deviation in the strategy or
11 strategies described in subparagraph (C) in
12 the current report from any strategy or
13 strategies described in subparagraph (C) in
14 the most recent quarterly report;

15 “(E) a description of any instruments used
16 to execute monetary policy by employees of the
17 Federal Reserve System at the direction of the
18 Committee, and how such instruments have
19 been used;

20 “(F) a description of the outlook for mone-
21 tary policy over the short term, medium term,
22 and long term; and

23 “(G) projections of inflation and economic
24 growth over the short term, medium term, and
25 long term.

1 “(3) DISSENT.—A member of the Committee
2 described in section 12A(a) may—

3 “(A) dissent from the report submitted
4 under paragraph (1) in whole or in part;

5 “(B) write a dissent expressing the views
6 of the member, which shall be included as part
7 of the report submitted to the Committee on
8 Banking, Housing, and Urban Affairs of the
9 Senate and the Committee on Financial Serv-
10 ices of the House of Representatives; and

11 “(C) sign a dissent written by another
12 member of the Committee to express support
13 for views contained in such dissent.”.

14 **SEC. 962. TESTIMONY; VOTES; STAFF.**

15 (a) TESTIMONY; VOTES.—Section 10 of the Federal
16 Reserve Act is amended—

17 (1) in paragraph (11), as redesignated by sec-
18 tion 999F(v) of this title, by inserting at the end the
19 following: “In the event that no member of the
20 Board is serving as Vice Chairman for Supervision
21 at the time such appearance is required, the Chair-
22 man of the Board of Governors shall appear before
23 each Committee in the place of the Vice Chairman
24 for Supervision.”; and

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

1 “(12)(A) The Board of Governors of the Fed-
2 eral Reserve System shall, on a nondelegable basis,
3 vote on whether to issue any civil money penalty as-
4 sessment order or settle any other enforcement ac-
5 tion if the issuance of such order or settlement of
6 such action involves the payment of not less than
7 \$1,000,000 in compensation, penalties, fines, or
8 other payments.

9 “(B) The results of the vote of each member of
10 the Board under subparagraph (A) shall promptly
11 be made publicly available on the website of the
12 Board.”.

13 (b) DELEGATION OF AUTHORITIES; STAFF.—Section
14 11 of the Federal Reserve Act (12 U.S.C. 248) is amend-
15 ed—

16 (1) in subsection (k), by inserting “and except
17 as otherwise provided in section 10(12)(A),” after
18 “credit policies,”; and

19 (2) in subsection (l), by inserting “Of amounts
20 made available for employees of the Board of Gov-
21 ernors under this subsection, each member of the
22 Board of Governors may employ not more than 4 in-
23 dividuals, with such individuals selected by such
24 member and the salaries of such individuals set by
25 such member.” after the period at the end.

1 **SEC. 963. TRANSPARENCY AT THE FEDERAL OPEN MARKET**
2 **COMMITTEE.**

3 Section 12A of the Federal Reserve Act (12 U.S.C.
4 263) is amended by adding at the end the following:

5 “(d) Not later than 3 years after the date on which
6 a meeting of the Committee is held, the Committee shall
7 publish the transcript of the meeting.”.

8 **SEC. 964. INTEREST RATES ON BALANCES MAINTAINED AT**
9 **A FEDERAL RESERVE BANK BY DEPOSITORY**
10 **INSTITUTIONS.**

11 Section 19(b)(12)(A) of the Federal Reserve Act (12
12 U.S.C. 461(b)(12)(A)) is amended by inserting “estab-
13 lished by the Federal Open Market Committee” after
14 “rate or rates”.

15 **SEC. 965. COMMISSION FOR RESTRUCTURING THE FED-**
16 **ERAL RESERVE SYSTEM.**

17 (a) ESTABLISHMENT.—There is established an inde-
18 pendent commission to be known as the “Federal Reserve
19 System Restructuring Commission” (referred to in this
20 section as the “Commission”).

21 (b) MEMBERSHIP.—

22 (1) IN GENERAL.—The Commission shall be
23 composed of 7 members as follows:

24 (A) 2 members appointed by the Speaker
25 of the House of Representatives.

1 (B) 2 members appointed by the majority
2 leader of the Senate.

3 (C) 1 member appointed by the minority
4 leader of the House of Representatives.

5 (D) 1 member appointed by the minority
6 leader of the Senate.

7 (E) 1 member appointed by the President.

8 (2) CHAIRMAN.—Once the members of the
9 Commission have been appointed, the members shall
10 designate 1 of the members to be Chairman of the
11 Commission.

12 (3) VACANCIES.—Any vacancy in the Commis-
13 sion shall be filled in the same manner as the origi-
14 nal appointment.

15 (c) DUTIES.—

16 (1) STUDY.—

17 (A) IN GENERAL.—The Commission shall
18 conduct a study on whether it is appropriate to
19 restructure the Federal Reserve districts, in-
20 cluding an analysis on potential benefits and
21 costs of restructuring.

22 (B) CONSIDERATIONS.—In determining
23 whether such restructuring is appropriate, the
24 Commission shall specifically consider the im-
25 pact of restructuring with respect to—

1 (i) maximizing operational effective-
2 ness within the Federal Reserve System
3 while minimizing operational costs;

4 (ii) maximizing the effectiveness of su-
5 pervisory and regulatory functions while
6 minimizing potential for regulatory cap-
7 ture; and

8 (iii) monetary policy decision-making.

9 (C) PROPOSALS.—The Commission shall—

10 (i) consider various proposals to re-
11 structure the existing Federal Reserve dis-
12 tricts, including proposals to—

13 (I) increase the number of exist-
14 ing Federal Reserve districts, includ-
15 ing a proposal to divide the Federal
16 Reserve district in which the Federal
17 Reserve Bank of San Francisco is
18 contained into 2 or more separate dis-
19 tricts while retaining the existing
20 structure for the remaining Federal
21 Reserve districts;

22 (II) decrease the number of exist-
23 ing Federal Reserve districts;

24 (III) restructure the existing
25 Federal Reserve districts without in-

1 creasing or decreasing the number of
2 existing Federal Reserve districts; and
3 (IV) reassign specific functions
4 and duties, including supervisory and
5 regulatory functions, to different Fed-
6 eral Reserve banks within the Federal
7 Reserve System, including functions
8 and duties performed by the Board;
9 and

10 (ii) determine which of the proposals
11 considered under clause (i) are the optimal
12 approaches to restructuring the existing
13 Federal Reserve districts pursuant to sub-
14 clauses (I), (II), (III), and (IV) of clause
15 (i).

16 (2) RECOMMENDATION.—The Commission
17 shall, based on the proposals considered under para-
18 graph (1)(C), develop a recommendation on the opti-
19 mal organization of the Federal Reserve System
20 that—

21 (A) maximizes—

22 (i) the operational effectiveness within
23 the Federal Reserve System while mini-
24 mizing operational costs; and

1 (ii) the effectiveness of supervisory
2 and regulatory functions while minimizing
3 potential for regulatory capture; and

4 (B) takes into account the impact of re-
5 structuring on monetary policy decision-making.

6 (3) REPORT.—Not later than 18 months after
7 the date of enactment of this title, the Commission
8 shall submit to the Committee on Banking, Housing,
9 and Urban Affairs of the Senate and the Committee
10 on Financial Services of the House of Representa-
11 tives, and also furnish copies to the President and
12 the Board of Governors of the Federal Reserve Sys-
13 tem, a report that includes—

14 (A) the recommendation described in para-
15 graph (2);

16 (B) a description of the proposals consid-
17 ered under paragraph (1)(C)(i);

18 (C) a description of the proposals deter-
19 mined to be optimal under paragraph (1)(C)(ii);

20 (D) an analysis of the benefits and costs of
21 each of the proposals described in subparagraph
22 (B), including, with respect to each proposal, an
23 analysis of—

24 (i) the operational benefits and costs
25 to the Federal Reserve System;

1 (ii) the impact on supervision of fi-
2 nancial institutions and nonbank financial
3 institutions supervised by the Federal Re-
4 serve banks; and

5 (iii) the impact on monetary policy de-
6 cision-making;

7 (E) an analysis of—

8 (i) any specific benefits and costs re-
9 sulting from the increase in total number
10 of Federal Reserve districts; and

11 (ii) any specific benefits and costs re-
12 sulting from the decrease in total number
13 of Federal Reserve districts, including an
14 evaluation of savings to the Federal Re-
15 serve System through streamlining and
16 elimination of duplicated functions;

17 (F) a determination of—

18 (i) whether the benefits of restruc-
19 turing the existing Federal Reserve dis-
20 tricts without increasing or decreasing the
21 number of existing Federal Reserve dis-
22 tricts outweigh the costs;

23 (ii) whether the benefits of increasing
24 or decreasing the number of existing Fed-
25 eral Reserve districts outweigh the costs;

1 (iii) whether the benefits of reas-
2 signing functions and duties to different
3 Federal Reserve banks within the Federal
4 Reserve System outweigh the costs; and

5 (iv) the optimal number of Federal
6 Reserve districts in order for the Federal
7 Reserve System to fulfill its statutory role
8 in the most efficient and cost-effective
9 manner; and

10 (G) a description of the methodology used
11 by the Commission to reach the conclusions for
12 the report.

13 (d) POWERS OF THE COMMISSION.—The Commission
14 may lease space and acquire personal property to the ex-
15 tent funds are available.

16 (e) COMMISSION PERSONNEL MATTERS.—

17 (1) COMPENSATION OF MEMBERS.—

18 (A) IN GENERAL.—Except as provided in
19 subparagraph (B), each member of the Com-
20 mission who is not an officer or employee of the
21 Federal Government shall be compensated at a
22 rate equal to the daily equivalent of the annual
23 rate of basic pay prescribed for level IV of the
24 Executive Schedule under section 5315 of title
25 5, United States Code, for each day (including

1 travel time) during which such member is en-
2 gaged in the performance of the duties of the
3 Commission. All members of the Commission
4 who are officers or employees of the United
5 States shall serve without compensation in addi-
6 tion to that received for their services as offi-
7 cers or employees of the United States.

8 (B) COMPENSATION OF CHAIRMAN.—The
9 Chairman of the Commission shall be com-
10 pensated at a rate equal to the daily equivalent
11 of the minimum annual rate of basic pay pay-
12 able for level III of the Executive Schedule
13 under section 5314, of title 5, United States
14 Code.

15 (2) TRAVEL EXPENSES.—The members of the
16 Commission shall be allowed travel expenses, includ-
17 ing per diem in lieu of subsistence, at rates author-
18 ized for employees of agencies under subchapter I of
19 chapter 57 of title 5, United States Code, while
20 away from their homes or regular places of business
21 in the performance of services for the Commission.

22 (3) DIRECTOR AND STAFF.—

23 (A) DIRECTOR OF STAFF.—The Commis-
24 sion shall appoint a Director, who shall be paid
25 at the rate of basic pay payable for level IV of

1 the Executive Schedule under section 5315 of
2 title 5, United States Code.

3 (B) STAFF.—

4 (i) IN GENERAL.—Subject to clauses
5 (ii) and (iii), the Director, with the ap-
6 proval of the Commission, may appoint
7 and fix the pay of additional personnel.

8 (ii) APPLICABILITY.—The Director
9 may make such appointments without re-
10 gard to the provisions of title 5, United
11 States Code, governing appointments in
12 the competitive service, and any personnel
13 so appointed may be paid without regard
14 to the provisions of chapter 51 and sub-
15 chapter III of chapter 53 of that title re-
16 lating to classification and General Sched-
17 ule pay rates, except that an individual so
18 appointed may not receive pay in excess of
19 the annual rate of basic pay prescribed for
20 level V of the Executive Schedule under
21 section 5316 of that title.

22 (iii) DETAIL OF GOVERNMENT EM-
23 PLOYEES.—

24 (I) IN GENERAL.—Upon request
25 of the Director, the head of any Fed-

1 eral department or agency, including
2 the Comptroller General of the United
3 States, may detail any of the per-
4 sonnel of that department or agency
5 to the Commission to assist the Com-
6 mission in carrying out its duties
7 under this section.

8 (II) LIMITATIONS.—

9 (aa) DETAIL OF EMPLOYEES
10 FROM FEDERAL RESERVE SYS-
11 TEM.—Not more than $\frac{1}{5}$ of the
12 personnel employed by or detailed
13 to the Commission may be on de-
14 tail from the Federal Reserve
15 System.

16 (bb) DETAIL OF EMPLOYEES
17 FROM OTHER FEDERAL AGEN-
18 CIES.—Not more than $\frac{1}{5}$ of the
19 personnel employed by or detailed
20 to the Commission may be on de-
21 tail from any Federal department
22 or agency other than the Federal
23 Reserve System.

24 (iv) EXPERTS AND CONSULTANTS.—

25 The Commission may procure by contract

1 the temporary or intermittent services of
2 experts or consultants pursuant to section
3 3109(b) of title 5, United States Code, at
4 rates for individuals which do not to exceed
5 the daily equivalent of the annual rate of
6 basic pay for a comparable position paid
7 under the General Schedule.

8 (C) RULE OF CONSTRUCTION.—Any indi-
9 vidual employed by the Commission under this
10 paragraph, including any expert or consultant
11 under contract pursuant to subparagraph
12 (B)(iv), shall be considered staff for the dura-
13 tion of such employment of such individual for
14 the purposes of this section.

15 (f) PROHIBITION AGAINST RESTRICTING COMMU-
16 NICATIONS.—No person may restrict an employee of the
17 Federal Reserve System from communicating with a mem-
18 ber or staff of the Commission, and no person may take
19 (or threaten to take) an unfavorable personnel action, or
20 withhold (or threaten to withhold) a favorable personnel
21 action, as a reprisal for such communication.

22 (g) CONFIDENTIAL INFORMATION.—No member or
23 staff of the Commission shall request, either in writing
24 or verbally, that any employee of the Federal Reserve Sys-
25 tem provide—

1 (1) nonpublic information or documents con-
2 cerning or related to monetary policy deliberations;
3 or

4 (2) confidential supervisory information.

5 (h) DISCLOSURE OF NONPUBLIC INFORMATION.—

6 Any member or staff of the Commission that obtains non-
7 public information from the Federal Reserve System or
8 any employee of the Federal Reserve System shall main-
9 tain the confidentiality of such information.

10 (i) AUDIT.—

11 (1) IN GENERAL.—The Comptroller General of
12 the United States shall annually audit the financial
13 transactions of the Commission in accordance with
14 the United States generally accepted government au-
15 diting standards, as may be prescribed by the Comp-
16 troller General of the United States.

17 (2) LOCATION OF AUDIT.—An audit under
18 paragraph (1) shall be conducted at any place where
19 accounts of the Commission are normally kept.

20 (3) ACCESS.—

21 (A) IN GENERAL.—The representatives of
22 the Government Accountability Office shall have
23 access, in accordance with section 716(c) of
24 title 31, United States Code, to—

1 (i) the Chairman of the Commission,
2 members of the Commission, and staff of
3 the Commission; and

4 (ii) all books, accounts, documents,
5 papers, records (including electronic
6 records), reports, files, property, or other
7 information belonging to or under the con-
8 trol of or used or employed by the Com-
9 mission pertaining to its financial trans-
10 actions and necessary to facilitate the
11 audit.

12 (B) VERIFICATION OF TRANSACTIONS.—

13 Representatives of the Government Account-
14 ability Office shall be afforded full facilities for
15 verifying transactions with the balances or secu-
16 rities held by depositories, fiscal agents, and
17 custodians.

18 (4) CUSTODY OF DOCUMENTS AND PROP-
19 erty.—All books, accounts, documents, papers,
20 records, reports, files, property, or other information
21 described in paragraph (3)(A)(ii) shall remain in
22 possession and custody of the Commission.

23 (5) COPIES.—The Comptroller General of the
24 United States may make copies of any books, ac-
25 counts, documents, papers, records, reports, files,

1 property, or other information described in para-
2 graph (3)(A)(ii) without cost to the Comptroller
3 General.

4 (6) SERVICES.—In conducting an audit under
5 this subsection, the Comptroller General of the
6 United States may employ by contract, without re-
7 gard to section 3709 of the Revised Statutes (41
8 U.S.C. 6101), professional services of firms and or-
9 ganizations of certified public accountants for tem-
10 porary periods or for special purposes.

11 (7) REIMBURSEMENT.—

12 (A) IN GENERAL.—Upon the request of
13 the Comptroller General of the United States,
14 the Chairman of the Commission shall transfer
15 to the Government Accountability Office from
16 funds made available to the Commission the
17 amount requested by the Comptroller General
18 to cover the full costs of any audit and report
19 conducted by the Comptroller General.

20 (B) CREDIT.—The Comptroller General of
21 the United States shall credit funds transferred
22 under subparagraph (A) to the account estab-
23 lished for salaries and expenses of the Govern-
24 ment Accountability Office, and such amount
25 shall be available upon receipt and without fis-

1 cal year limitation to cover the full costs of the
2 audit and report.

3 (8) REPORT.—The Comptroller General of the
4 United States shall submit to the Committee on
5 Banking, Housing, and Urban Affairs of the Senate
6 and the Committee on Financial Services of the
7 House of Representatives, and also furnish copies to
8 the President and the Commission, a report of each
9 annual audit conducted under this subsection, in-
10 cluding—

11 (A) the scope of the audit;

12 (B) the statement of assets and liabilities
13 and surplus or deficit;

14 (C) the statement of income and expenses;

15 (D) the statement of sources and applica-
16 tion of funds;

17 (E) such comments and information as the
18 Comptroller General determines is necessary to
19 inform the Committee on Banking, Housing,
20 and Urban Affairs of the Senate and the Com-
21 mittee on Financial Services of the House of
22 Representatives of the financial operations and
23 condition of the Commission; and

24 (F) such recommendations that the Comp-
25 troller General may deem advisable.

1 (j) TERMINATION.—The Commission shall terminate
2 not later than on December 31, 2020.

3 (k) FUNDING.—

4 (1) IN GENERAL.—Beginning on the first quar-
5 ter of the fiscal year after the date on which the
6 Commission is established, and in each quarter of a
7 fiscal year thereafter, the Board of Governors of the
8 Federal Reserve System shall transfer to the Com-
9 mission, from the combined earnings of the Federal
10 Reserve System, the amount determined by the
11 Chairman of the Commission to be reasonably nec-
12 essary to carry out the authorities of the Commis-
13 sion pursuant to this section, taking into account
14 such other sums made available to the Commission
15 in preceding quarters, to be available without fiscal
16 year limitation and not subject to appropriation.

17 (2) REVIEWABILITY.—Notwithstanding any
18 other provision in this section, the funds derived
19 from the Federal Reserve System pursuant to this
20 subsection shall not be subject to review by the Com-
21 mittee on Appropriations of the Senate or the Com-
22 mittee on Appropriations of the House of Represent-
23 atives.

24 (l) FEDERAL RESERVE DISTRICTS.—The first undes-
25 ignated paragraph of section 2 of the Federal Reserve Act

1 (38 Stat. 251, chapter 6) is amended by inserting “, ex-
2 cept as otherwise provided under section 965 of the Finan-
3 cial Regulatory Improvement Act of 2015” after “orga-
4 nized”.

5 **SEC. 966. GAO STUDY ON SUPERVISION.**

6 (a) IN GENERAL.—The Comptroller General of the
7 United States shall conduct a study on the effectiveness
8 of supervision by the Board of Governors of the Federal
9 Reserve System and each Federal Reserve bank of—

10 (1) bank holding companies subject to the re-
11 quirements of section 165 of the Financial Stability
12 Act of 2010 (12 U.S.C. 5365) on the date of enact-
13 ment of this title; and

14 (2) nonbank financial companies subject to a
15 determination under subsection (a) or (b) of section
16 113 of the Financial Stability Act of 2010 (12
17 U.S.C. 5323).

18 (b) REPORT.—Not later than 18 months after the
19 date of enactment of this title, the Comptroller General
20 of the United States shall submit to the Committee on
21 Banking, Housing, and Urban Affairs of the Senate and
22 the Committee on Financial Services of the House of Rep-
23 resentatives a report based on the study required under
24 subsection (a) that includes—

25 (1) an analysis of—

1 (A) the effectiveness of the delegation of
2 functions by the Board of Governors of the
3 Federal Reserve System in accordance with sec-
4 tion 11(k) of the Federal Reserve Act (12
5 U.S.C. 248(k));

6 (B) the effectiveness of supervision dele-
7 gated to each Federal Reserve bank by the
8 Board of Governors of the Federal Reserve Sys-
9 tem, including whether and how the relation-
10 ships between each Federal Reserve bank and
11 the institutions that each Federal Reserve bank
12 supervises impact the effectiveness of super-
13 vision;

14 (C) the propriety of the relationship be-
15 tween each Federal Reserve bank and the insti-
16 tutions that each Federal Reserve bank super-
17 vises, including any potential conflicts of inter-
18 est, and whether and how such relationships
19 impact the effectiveness of supervision;

20 (D) the role played by the Large Institu-
21 tion Supervision Coordinating Committee of the
22 Board of Governors of the Federal Reserve Sys-
23 tem, the interactions between the Committee
24 and the Federal Reserve banks, and the effec-
25 tiveness of the Committee; and

1 (E) any other factors that could negatively
2 influence the effectiveness of supervision by any
3 Federal Reserve bank or the Board of Gov-
4 ernors of the Federal Reserve System;

5 (2) an evaluation of whether additional steps
6 should be taken by the Board of Governors of the
7 Federal Reserve System, each Federal Reserve bank,
8 or Congress to improve the effectiveness of super-
9 vision at each Federal Reserve bank and the Board
10 of Governors of the Federal Reserve System; and

11 (3) recommendations to improve the effective-
12 ness of supervision at each Federal Reserve bank
13 and the Board of Governors of the Federal Reserve
14 System.

15 (c) EVALUATION.—As part of the study required
16 under subsection (a), the Comptroller General of the
17 United States shall separately evaluate the effectiveness
18 of supervision at the Board of Governors of the Federal
19 Reserve System and at each Federal Reserve bank.

20 **SEC. 967. FEDERAL RESERVE STUDY ON NONBANK SUPER-**
21 **VISION.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of enactment of this title, and not less than once
24 every 2 years thereafter, the Board of Governors of the
25 Federal Reserve System shall submit to the Committee on

1 Banking, Housing, and Urban Affairs of the Senate and
2 the Committee on Financial Services of the House of Rep-
3 resentatives a report regarding how the Board plans to
4 supervise and regulate nonbank financial companies sub-
5 ject to a determination under subsection (a) or (b) of sec-
6 tion 113 of the Financial Stability Act of 2010 (12 U.S.C.
7 5323) that includes, with respect to nonbank financial
8 companies—

9 (1) a specific supervisory and regulatory frame-
10 work, differentiating among nonbank financial com-
11 panies on an individual basis or by category, taking
12 into consideration the capital structure, riskiness,
13 complexity (including the financial activities of any
14 subsidiaries), size, and any other risk-related factors
15 that the Board of Governors of the Federal Reserve
16 System determines is appropriate;

17 (2) an assessment of the relevant experience
18 and expertise of staff of the Federal Reserve System
19 assigned to such supervision and regulation;

20 (3) a description of—

21 (A) the method for evaluating safety and
22 soundness;

23 (B) the frequency of examinations;

24 (C) the criteria that will be examined; and

1 (D) coordination with Federal and State
2 regulators, including efforts to minimize dupli-
3 cative supervision and regulation, if appro-
4 priate; and

5 (4) an explanation of how the approach to su-
6 pervision and regulation of nonbank financial com-
7 panies differs from supervision and regulation of
8 bank holding companies and member banks.

9 (b) SUNSET.—This section shall terminate on the
10 date that is 10 years after the date of enactment of this
11 title.

12 **SEC. 968. FEDERAL RESERVE BANK GOVERNANCE.**

13 (a) IN GENERAL.—Section 4 of the Federal Reserve
14 Act is amended—

15 (1) in paragraph (4) (12 U.S.C. 341)—

16 (A) by striking “power—” and inserting
17 “power, except as provided in paragraph (25)—
18 ”; and

19 (B) by inserting “except that the first vice
20 president of the Federal Reserve Bank of New
21 York shall be appointed by the Class B and
22 Class C directors of the bank, with the approval
23 of the Board of Governors of the Federal Re-
24 serve System, for a term of 5 years,” after “as
25 the president,”; and

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

2 “(25) SELECTION OF THE PRESIDENT OF THE
3 FEDERAL RESERVE BANK OF NEW YORK.—Notwith-
4 standing any other provision of this section, the
5 president of the Federal Reserve Bank of New York
6 shall be appointed by the President, by and with the
7 advice and consent of the Senate, for terms of 5
8 years.

9 “(26) TESTIMONY.—The president of the Fed-
10 eral Reserve Bank of New York, on an annual basis,
11 shall provide testimony to the Committee on Bank-
12 ing, Housing, and Urban Affairs of the Senate and
13 the Committee on Financial Services of the House of
14 Representatives.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 subsection (a) shall take effect on the date of enactment
17 of this title and apply to appointments for the president
18 of the Federal Reserve Bank of New York made on and
19 after that effective date.

1 **Subtitle F—Improved Access to**
2 **Capital and Tailored Regulation**
3 **in the Financial Markets**

4 **SEC. 971. HOLDING COMPANY REGISTRATION THRESHOLD**
5 **EQUALIZATION.**

6 The Securities Exchange Act of 1934 (15 U.S.C. 78a
7 et seq.) is amended—

8 (1) in section 12(g) (15 U.S.C. 78l(g))—

9 (A) in paragraph (1)(B), by inserting “, a
10 savings and loan holding company (as defined
11 in section 10(a) of the Home Owners’ Loan Act
12 (12 U.S.C. 1467a(a)),” after “is a bank”; and

13 (B) in paragraph (4), by inserting “, a
14 savings and loan holding company (as defined
15 in section 10(a) of the Home Owners’ Loan Act
16 (12 U.S.C. 1467a(a)),” after “case of a bank”;
17 and

18 (2) in section 15(d)(1) (15 U.S.C. 78o(d)(1)),
19 by striking “case of bank” and inserting “case of a
20 bank, a savings and loan holding company (as de-
21 fined in section 10(a) of the Home Owners’ Loan
22 Act (12 U.S.C. 1467a(a)),”.

1 **SEC. 972. INCREASED THRESHOLD FOR DISCLOSURES RE-**
2 **LATING TO COMPENSATORY BENEFIT PLANS.**

3 Not later than 60 days after the date of enactment
4 of this title, the Securities and Exchange Commission
5 shall revise section 230.701(e) of title 17, Code of Federal
6 Regulations, to increase from \$5,000,000 to \$10,000,000
7 the aggregate sales price or amount of securities sold dur-
8 ing any consecutive 12-month period in excess of which
9 the issuer is required under such section to deliver an ad-
10 ditional disclosure to investors. The Securities and Ex-
11 change Commission shall index for inflation such aggre-
12 gate sales price or amount every 5 years to reflect the
13 change in the Consumer Price Index for All Urban Con-
14 sumers published by the Bureau of Labor Statistics,
15 rounding to the nearest \$1,000,000.

16 **SEC. 973. REPEAL OF INDEMNIFICATION REQUIREMENTS.**

17 (a) DERIVATIVES CLEARING ORGANIZATIONS.—Sec-
18 tion 5b(k)(5) of the Commodity Exchange Act (7 U.S.C.
19 7a–1(k)(5)) is amended to read as follows:

20 “(5) CONFIDENTIALITY AGREEMENT.—Before
21 the Commission may share information with any en-
22 tity described in paragraph (4), the Commission
23 shall receive a written agreement from each entity
24 stating that the entity shall abide by the confiden-
25 tiality requirements described in section 8 relating to

1 the information on swap transactions that is pro-
2 vided.”.

3 (b) SWAP DATA REPOSITORIES.—Section 21(d) of
4 the Commodity Exchange Act (7 U.S.C. 24a(d)) is amend-
5 ed to read as follows:

6 “(d) CONFIDENTIALITY AGREEMENT.—Before the
7 swap data repository may share information with any enti-
8 ty described in subsection (c)(7), the swap data repository
9 shall receive a written agreement from each entity stating
10 that the entity shall abide by the confidentiality require-
11 ments described in section 8 relating to the information
12 on swap transactions that is provided.”.

13 (c) SECURITY-BASED SWAP DATA REPOSITORIES.—
14 Section 13(n)(5) of the Securities Exchange Act of 1934
15 (15 U.S.C. 78m(n)(5)) is amended—

16 (1) in subparagraph (G)—

17 (A) in the matter preceding clause (i), by
18 striking “all” and inserting “security-based
19 swap”; and

20 (B) in clause (v)—

21 (i) in subclause (II), by striking “;
22 and” and inserting a semicolon;

23 (ii) in subclause (III), by striking the
24 period at the end and inserting “; and”;
25 and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(IV) other foreign authorities.”;

4 and

5 (2) by striking subparagraph (H) and inserting
6 the following:

7 “(H) CONFIDENTIALITY AGREEMENT.—

8 Before the security-based swap data repository
9 may share information with any entity de-
10 scribed in subparagraph (G), the security-based
11 swap data repository shall receive a written
12 agreement from each entity stating that the en-
13 tity shall abide by the confidentiality require-
14 ments described in section 24 relating to the in-
15 formation on security-based swap transactions
16 that is provided.”.

17 (d) EFFECTIVE DATE.—The amendments made by
18 this section shall take effect as if enacted as part of the
19 Dodd-Frank Wall Street Reform and Consumer Protec-
20 tion Act (Public Law 111–203).

21 **SEC. 974. IMPROVING ACCESS TO CAPITAL FOR EMERGING**
22 **GROWTH COMPANIES.**

23 Section 6(e)(1) of the Securities Act of 1933 (15
24 U.S.C. 77f(e)(1)) is amended by adding at the end the
25 following: “An issuer that was an emerging growth com-

1 pany at the time it submitted a confidential registration
2 statement or, in lieu thereof, a publicly filed registration
3 statement for review under this subsection but ceases to
4 be an emerging growth company thereafter shall continue
5 to be treated as an emerging growth company for the pur-
6 poses of this subsection through the earlier of the date
7 on which the issuer consummates its initial public offering
8 pursuant to such registration statement or the end of the
9 1-year period beginning on the date on which the company
10 ceases to be an emerging growth company.”.

11 **Subtitle G—Taxpayer Protections**
12 **and Market Access for Mortgage**
13 **Finance**

14 **SEC. 981. DEFINITIONS.**

15 In this title:

16 (1) AGENCY.—The term “Agency” means the
17 Federal Housing Finance Agency.

18 (2) BACK-END RISK SHARING.—The term
19 “back-end risk sharing” means any risk-sharing
20 transaction that allows an enterprise to share single-
21 family mortgage credit risk that is on the balance
22 sheet of the enterprise with the private sector.

23 (3) BOARD OF DIRECTORS.—The term “Board
24 of Directors” means the Board of Directors estab-
25 lished under section 985(c)(1).

1 (4) COMMON SECURITIZATION SOLUTIONS.—
2 The term “Common Securitization Solutions” or
3 “CSS” means Common Securitization Solutions,
4 LLC, the joint venture formed by the enterprises in
5 October 2013, or any successor to Common
6 Securitization Solutions, LLC, that is a joint ven-
7 ture of the enterprises.

8 (5) CONTRACTUAL AND DISCLOSURE FRAME-
9 WORK.—The term “contractual and disclosure
10 framework” means a contractual and disclosure
11 framework for securitization of mortgage loans by
12 an entity other than an enterprise.

13 (6) ENTERPRISE.—The term “enterprise” has
14 the meaning given that term in section 1303 of the
15 Federal Housing Enterprises Financial Safety and
16 Soundness Act of 1992 (12 U.S.C. 4502).

17 (7) FIRST LOSS POSITION; FRONT-END RISK
18 SHARING; RISK-SHARING TRANSACTION.—The terms
19 “first loss position”, “front-end risk sharing”, and
20 “risk-sharing transaction” have the meanings given
21 those terms in section 1328(a) of the Federal Hous-
22 ing Enterprises Financial Safety and Soundness Act
23 of 1992, as added by section 986(b)(1).

24 (8) GUARANTEE FEE.—The term “guarantee
25 fee”—

1 (A) means a fee in connection with any
2 guarantee of the timely payment of principal
3 and interest on securities, notes, and other obli-
4 gations based on or backed by mortgages on
5 residential real properties designed principally
6 for occupancy of from 1 to 4 families; and

7 (B) includes—

8 (i) the guaranty fee charged by the
9 Federal National Mortgage Association
10 with respect to mortgage-backed securities;
11 and

12 (ii) the management and guarantee
13 fee charged by the Federal Home Loan
14 Mortgage Corporation with respect to par-
15 ticipation certificates.

16 (9) PLATFORM.—The term “Platform” means
17 the securitization platform first described by the
18 paper issued by the Agency on October 4, 2012 enti-
19 tled “Building a New Infrastructure for the Sec-
20 ondary Mortgage Market”, and updated in subse-
21 quent documents released by the Agency, including
22 annual strategic plans for the conservatorship of the
23 enterprises and annual conservatorship scorecards.

24 (10) PRIVATE SUCCESSOR.—The term “private
25 successor” means the private, nonprofit entity re-

1 ferred to in section 985(g) to which CSS transitions
2 the Platform and the contractual and disclosure
3 framework, including any associated intellectual
4 property, technology, systems, and infrastructure, in
5 accordance with this title.

6 (11) SECOND LOSS POSITION.—The term “sec-
7 ond loss position” means, with respect to a risk-
8 sharing transaction, the position to which any credit
9 losses on a security resulting from the nonperform-
10 ance of underlying mortgage loans will accrue and
11 be absorbed after a first loss position, to the full ex-
12 tent of a holder’s interest in such position.

13 (12) SECRETARY.—The term “Secretary”
14 means the Secretary of the Treasury.

15 (13) SENIOR PREFERRED STOCK PURCHASE
16 AGREEMENT.—The term “Senior Preferred Stock
17 Purchase Agreement” means—

18 (A) the Amended and Restated Senior Pre-
19 ferred Stock Purchase Agreement, dated Sep-
20 tember 26, 2008, as such Agreement has been
21 amended on May 6, 2009, December 24, 2009,
22 and August 17, 2012, respectively, and as such
23 Agreement may be further amended and re-
24 stated, entered into between the Department of

1 the Treasury and each enterprise, as applicable;
2 and

3 (B) any provision of any certificate in con-
4 nection with such Agreement creating or desig-
5 nating the terms, powers, preferences, privi-
6 leges, limitations, or any other conditions of the
7 Variable Liquidation Preference Senior Pre-
8 ferred Stock of an enterprise issued or sold pur-
9 suant to such Agreement.

10 **SEC. 982. PROHIBITING THE USE OF GUARANTEE FEES AS**
11 **AN OFFSET.**

12 (a) IN GENERAL.—In the Senate and the House of
13 Representatives, for purposes of determining budgetary
14 impacts to evaluate points of order under the Congres-
15 sional Budget Act of 1974, any previous budget resolution,
16 and any subsequent budget resolution, provisions con-
17 tained in any bill, resolution, amendment, motion, or con-
18 ference report that increase, or extend the increase of, any
19 guarantee fee of an enterprise shall not be scored with
20 respect to the level of budget authority, outlays, or reve-
21 nues contained in such legislation.

22 (b) EXCEPTION.—The prohibition in subsection (a)
23 shall not apply to any legislation that—

24 (1) includes a specific instruction to the Sec-
25 retary on the sale, transfer, relinquishment, liquida-

1 tion, divestiture, or other disposition of senior pre-
2 ferred stock acquired pursuant to the Senior Pre-
3 ferred Stock Purchase Agreement; and

4 (2) provides for an increase, or extension of an
5 increase, of any guarantee fee of an enterprise to be
6 used for the purpose of financing reforms to the sec-
7 ondary mortgage market.

8 **SEC. 983. LIMITATIONS ON SALE OF PREFERRED STOCK.**

9 Notwithstanding any other provision of law or any
10 provision of the Senior Preferred Stock Purchase Agree-
11 ment, the Secretary may not sell, transfer, relinquish, liq-
12 uidate, divest, or otherwise dispose of any outstanding
13 shares of senior preferred stock acquired pursuant to the
14 Senior Preferred Stock Purchase Agreement, until such
15 time as Congress has passed and the President has signed
16 into law legislation that includes a specific instruction to
17 the Secretary regarding the sale, transfer, relinquishment,
18 liquidation, divestiture, or other disposition of the senior
19 preferred stock so acquired.

20 **SEC. 984. SECONDARY MARKET ADVISORY COMMITTEE.**

21 Not later than 90 days after the date of enactment
22 of this title, the Agency shall direct the enterprises and
23 CSS to establish the Secondary Market Advisory Com-
24 mittee, which shall—

1 (1) provide advice to the enterprises and CSS
2 on decisions relating to the development of sec-
3 ondary mortgage market infrastructure; and

4 (2) include private market participants rep-
5 resenting multiple aspects of the mortgage market,
6 including mortgage lenders, poolers of mortgage-
7 backed securities, and investors of mortgage-backed
8 securities.

9 **SEC. 985. SECURITIZATION PLATFORM.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that—

12 (1) at the direction of the Agency, the enter-
13 prises have established a joint venture called Com-
14 mon Securitization Solutions intended to facilitate
15 the issuance of mortgage-backed securities through
16 the Platform;

17 (2) at the direction of the Agency, the develop-
18 ment of the Platform is currently geared toward the
19 issuance of mortgage-backed securities by the enter-
20 prises;

21 (3) as soon as practicable, the capacity and
22 functionality of the Platform should be expanded to
23 facilitate the issuance of mortgage-backed securities
24 by issuers other than the enterprises, and CSS
25 should undertake to develop the contractual and dis-

1 closure framework for issuers other than the enter-
2 prises;

3 (4) the property of the enterprises, including in-
4 tellectual property, technology, systems, and infra-
5 structure (including technology, systems, and infra-
6 structure developed by the enterprises for the Plat-
7 form), as well as any other legacy systems, infra-
8 structure, processes, and the Platform itself are val-
9 uable assets of the enterprises; and

10 (5) the enterprises should receive appropriate
11 compensation for the transfer of any such assets.

12 (b) REPORTS TO CONGRESS.—

13 (1) ANNUAL REPORT ON DEVELOPMENT.—Not
14 later than 1 year after the date of enactment of this
15 title, and every year thereafter, the Agency shall
16 submit to Congress a report on the status of the de-
17 velopment of the Platform and the contractual and
18 disclosure framework, which shall include—

19 (A) the projected timelines for—

20 (i) completing development of the
21 Platform to support the securitization
22 needs of the enterprises; and

23 (ii) completing development of the
24 Platform and the contractual and diselo-
25 sure framework to support the

1 securitization needs of issuers other than
2 the enterprises; and

3 (B) the projected budget for the develop-
4 ment of the Platform and the contractual and
5 disclosure framework.

6 (2) REPORT ON TRANSITION.—Not later than 3
7 years after the date of enactment of this title, the
8 Agency shall develop a plan, and submit to the Com-
9 mittee on Banking, Housing and Urban Affairs of
10 the Senate and the Committee on Financial Services
11 of the House of Representatives a report on such
12 plan, to transition the Platform and the contractual
13 and disclosure framework from a joint venture
14 owned by the enterprises into a private, nonprofit
15 entity that best facilitates a deep, liquid, and resil-
16 ient secondary mortgage market for mortgage-
17 backed securities.

18 (c) BOARD OF DIRECTORS.—

19 (1) ESTABLISHMENT.—Not later than 6
20 months after the date of enactment of this title, the
21 Agency shall direct the enterprises and CSS to re-
22 constitute a CSS Board of Directors that meets the
23 composition requirements set forth in paragraphs
24 (2) and (3).

1 (2) COMPOSITION AFTER 1 YEAR.—Not later
2 than 1 year after the date of enactment of this title,
3 as determined by the Agency, the Board of Directors
4 shall be comprised of 7 directors, 3 of whom—

5 (A) shall have demonstrated knowledge of,
6 or experience in, financial management, finan-
7 cial services, risk management, information
8 technology, or housing finance; and

9 (B) are not simultaneously employed by an
10 enterprise or serving as a director of an enter-
11 prise.

12 (3) COMPOSITION AFTER 18 MONTHS.—Not
13 later than 18 months after the date of enactment of
14 this title, as determined by the Agency, the Board
15 of Directors shall be comprised of 9 directors, 5 of
16 whom—

17 (A) shall have demonstrated knowledge of,
18 or experience in, financial management, finan-
19 cial services, risk management, information
20 technology, or housing finance; and

21 (B) are not simultaneously employed by an
22 enterprise or serving as a director of an enter-
23 prise.

24 (d) AUTHORIZED AND PROHIBITED ACTIVITIES.—

25 (1) AUTHORIZED ACTIVITIES.—

1 (A) IN GENERAL.—Not later than 2 years
2 after the date of enactment of this title, CSS
3 shall—

4 (i) for an entity other than an enter-
5 prise, develop standards for—

6 (I) becoming an approved issuer
7 of securities issued through the Plat-
8 form;

9 (II) loans that may serve as col-
10 lateral for securities issued through
11 the Platform; and

12 (III) originating, servicing, pool-
13 ing, dispute resolution, disclosure, and
14 securitizing residential mortgage loans
15 that collateralize securities issued
16 through the Platform; and

17 (ii) operate and maintain the Plat-
18 form and establish fees for use of the Plat-
19 form.

20 (B) ISSUING SECURITIES BY APPROVED
21 ISSUERS.—Not later than 3 years after the date
22 of enactment of this title—

23 (i) CSS shall facilitate the issuance of
24 securities by any approved issuer other

1 than an enterprise through the Platform;
2 and

3 (ii) issuances of securities facilitated
4 through the Platform shall not be limited
5 to those made by the enterprises.

6 (C) EXCEPTION.—The Director may delay
7 the requirement under subparagraph (B) for 2
8 1-year periods if the Director and the Secretary
9 of the Treasury—

10 (i) determine that facilitation of such
11 securities is not feasible within that period
12 of time and could adversely impact the
13 housing market; and

14 (ii) submit to Congress a report de-
15 scribing the justification for the determina-
16 tion made in clause (i).

17 (2) PROHIBITED ACTIVITIES.—CSS may not,
18 through the Platform or otherwise—

19 (A) guarantee any mortgage loans or mort-
20 gage-backed securities;

21 (B) assume or hold mortgage loan credit
22 risk;

23 (C) purchase any mortgage loans for cash
24 on a single loan basis for the purpose of
25 securitization;

1 (D) own or hold any mortgage loans or
2 mortgage-backed securities for investment pur-
3 poses;

4 (E) make or be a party to any representa-
5 tion and warranty agreement on any mortgage
6 loans; or

7 (F) take lender representation and war-
8 ranty risk.

9 (3) AUTHORIZED AND PROHIBITED ACTIVITIES
10 OF THE PRIVATE SUCCESSOR.—All authorized and
11 prohibited activities of CSS under this subsection
12 shall transfer to the private successor at the time of
13 transition under subsection (g), and shall transfer to
14 any future successor to the private successor at the
15 time of any such transition.

16 (e) REGULATION OF CSS AND THE PRIVATE SUC-
17 CESSOR.—The Agency shall have general regulatory au-
18 thority over CSS, the private successor, and any successor
19 to the private successor to ensure the safety and sound-
20 ness of CSS and such successors

21 (f) FUNDING BY THE FHFA AND TRANSFER OF
22 PROPERTY.—

23 (1) TRANSFER OF FUNDS FROM THE ENTER-
24 PRISES.—At a time established by the Agency, the
25 Agency shall transfer to CSS such funds from the

1 enterprises as the Agency, after consultation with
2 the Board of Directors, determines may be reason-
3 ably necessary for CSS to begin carrying out the ac-
4 tivities and operations of the Platform.

5 (2) TRANSFER OF PROPERTY.—

6 (A) IN GENERAL.—The Agency shall direct
7 the enterprises to transfer or sell to the Plat-
8 form any property, including intellectual prop-
9 erty, technology, systems, and infrastructure
10 (including technology, systems, and infrastruc-
11 ture developed by the enterprises for the Plat-
12 form), as well as any other legacy systems, in-
13 frastructure, and processes that may be nec-
14 essary for the Platform to carry out the func-
15 tions and operations of the Platform.

16 (B) CONTRACTUAL AND OTHER LEGAL OB-
17 LIGATIONS.—As may be necessary for the
18 Agency and the enterprises to comply with
19 legal, contractual, or other obligations, the
20 Agency shall have the authority to require that
21 any transfer authorized under subparagraph
22 (A) occurs as an exchange for value, including
23 through the provision of appropriate compensa-
24 tion to the enterprises or other entities respon-

1 sible for creating, or contracting with, the Plat-
2 form.

3 (g) TRANSITION FROM CSS.—

4 (1) IN GENERAL.—Not later than 5 years after
5 the date of enactment of this title, the Agency shall
6 oversee the transition of ownership of the Platform
7 and the contractual and disclosure framework from
8 the enterprises and CSS to a private, nonprofit enti-
9 ty in accordance with the plan developed under sub-
10 section (b)(2).

11 (2) BOARD OF DIRECTORS.—The private suc-
12 cessor shall determine the structure of the Board of
13 Directors following the transition under paragraph
14 (1).

15 (3) REPAYMENT OF COST.—Not later than 10
16 years after the date of the transition described in
17 paragraph (1), the total cost of the property trans-
18 ferred in accordance with subsection (f)(2) at the
19 time of the transition, as determined jointly by the
20 Agency and the Secretary, shall be repaid to the en-
21 terprises.

22 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion shall be construed to prohibit the Agency or CSS from
24 first developing a common securitization platform for use
25 only by the enterprises, if all of the provisions in this Act

1 relating to the development of the Platform and the con-
2 tractual and disclosure framework are complied with in
3 a timely manner.

4 **SEC. 986. MANDATORY RISK SHARING.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) at the direction of the Agency, the enter-
8 prises have executed a series of transactions in
9 which the enterprises share credit risk with the pri-
10 vate sector;

11 (2) in the risk-sharing transactions to date, the
12 enterprises have shared credit risk on pools of resi-
13 dential mortgage loans that back securities on which
14 an enterprise either already guarantees or does not
15 yet guarantee the timely payment of principal and
16 interest;

17 (3) the risk that the enterprises have shared
18 has been either any loss suffered on the loans in the
19 pool or any loss in excess of some minimal level on
20 loans in the pool;

21 (4) to date, the vast majority of risk-sharing
22 transactions have involved either back-end risk shar-
23 ing or the transfer of the second loss position; and

24 (5) the Agency should direct the enterprises
25 to—

1 (A) engage in more front-end risk sharing
2 in which the first loss position is transferred;
3 and

4 (B) retain data that can help inform pol-
5 icymakers and the public about the impact to
6 consumers, the market, and the enterprises
7 from such transactions.

8 (b) MANDATORY RISK SHARING.—

9 (1) IN GENERAL.—Subpart A of part 2 of sub-
10 title A of the Federal Housing Enterprises Financial
11 Safety and Soundness Act of 1992 (12 U.S.C. 4541
12 et seq.) is amended by adding at the end the fol-
13 lowing:

14 **“SEC. 1328. MANDATORY RISK-SHARING TRANSACTIONS.**

15 **“(a) DEFINITIONS.—**In this section:

16 **“(1) FIRST LOSS POSITION.—**The term ‘first
17 loss position’ means, with respect to a risk-sharing
18 transaction, the position to which any credit loss on
19 a security resulting from the nonperformance of un-
20 derlying mortgage loans will accrue and be absorbed,
21 to the full extent of the holder’s interest in such po-
22 sition.

23 **“(2) FRONT-END RISK SHARING.—**The term
24 ‘front-end risk sharing’ means any risk-sharing
25 transaction that provides for an enterprise to share

1 credit risk on a pool of single-family residential
2 mortgage loans that back securities on which the en-
3 terprise guarantees the timely payment of principal
4 and interest with the private sector before the enter-
5 prise provides any such guarantee.

6 “(3) RISK-SHARING TRANSACTION.—The term
7 ‘risk-sharing transaction’ means any transaction
8 that provides for an enterprise to share credit risk
9 on a pool of single-family residential mortgage loans
10 that back securities on which the enterprise guaran-
11 tees the timely payment of principal and interest
12 with the private sector.

13 “(b) RISK-SHARING TRANSACTIONS.—The Director
14 shall require each enterprise to develop and undertake
15 risk-sharing transactions in which the first loss position
16 is transferred, as provided in subsection (c).

17 “(c) REQUIRED PERCENTAGE OF BUSINESS.—

18 “(1) REQUIREMENT.—The Director shall re-
19 quire that each enterprise engage in significant and
20 increasing risk-sharing transactions, including front-
21 end risk sharing and risk-sharing transactions in
22 which the first loss position is transferred, consid-
23 ering market conditions and the safety and sound-
24 ness of the enterprise.

1 “(2) ANNUAL REPORTING REQUIREMENT.—Not
2 later than 1 year after the date of enactment of this
3 section, and every year thereafter, the Agency shall
4 submit to Congress a report, which shall include—

5 “(A) for the 12-month period preceding
6 the date on which the report is submitted, an
7 assessment of the market responses to the risk-
8 sharing transactions of each of the enterprises,
9 in aggregate, and by credit risk-sharing mecha-
10 nism, including—

11 “(i) impacts on borrower costs, yield
12 spreads, and the economics of the oper-
13 ations of the enterprises; and

14 “(ii) the type and characteristics of
15 the underlying collateral and borrowers
16 whose loans are involved in risk-sharing
17 transactions; and

18 “(B) a 5-year plan, which shall include, for
19 each of the 5 years following the year in which
20 the report is issued—

21 “(i) the projected percentage of the
22 unpaid principal balance of each enterprise
23 covered under the credit risk-sharing pro-
24 gram;

1 “(ii) the projected percentage of new
 2 business for each enterprise subject to
 3 transactions in which the first loss position
 4 is transferred, including the types of deal
 5 structures;

6 “(iii) the projected depth of front-end
 7 risk sharing per type of transaction for
 8 each enterprise; and

9 “(iv) a description of the steps that
 10 the Agency intends to take to broaden the
 11 eligible investor base for credit risk-sharing
 12 programs.”.

13 **Subtitle H—Dodd-Frank Wall**
 14 **Street Reform and Consumer**
 15 **Protection Act Technical Cor-**
 16 **rections**

17 **SEC. 991. TABLE OF CONTENTS; DEFINITIONAL CORREC-**
 18 **TIONS.**

19 (a) TABLE OF CONTENTS.—The table of contents for
 20 the Dodd-Frank Wall Street Reform and Consumer Pro-
 21 tection Act (Public Law 111–203; 124 Stat. 1376) is
 22 amended by striking the items relating to sections 407
 23 through 416 and inserting the following:

“Sec. 407. Exemption of and reporting by venture capital fund advisers.

“Sec. 408. Exemption of and reporting by certain private fund advisers.

“Sec. 409. Family offices.

“Sec. 410. State and Federal responsibilities; asset threshold for Federal reg-
 istration of investment advisers.

- “Sec. 411. Custody of client assets.
 “Sec. 412. Comptroller General study on custody rule costs.
 “Sec. 413. Adjusting the accredited investor standard.
 “Sec. 414. Rule of construction relating to the Commodity Exchange Act.
 “Sec. 415. GAO study and report on accredited investors.
 “Sec. 416. GAO study on self-regulatory organization for private funds.
 “Sec. 417. Commission study and report on short selling.
 “Sec. 418. Qualified client standard.
 “Sec. 419. Transition period.”.

1 (b) DEFINITIONS.—Section 2 of the Dodd-Frank
 2 Wall Street Reform and Consumer Protection Act (12
 3 U.S.C. 5301) is amended—

4 (1) in paragraph (1)—

5 (A) by striking “section 3” and inserting
 6 “section 3(w)”; and

7 (B) by striking “(12 U.S.C. 1813)” and
 8 inserting “(12 U.S.C. 1813(w))”;

9 (2) in paragraph (6), by striking “1 et seq.”
 10 and inserting “1a”; and

11 (3) in paragraph (18)(A)—

12 (A) by striking “‘bank holding company’”;
 13 and

14 (B) by inserting “‘includes’” before “‘in-
 15 cluding’”.

16 **SEC. 992. ANTITRUST SAVINGS CLAUSE CORRECTIONS.**

17 Section 6 of the Dodd-Frank Wall Street Reform and
 18 Consumer Protection Act (12 U.S.C. 5303) is amended,
 19 in the second sentence—

20 (1) by inserting “(15 U.S.C. 12(a))” after
 21 “Clayton Act”; and

1 (2) by striking “Act, to” and inserting “Act (15
2 U.S.C. 45) to”.

3 **SEC. 993. TITLE I CORRECTIONS.**

4 The Financial Stability Act of 2010 (12 U.S.C. 5311
5 et seq.) is amended—

6 (1) in section 102(a)(6) (12 U.S.C.
7 5311(a)(6)), by inserting “(12 U.S.C. 1843(k))”
8 after “of 1956” each place that term appears;

9 (2) in section 111 (12 U.S.C. 5321)—

10 (A) in subsection (b)—

11 (i) in paragraph (1)(G), by striking
12 “Chairperson” and inserting “Chairman”;
13 and

14 (ii) in paragraph (2)(E), by striking
15 “such” and inserting “the”; and

16 (B) in subsection (c)(3), by striking “that
17 agency or department head” and inserting “the
18 head of that member agency or department”;

19 (3) in section 112 (12 U.S.C. 5322)—

20 (A) in subsection (a)(2)—

21 (i) in subparagraph (D)—

22 (I) by striking “to monitor” and
23 inserting “monitor”; and

24 (II) by striking “to advise” and
25 inserting “advise”;

- 1 (ii) in subparagraph (J)—
2 (I) by striking “that term is”
3 and inserting “those terms are”; and
4 (II) by striking “and settlement”
5 and inserting “or settlement”; and
6 (iii) in subparagraph (L), by striking
7 “may”; and
8 (B) in subsection (d)(5)—
9 (i) in subparagraph (B), by striking
10 “subsection and” and inserting “subtitle
11 or”; and
12 (ii) in subparagraph (C), by striking
13 “subsection and” and inserting “subtitle
14 or”;
15 (4) in section 154(c) (12 U.S.C. 5344(c))—
16 (A) by striking “CENTER.—” and all that
17 follows through “The Research” and inserting
18 “CENTER.—The Research”; and
19 (B) by redesignating subparagraphs (A)
20 through (H) as paragraphs (1) through (8), re-
21 spectively, and adjusting the margins accord-
22 ingly;
23 (5) in section 155(a)(2) (12 U.S.C.
24 5345(a)(2)), by striking “(c),” and inserting “(c)”;

1 (6) in section 164 (12 U.S.C. 5364), by striking
2 “Institutions” and inserting “Institution”;

3 (7) in section 167(b)(1)(B)(ii) (12 U.S.C.
4 5367(b)(1)(B)(ii)), by striking “to ensure” and in-
5 serting “ensure”; and

6 (8) in section 171(b)(4)(D) (12 U.S.C.
7 5371(b)(4)(D)), by adding a period at the end.

8 **SEC. 994. TITLE II CORRECTIONS.**

9 Title II of the Dodd-Frank Wall Street Reform and
10 Consumer Protection Act (12 U.S.C. 5381 et seq.) is
11 amended—

12 (1) in section 210 (12 U.S.C. 5390)—

13 (A) in subsection (a)—

14 (i) in paragraph (1)(D), by striking
15 “wind-up” and inserting “wind up”; and

16 (ii) in paragraph (5)(C), by striking
17 “receiver seeking” and inserting “receiver)
18 seeking”;

19 (B) in subsection (b)(1), by striking
20 “11,725” each place that term appears and in-
21 serting “\$11,725”;

22 (C) in subsection (m)(1)(B), by inserting
23 “of” before “the Bankruptcy Code”; and

1 (D) in subsection (o)(1)(D)(i)(I), by strik-
2 ing “and (h)(5)(E)” and inserting “or
3 (h)(5)(E)”;

4 (2) in section 211(d)(1)(C) (12 U.S.C.
5 5391(d)(1)(C)), by striking “orderly liquidation plan
6 under section 210(n)(14)” and inserting “an orderly
7 liquidation plan under section 210(n)(9)”; and

8 (3) in section 215(a)(5) (124 Stat. 1518), by
9 striking “amd” and inserting “and”.

10 **SEC. 995. TITLE III CORRECTIONS.**

11 (a) IN GENERAL.—The Enhancing Financial Institu-
12 tion Safety and Soundness Act of 2010 (12 U.S.C. 5401
13 et seq.) is amended—

14 (1) in section 327(b)(5) (12 U.S.C.
15 5437(b)(5)), by striking “in” and inserting “into”;

16 (2) in section 333(b)(2) (124 Stat. 1539), by
17 inserting “the second place that term appears” be-
18 fore “and inserting”; and

19 (3) in section 369(5) (124 Stat. 1559)—

20 (A) in subparagraph (D)(i)—

21 (i) in subclause (III), by redesignating
22 items (aa), (bb), and (cc) as subitems
23 (AA), (BB), and (CC), respectively, and
24 adjusting the margins accordingly;

1 (ii) in subclause (IV), by redesignig-
2 nating items (aa) and (bb) as subitems
3 (AA) and (BB), respectively, and adjusting
4 the margins accordingly;

5 (iii) in subclause (V), by redesignating
6 items (aa), (bb), and (cc) as subitems
7 (AA), (BB), and (CC), respectively, and
8 adjusting the margins accordingly; and

9 (iv) by redesignating subclauses (III),
10 (IV), and (V) as items (bb), (cc), and (dd),
11 respectively, and adjusting the margins ac-
12 cordingly;

13 (B) in subparagraph (F)—

14 (i) in clause (ii), by adding “and” at
15 the end;

16 (ii) in clause (iii), by striking “; and”
17 and inserting a semicolon; and

18 (iii) by striking clause (iv); and

19 (C) in subparagraph (G)(i), by inserting
20 “each place such term appears” before “and in-
21 sserting”.

22 (b) EFFECTIVE DATES.—

23 (1) SECTION 333.—The amendment made by
24 subsection (a)(2) of this section shall take effect as
25 if enacted as part of subtitle C of the Enhancing Fi-

1 nancial Institution Safety and Soundness Act of
2 2010 (title III of Public Law 111–203; 124 Stat.
3 1538).

4 (2) SECTION 369.—The amendments made by
5 subsection (a)(3) of this section shall take effect as
6 if enacted as part of subtitle E of the Enhancing Fi-
7 nancial Institution Safety and Soundness Act of
8 2010 (title III of Public Law 111–203; 124 Stat.
9 1546).

10 **SEC. 996. TITLE IV CORRECTION.**

11 Section 414 of the Private Fund Investment Advisers
12 Registration Act of 2010 (title IV of Public Law 111–203;
13 124 Stat. 1578) is amended in the section heading by
14 striking “**COMMODITIES**” and inserting “**COM-**
15 **MODITY**”.

16 **SEC. 997. TITLE VI CORRECTIONS.**

17 (a) IN GENERAL.—The Bank and Savings Associa-
18 tion Holding Company and Depository Institution Regu-
19 latory Improvements Act of 2010 (title VI of Public Law
20 111–203; 124 Stat. 1596) is amended—

21 (1) in section 610 (124 Stat. 1611)—

22 (A) by striking subsection (b); and

23 (B) by redesignating subsection (c) as sub-
24 section (b); and

25 (2) in section 618(a) (12 U.S.C. 1850a(a))—

1 (A) in paragraph (4)(B)(i), by inserting
2 “of Governors” after “Board”; and

3 (B) in paragraph (6), by inserting “(12
4 U.S.C. 1841)” after “Act of 1956”.

5 (b) **EFFECTIVE DATE.**—The amendments made by
6 subsection (a)(1) of this section shall take effect as if en-
7 acted as part of section 610 of the Bank and Savings As-
8 sociation Holding Company and Depository Institution
9 Regulatory Improvements Act of 2010 (title VI of Public
10 Law 111–203; 124 Stat. 1611).

11 **SEC. 998. TITLE VII CORRECTIONS.**

12 (a) **IN GENERAL.**—The Wall Street Transparency
13 and Accountability Act of 2010 (15 U.S.C. 8301 et seq.)
14 is amended—

15 (1) in section 719(c)(1)(B) (15 U.S.C.
16 8307(c)(1)(B)), by adding a period at the end;

17 (2) in section 723(a)(1)(B) (124 Stat. 1675),
18 by inserting “, as added by section 107 of the Com-
19 modity Futures Modernization Act of 2000 (Appen-
20 dix E of Public Law 106–554; 114 Stat. 2763A–
21 382),” after “subsection (i)”;

22 (3) in section 724(a) (124 Stat. 1682), by
23 striking “adding at the end” and inserting “insert-
24 ing after subsection (e)”;

1 (4) in section 734(b)(1) (124 Stat. 1718), by
2 striking “is amended” and all that follows through
3 “(B) in” and inserting “is amended in”;

4 (5) in section 741(b)(10) (124 Stat. 1732), by
5 striking “1a(19)(A)(iv)(II)” each place that term
6 appears and inserting “1a(18)(A)(iv)(II)”;

7 (6) in section 749 (124 Stat. 1746)—

8 (A) in subsection (a)(2), by striking “add-
9 ing at the end” and inserting “inserting after
10 subsection (f)”;

11 (B) in subsection (h)(1)(B), by inserting
12 “the second place that term appears” before the
13 semicolon.

14 (b) **EFFECTIVE DATE.**—The amendments made by
15 paragraphs (3), (4), (5), and (6) of subsection (a) shall
16 take effect as if enacted as part of part II of subtitle A
17 of the Wall Street Transparency and Accountability Act
18 of 2010 (title VII of Public Law 111–203; 124 Stat.
19 1658).

20 **SEC. 999. TITLE VIII CORRECTIONS.**

21 The Payment, Clearing, and Settlement Supervision
22 Act of 2010 (12 U.S.C. 5461 et seq.) is amended—

23 (1) in section 805(a)(2)(E) (12 U.S.C.
24 5464(a)(2)(E)), by striking the quotation marks at
25 the end;

1 (2) in section 806 (12 U.S.C. 5465)—

2 (A) in subsection (b), in the first sentence,
3 by striking “(2)) after” and inserting “(2))
4 after”; and

5 (B) in subsection (e)(1)(A)—

6 (i) by striking “advance notice” and
7 inserting “advance”; and

8 (ii) by striking “each Supervisory
9 Agency” and inserting “its Supervisory
10 Agency”;

11 (3) in section 807 (12 U.S.C. 5466)—

12 (A) in subsection (d)(1), by adding a pe-
13 riod at the end; and

14 (B) in subsection (f)(2), by inserting a
15 comma after “under” the second place that
16 term appears;

17 (4) in section 808(b) (12 U.S.C. 5467(b)), by
18 inserting a comma after “under” the third place
19 that term appears; and

20 (5) in section 813 (12 U.S.C. 5472), in the
21 matter preceding paragraph (1), by inserting “that
22 includes” after “Representatives”.

23 **SEC. 999A. TITLE IX CORRECTIONS.**

24 Section 939(h)(1) of the Investor Protection and Se-
25 curities Reform Act of 2010 (title IX of Public Law 111–

1 203; 124 Stat. 1887) is amended, in the matter preceding
2 subparagraph (A)—

3 (1) by inserting “The” before “Commission”;

4 and

5 (2) by striking “feasability” and inserting “fea-
6 sibility”.

7 **SEC. 999B. TITLE X CORRECTIONS.**

8 (a) IN GENERAL.—The Consumer Financial Protec-
9 tion Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

10 (1) in section 1002(12)(G) (12 U.S.C.
11 5481(12)(G)), by striking “Home Owners” and in-
12 sserting “Homeowners”;

13 (2) in section 1013(a)(1)(C) (12 U.S.C.
14 5493(a)(1)(C)), by striking “section 11(1) of the
15 Federal Reserve Act (12 U.S.C. 248(1))” and in-
16 sserting “subsection (l) of section 11 of the Federal
17 Reserve Act (12 U.S.C. 248(l))”;

18 (3) in section 1017(a)(5) (12 U.S.C.
19 5497(a)(5))—

20 (A) in subparagraph (A), in the last sen-
21 tence by striking “716(e) of title 31, United
22 States Code” and inserting “716 of title 31,
23 United States Code”; and

24 (B) in subparagraph (C), by striking “sec-
25 tion 3709 of the Revised Statutes of the United

1 States (41 U.S.C. 5)” and inserting “section
2 6101 of title 41, United States Code”;

3 (4) in section 1022(c)(9)(B) (12 U.S.C.
4 5512(c)(9)(B)), by striking “1978,” and inserting
5 “1978”;

6 (5) in section 1025 (12 U.S.C. 5515)—

7 (A) in subsections (b), (c), and (d)—

8 (i) by inserting “covered” before “per-
9 sons” each place that term appears; and

10 (ii) by inserting “covered” before
11 “person described in subsection (a)” each
12 place that term appears;

13 (B) in subsection (d), by striking “12
14 U.S.C. 1867(c)” and inserting “(12 U.S.C.
15 1867(c))”; and

16 (C) in subsection (e)(4)(F), by striking
17 “212 of the Federal Credit Union Act (112
18 U.S.C. 1790a)” and inserting “216 of the Fed-
19 eral Credit Union Act (12 U.S.C. 1790d)”;

20 (6) in section 1027(d)(1)(B) (12 U.S.C.
21 5517(d)(1)(B)), by inserting a comma after “(A)”;

22 (7) in section 1029(d) (12 U.S.C. 5519(d)), by
23 striking the period after “Commission Act”;

24 (8) in section 1061 (12 U.S.C. 5581)—

25 (A) in subsection (b)(7)—

1 (i) by striking “Secretary of the De-
2 partment of Housing and Urban Develop-
3 ment” each place that term appears and
4 inserting “Department of Housing and
5 Urban Development”; and

6 (ii) in subparagraph (A), by striking
7 “(12 U.S.C. 5102 et seq.)” and inserting
8 “(12 U.S.C. 5101 et seq.)”; and

9 (B) in subsection (c)(2)(A), by striking
10 “procedures in” and inserting “procedures”;

11 (9) in section 1063 (12 U.S.C. 5583)—

12 (A) in subsection (f)(1)(B), by striking
13 “that”; and

14 (B) in subsection (g)(1)(A)—

15 (i) by striking “(12 U.S.C. 5102 et
16 seq.)” and inserting “(12 U.S.C. 5101 et
17 seq.)”; and

18 (ii) by striking “seq)” and inserting
19 “seq.)”;

20 (10) in section 1064(i)(1)(A)(iii) (12 U.S.C.
21 5584(i)(1)(A)(iii)), by inserting a period before “If
22 an”;

23 (11) in section 1073(c)(2) (12 U.S.C.
24 5601(c)(2))—

1 (A) in the paragraph heading, by inserting
2 “AND EDUCATION” after “FINANCIAL LIT-
3 ERACY”; and

4 (B) by striking “its duties” and inserting
5 “their duties”;

6 (12) in section 1076(b)(1) (12 U.S.C.
7 5602(b)(1)), by inserting before the period at the
8 end the following: “, the Bureau may, after notice
9 and opportunity for comment, prescribe regula-
10 tions”;

11 (13) in section 1077(b)(4)(F) (124 Stat. 2076),
12 by striking “associates” and inserting “associate’s”;

13 (14) in section 1084(1) (124 Stat. 2081)—

14 (A) by inserting “paragraph (3) of section
15 903 (15 U.S.C. 1693a),” before “subsections
16 (a) and (e) of section 904”;

17 (B) by striking “and in 918” and inserting
18 “, section 916(d) (15 U.S.C. 1693m(d)), section
19 918”; and

20 (C) by inserting a comma after “2009”;

21 (15) in section 1089 (124 Stat. 2092)—

22 (A) in paragraph (3)—

23 (i) in subparagraph (A), by striking
24 “and” at the end; and

1 (ii) in subparagraph (B)(vi), by strik-
2 ing the period at the end and inserting “;
3 and”; and

4 (B) by redesignating paragraph (4) as sub-
5 paragraph (C) and adjusting the margins ac-
6 cordingly; and

7 (16) in section 1098(6) (124 Stat. 2104), by in-
8 serting “the first place that term appears” before
9 “and”.

10 (b) **EFFECTIVE DATE.**—The amendments made by
11 paragraphs (14), (15), and (16) of subsection (a) of this
12 section shall take effect as if enacted as part of subtitle
13 H of the Consumer Financial Protection Act of 2010 (title
14 X of Public Law 111–203; 124 Stat. 2080).

15 **SEC. 999C. TITLE XI CORRECTION.**

16 Section 1105(d)(1) of the Dodd-Frank Wall Street
17 Reform and Consumer Protection Act (12 U.S.C.
18 5612(d)(1)) is amended by striking “AUTHORITY.—” and
19 all that follows through “by the President” and inserting
20 “AUTHORITY.—A request by the President”.

21 **SEC. 999D. TITLE XII CORRECTION.**

22 Section 1208(b) of the Improving Access to Main-
23 stream Financial Institutions Act of 2010 (12 U.S.C.
24 5626(b)) is amended by striking “Fund for each” and in-
25 serting “Fund (as defined in section 103(10) of the Riegle

1 Community Development and Regulatory Improvement
2 Act of 1994 (12 U.S.C. 4702(10)) for each”.

3 **SEC. 999E. TITLE XIV CORRECTION.**

4 Section 1451(c) of the Mortgage Reform and Anti-
5 Predatory Lending Act (12 U.S.C. 1701x–1(c)) is amend-
6 ed by striking “pursuant”.

7 **SEC. 999F. CONFORMING CORRECTIONS TO OTHER STAT-**
8 **UTES.**

9 (a) **ALTERNATIVE MORTGAGE TRANSACTION PARITY**
10 **ACT OF 1982.**—The Alternative Mortgage Transaction
11 Parity Act of 1982 (12 U.S.C. 3801 et seq.) is amended—

12 (1) in section 802(a)(3) (12 U.S.C.
13 3801(a)(3)), by striking “the Director of the Office
14 of Thrift Supervision” and inserting “the Bureau of
15 Consumer Financial Protection”; and

16 (2) in section 804(d)(1) (12 U.S.C.
17 3803(d)(1))—

18 (A) by striking “identified” and inserting
19 “issued”; and

20 (B) by striking the comma after “Adminis-
21 tration”.

22 (b) **BANK HOLDING COMPANY ACTS.**—

23 (1) **BANK HOLDING COMPANY ACT AMEND-**
24 **MENTS OF 1970.**—Section 106(b)(1) of the Bank
25 Holding Company Act Amendments of 1970 (12

1 U.S.C. 1972(1)) is amended, in the undesignated
2 matter following subparagraph (E)—

3 (A) by inserting “Office of the” before
4 “Comptroller of the”; and

5 (B) by striking “Federal Deposit Insur-
6 ance Company” and inserting “Federal Deposit
7 Insurance Corporation”.

8 (2) BANK HOLDING COMPANY ACT OF 1956.—
9 Section 13 of the Bank Holding Company Act of
10 1956 (12 U.S.C. 1851) is amended—

11 (A) in subsection (d)(1)(E), by striking
12 “102 of the Small Business Investment Act of
13 1958 (15 U.S.C. 662)” and inserting “103(3)
14 of the Small Business Investment Act of 1958
15 (15 U.S.C. 662(3))”;

16 (B) in subsection (f)(3)(A)(ii), by striking
17 “(d)(1)(g)(v)” and inserting “(d)(1)(G)(v)”;
18 and

19 (C) in the matter preceding subparagraph
20 (A) of subsection (h)(1), by striking “section 8
21 of the International Banking Act of 1978” and
22 inserting “section 8(a) of the International
23 Banking Act of 1978 (12 U.S.C. 3106(a))”.

24 (c) BALANCED BUDGET AND EMERGENCY DEFICIT
25 CONTROL ACT.—Section 255(g)(1)(A) of the Balanced

1 Budget and Emergency Deficit Control Act of 1985 (2
2 U.S.C. 905(g)(1)(A)) is amended by striking “Office of
3 Thrift Supervision (20–4108–0–3–373).”.

4 (d) BRETTON WOODS AGREEMENTS ACT.—Section
5 68(a)(1) of the Bretton Woods Agreements Act (22 U.S.C.
6 286tt(a)(1)) is amended by striking “Fund ,” and insert-
7 ing “Fund,”.

8 (e) CAN–SPAM ACT OF 2003.—Section 7(b)(1)(D)
9 of the CAN–SPAM Act of 2003 (15 U.S.C.
10 7706(b)(1)(D)) is amended by striking “Director of the
11 Office of Thrift Supervision” and inserting “Comptroller
12 of the Currency or the Board of Directors of the Federal
13 Deposit Insurance Corporation, as applicable”.

14 (f) CHILDREN’S ONLINE PRIVACY PROTECTION ACT
15 OF 1998.—Section 1306(b)(2) of the Children’s Online
16 Privacy Protection Act of 1998 (15 U.S.C. 6505(b)(2))
17 is amended by striking “Director of the Office of Thrift
18 Supervision” and inserting “Comptroller of the Currency
19 or the Board of Directors of the Federal Deposit Insur-
20 ance Corporation, as applicable”.

21 (g) COMMODITY EXCHANGE ACT.—The Commodity
22 Exchange Act (7 U.S.C. 1 et seq.) is amended—

23 (1) in section 1a (7 U.S.C. 1a)—

24 (A) in paragraph (12)(A)(i)(II), by adding
25 a semicolon at the end;

1 (B) in paragraph (39)(A)(iv), by striking
2 “225” and inserting “25”; and

3 (C) in paragraph (47)(B)(viii)(II), by
4 striking “(15 U.S.C. 77b(a)(11))” and inserting
5 “(15 U.S.C. 77b(a)(11)))”;

6 (2) in section 2 (7 U.S.C. 2)—

7 (A) in subsection (c)(2)(D)(ii)(I), by strik-
8 ing “subparagraphs” and inserting “subpara-
9 graph”; and

10 (B) in subsection (h)—

11 (i) in paragraph (5)—

12 (I) in subparagraph (A)—

13 (aa) by striking “Swaps”
14 and inserting “Each swap”; and

15 (bb) by striking “no later
16 than 180 days after the effective
17 date of this subsection.” and in-
18 serting “no later than—

19 “(i) 30 days after the issuance of the
20 interim final rule; or

21 “(ii) such other date as the Commis-
22 sion determines appropriate.”; and

23 (II) in subparagraph (B), by
24 striking “Swaps” and inserting “Each
25 swap”;

1 (ii) in paragraph (7)—

2 (I) in subparagraph (C)(i)(VII),
3 by inserting “or a governmental plan”
4 after “employee benefit plan”; and

5 (II) in subparagraph (D)(ii)(V),
6 by striking “of that Act” and insert-
7 ing “of that section”; and

8 (iii) in paragraph (8)(A)(ii), by insert-
9 ing “section” before “5h or”;

10 (3) in section 4 (7 U.S.C. 6)—

11 (A) in subsection (b)(1)(A), by striking
12 “commission” each place that term appears and
13 inserting “Commission”; and

14 (B) in subsection (c)(1)—

15 (i) in subparagraph (A)—

16 (I) by inserting “the Commission
17 shall not grant exemptions,” after
18 “grant exemptions,”; and

19 (II) in clause (i)—

20 (aa) in subclause (I)—

21 (AA) by striking “5(g),
22 5(h),”; and

23 (BB) by striking “8e,”;

24 and

1 (bb) in subclause (II), by
2 striking “206(e)” and inserting
3 “206”; and

4 (ii) in subparagraph (B), by striking
5 “(D))” and inserting “(D)”;

6 (4) in section 4d(f)(2)(A) (7 U.S.C.
7 6d(f)(2)(A)), by striking “though” and inserting
8 “through”;

9 (5) in section 4s (7 U.S.C. 6s)—

10 (A) in subsection (e)(3)—

11 (i) in subparagraph (B)(i)(II), by
12 striking “(11))” and inserting “(11)))”;
13 and

14 (ii) in subparagraph (D)(ii), in the
15 matter preceding subclause (I), by striking
16 “non cash collateral” and inserting
17 “noncash collateral”;

18 (B) in subsection (f)(1)(B)(i), by striking
19 “Commission” and inserting “prudential regu-
20 lator”;

21 (C) in subsection (h)—

22 (i) in paragraph (2)(B), by inserting
23 “a” before “swap with”; and

24 (ii) in paragraph (5)(A)—

25 (I) in clause (i)—

1 (aa) by striking “section
2 1a(18)” and inserting “section
3 1a(18)(A)”; and

4 (bb) in subclause (VII), by
5 striking “act of” and inserting
6 “Act of”; and

7 (II) in clause (ii), by inserting
8 “in connection with the transaction”
9 after “acting”; and

10 (D) in subsection (k)(3)(A)(ii), by striking
11 “the code” and inserting “any code”;

12 (6) in section 5(d)(19)(A) (7 U.S.C.
13 7(d)(19)(A)), by striking “taking” and inserting
14 “take”;

15 (7) in section 5b (7 U.S.C. 7a–1), by redesignating
16 subsection (k) as subsection (j);

17 (8) in section 5c(c) (7 U.S.C. 7a–2(c))—

18 (A) in paragraph (4)(B), by striking
19 “1a(10)” and inserting “1a(9)”; and

20 (B) in paragraph (5)—

21 (i) in subparagraph (A), by striking
22 “this subtitle” and inserting “this Act”;
23 and

24 (ii) in subparagraph (C)(i), by striking
25 “1a(2)(i)” and inserting “1a(9)”;

1 (9) in section 5h (7 U.S.C. 7b-3)—

2 (A) in subsection (a)(1) , by striking “a fa-
3 cility” and inserting “a swap execution facil-
4 ity”; and

5 (B) in subsection (f)(11)(A), by striking
6 “taking” and inserting “take”;

7 (10) in section 22(a)(1)(C)(ii) (7 U.S.C.
8 25(a)(1)(C)(ii)), by striking “or” at the end; and

9 (11) in section 23 (7 U.S.C. 26)—

10 (A) in subsection (c)—

11 (i) in paragraph (1)(B)(i)(III), by
12 striking “the Act” each place that term
13 appears and inserting “this Act”; and

14 (ii) in paragraph (2)(A)(i), by striking
15 “a appropriate” and inserting “an appro-
16 priate”; and

17 (B) in subsection (f)(3), by striking
18 “7064” and inserting “706”.

19 (h) COMMUNITY REINVESTMENT ACT OF 1977.—The
20 Community Reinvestment Act of 1977 (12 U.S.C. 2901
21 et seq.) is amended—

22 (1) in section 803(1)(C) (12 U.S.C.
23 2902(1)(C)), by striking the period at the end and
24 inserting a semicolon; and

1 (2) in section 806 (12 U.S.C. 2905), by striking
2 “companies,,” and inserting “companies,”.

3 (i) CREDIT REPAIR ORGANIZATIONS ACT.—Section
4 403(4) of the Credit Repair Organizations Act (15 U.S.C.
5 1679a(4)) is amended by striking “103(e)” and inserting
6 “103(f)”.

7 (j) DEPOSITORY INSTITUTION MANAGEMENT INTER-
8 LOCKS ACT.—Section 205(9) of the Depository Institution
9 Management Interlocks Act (12 U.S.C. 3204(9)) is
10 amended by striking “Director of the Office of Thrift Su-
11 pervision” and inserting “appropriate Federal banking
12 agency”.

13 (k) ECONOMIC GROWTH AND REGULATORY PAPER-
14 WORK REDUCTION ACT OF 1996.—Section 2227(a)(1) of
15 the Economic Growth and Regulatory Paperwork Reduc-
16 tion Act of 1996 (12 U.S.C. 252(a)(1)) is amended by
17 striking “the Director of the Office of Thrift Super-
18 vision,”.

19 (l) ELECTRONIC FUND TRANSFER ACT.—The Elec-
20 tronic Fund Transfer Act (15 U.S.C. 1693 et seq.) is
21 amended—

22 (1) in section 903 (15 U.S.C. 1693a)—

23 (A) in paragraph (2), by striking “103(i)”
24 and inserting “103(j)”; and

1 (B) by redesignating the first paragraph
2 designated as paragraph (4) (defining the term
3 “Board”) as paragraph (3);
4 (2) in section 904(a) (15 U.S.C. 1693b(a))—

5 (A) by redesignating the second paragraph
6 designated as paragraph (1) (relating to con-
7 sultation with other agencies), the second para-
8 graph designated as paragraph (2) (relating to
9 the preparation of an analysis of economic im-
10 pact), paragraph (3), and paragraph (4) as sub-
11 paragraphs (A), (B), (C), and (D), respectively,
12 and adjusting the margins accordingly;

13 (B) by striking “In prescribing such regu-
14 lations, the Board shall:” and inserting the fol-
15 lowing:

16 “(3) REGULATIONS.—In prescribing regulations
17 under this subsection, the Bureau and the Board
18 shall—”;

19 (C) in paragraph (3)(C), as so redesi-
20 gnated, by striking “the Board shall”;

21 (D) in paragraph (3)(D), as so redesi-
22 gnated—

23 (i) by inserting “send promptly” be-
24 fore “any”; and

1 (ii) by striking “shall be sent prompt-
2 ly to Congress by the Board” and inserting
3 “to Congress”;

4 (3) in section 909(c) (15 U.S.C. 1693g(c)), by
5 striking “103(e)” and inserting “103(f)”;

6 (4) in section 918(a)(4) (15 U.S.C.
7 1693o(a)(4), by striking “Act and” and inserting
8 “Act; and”; and

9 (5) in section 920(a)(4)(C) (15 U.S.C. 1693o-
10 2(a)(4)(C)), by striking “the Director of the Office
11 of Thrift Supervision,”.

12 (m) EMERGENCY ECONOMIC STABILIZATION ACT OF
13 2008.—Section 101(b) of the Emergency Economic Sta-
14 bilization Act of 2008 (12 U.S.C. 5211(b)) is amended
15 by striking “the Director of the Office of Thrift Super-
16 vision,”.

17 (n) EQUAL CREDIT OPPORTUNITY ACT.—The Equal
18 Credit Opportunity Act (15 U.S.C. 1691 et seq.) is
19 amended—

20 (1) in section 703 (15 U.S.C. 1691b)—

21 (A) in each of subsections (c) and (d), by
22 striking “paragraph” each place that term ap-
23 pears and inserting “subsection”; and

24 (B) in subsection (g), by adding a period
25 at the end;

1 (2) in section 704 (15 U.S.C. 1691e)—

2 (A) in subsection (a), by striking “Con-
3 sumer Protection Financial Protection Act of
4 2010 with” and inserting “Consumer Financial
5 Protection Act of 2010, compliance with”; and

6 (B) in subsection (e), in the second sen-
7 tence, by striking “subchapter” and inserting
8 “title”;

9 (3) in section 704B(e)(3) (15 U.S.C. 1691e-
10 2(e)(3)), by striking “(1)(E)” and inserting
11 “(2)(E)”; and

12 (4) in section 706(k) (15 U.S.C. 1691e(k)), by
13 striking “, (2), or (3)” and inserting “or (2)”.

14 (o) EXPEDITED FUNDS AVAILABILITY ACT.—The
15 Expedited Funds Availability Act (12 U.S.C. 4001 et seq.)
16 is amended—

17 (1) in section 605(f)(2)(A) (12 U.S.C.
18 4004(f)(2)(A)), by striking “,” and inserting a
19 semicolon; and

20 (2) in section 610(a)(2) (12 U.S.C.
21 4009(a)(2)), by striking “Director of the Office of
22 Thrift Supervision” and inserting “Comptroller of
23 the Currency and the Board of Directors of the Fed-
24 eral Deposit Insurance Corporation, as appro-
25 priate,”.

1 (p) FAIR CREDIT REPORTING ACT.—The Fair Credit
2 Reporting Act (15 U.S.C. 1681 et seq.) is amended—

3 (1) in section 603 (15 U.S.C. 1681a)—

4 (A) in subsection (d)(2)(D), by striking
5 “(x)” and inserting “(y)”;

6 (B) in subsection (q)(5), by striking
7 “103(i)” and inserting “103(j)”; and

8 (C) in subsection (v), by striking “Bureau”
9 and inserting “Federal Trade Commission”;

10 (2) in section 604 (15 U.S.C. 1681b)—

11 (A) in subsection (b)(2)(B)(i), by striking
12 “section 615(a)(3)” and inserting “section
13 615(a)(4)”; and

14 (B) in subsection (g)(5), by striking
15 “PARAGRAPH (2).—” and all that follows
16 through “The Bureau” and inserting “PARA-
17 GRAPH (2).—The Bureau”;

18 (3) in section 605(h)(2)(A) (15 U.S.C.
19 1681c(h)(2)(A))—

20 (A) by striking “shall,” and inserting
21 “shall,”; and

22 (B) by striking “Commission,” and insert-
23 ing “Commission,”;

1 (4) in paragraphs (1)(A), (1)(B)(i), (2)(A)(i),
2 and (2)(B) of section 605A(h) (15 U.S.C. 1681c–
3 1(h))—

4 (A) by striking “103(i)” and inserting
5 “103(j)” each place that term appears; and

6 (B) by striking “open-end” and inserting
7 “open end” each place that term appears;

8 (5) in section 609 (15 U.S.C. 1681g)—

9 (A) in subsection (c)(1)—

10 (i) in the paragraph heading, by strik-
11 ing “COMMISSION” and inserting “BU-
12 REAU”; and

13 (ii) in subparagraph (B)(vi), by strik-
14 ing “603(w)” and inserting “603(x)”; and

15 (B) by striking “The Commission” each
16 place that term appears and inserting “The Bu-
17 reau”;

18 (6) in section 611 (15 U.S.C. 1681i), by strik-
19 ing “The Commission” each place that term appears
20 and inserting “The Bureau”;

21 (7) in section 612 (15 U.S.C. 1681j)—

22 (A) in subsection (a)(1), by striking “(w)”
23 and inserting “(x)”; and

1 (B) by striking “The Commission” each
2 place that term appears and inserting “The Bu-
3 reau”; and

4 (8) in section 621 (15 U.S.C. 1681s)—

5 (A) in subsection (a)(1), in the first sen-
6 tence, by striking “, subsection (b)”;

7 (B) in subsection (e)(2), by inserting a pe-
8 riod after “provisions of this title”; and

9 (C) in subsection (f)(2), by striking “The
10 Commission” and inserting “The Bureau”.

11 (q) FEDERAL CREDIT UNION ACT.—Section
12 206(g)(7)(D)(iv) of the Federal Credit Union Act (12
13 U.S.C. 1786(g)(7)(D)(iv)) is amended by striking the
14 semicolon at the end and inserting a period.

15 (r) FEDERAL DEPOSIT INSURANCE ACT.—The Fed-
16 eral Deposit Insurance Act (12 U.S.C. 1811 et seq.) is
17 amended—

18 (1) in section 3(q)(2)(C) (12 U.S.C.
19 1813(q)(2)(C)), by adding “and” at the end;

20 (2) in section 7 (12 U.S.C. 1817)—

21 (A) in subsection (b)(2)—

22 (i) in subparagraph (A), by striking
23 “(D)” and inserting “(C)”; and

1 (ii) by redesignating subparagraphs
2 (D) and (E) as subparagraphs (C) and
3 (D), respectively; and

4 (B) in subsection (e)(2)(C), by adding a
5 period at the end;

6 (3) in section 8 (12 U.S.C. 1818)—

7 (A) in subsection (b)(3), by striking
8 “Act))” and inserting “Act”); and

9 (B) in subsection (t)—

10 (i) in paragraph (2)—

11 (I) in subparagraph (C), by strik-
12 ing “depositors or” and inserting “de-
13 positors; or”; and

14 (II) in subparagraph (D), by
15 striking the semicolon at the end and
16 inserting a period; and

17 (ii) by redesignating the second para-
18 graph designated as paragraph (6), as
19 added by section 1090(1) of the Consumer
20 Financial Protection Act of 2010 (title X
21 of Public Law 111–203; 124 Stat. 2093)
22 (relating to referral to the Bureau of Con-
23 sumer Financial Protection), as paragraph
24 (7);

1 (4) in section 10(b)(3)(A) (12 U.S.C.
2 1820(b)(3)(A)), by striking “that Act” and inserting
3 “the Dodd-Frank Wall Street Reform and Consumer
4 Protection Act (12 U.S.C. 5301 et seq.)”;

5 (5) in section 11 (12 U.S.C. 1821)—

6 (A) in subsection (d)(2)(I)(ii), by striking
7 “and section 21A(b)(4)”; and

8 (B) in subsection (m), in each of para-
9 graphs (16) and (18), by striking the comma
10 after “Comptroller of the Currency” each place
11 it appears; and

12 (6) in section 26(a) (12 U.S.C. 1831c(a)), by
13 striking “Holding Company Act” each place that
14 term appears and inserting “Holding Company Act
15 of 1956”.

16 (s) FEDERAL FINANCIAL INSTITUTIONS EXAMINA-
17 TION COUNCIL ACT OF 1978.—Section 1003(1) of the
18 Federal Financial Institutions Examination Council Act of
19 1978 (12 U.S.C. 3302(1)) is amended by striking “the
20 Office of Thrift Supervision,”.

21 (t) FEDERAL FIRE PREVENTION AND CONTROL ACT
22 OF 1974.—Section 31(a)(5)(B) of the Federal Fire Pre-
23 vention and Control Act of 1974 (15 U.S.C.
24 2227(a)(5)(B)) is amended by striking “the Federal De-
25 posit Insurance Corporation” and all that follows through

1 the period and inserting “or the Federal Deposit Insur-
2 ance Corporation under the affordable housing program
3 under section 40 of the Federal Deposit Insurance Act.”.

4 (u) FEDERAL HOME LOAN BANK ACT.—The Federal
5 Home Loan Bank Act (12 U.S.C. 1421 et seq.) is amend-
6 ed—

7 (1) in section 10(h)(1) (12 U.S.C. 1430(h)(1)),
8 by striking “Director of the Office of Thrift Super-
9 vision” and inserting “Comptroller of the Currency
10 or the Board of Directors of the Federal Deposit In-
11 surance Corporation, as applicable”; and

12 (2) in section 22(a) (12 U.S.C. 1442(a))—

13 (A) in the matter preceding paragraph (1),
14 by striking “Currency” and all that follows
15 through “Supervision” and inserting “Cur-
16 rency, the Chairman of the Board of Governors
17 of the Federal Reserve System, the Chairperson
18 of the Federal Deposit Insurance Corporation,
19 and the Chairman of the National Credit Union
20 Administration”; and

21 (B) in the undesignated matter following
22 paragraph (2), by striking “Currency” and all
23 that follows through “Supervision” and insert-
24 ing “Currency, the Chairman of the Board of
25 Governors of the Federal Reserve System, and

1 the Chairman of the National Credit Union Ad-
2 ministration”.

3 (v) FEDERAL RESERVE ACT.—The Federal Reserve
4 Act (12 U.S.C. 221 et seq.) is amended—

5 (1) in section 10 (12 U.S.C. 247b), by redesignig-
6 nating paragraph (12) as paragraph (11); and

7 (2) in section 11 (12 U.S.C. 248)—

8 (A) by redesignating subsection (s), as
9 added by section 1103(b) of the Dodd-Frank
10 Wall Street Reform and Consumer Protection
11 Act (124 Stat. 2118) (relating to Federal Re-
12 serve transparency and release of information),
13 as subsection (t), and moving subsection (t), as
14 so redesignated, so it appears after subsection
15 (s);

16 (B) in subsection (s)(2)(C), by striking
17 “supervised by the Board” and inserting “sub-
18 ject to a final determination”; and

19 (C) in subsection (t), as so redesignated, in
20 paragraph (8)(B), by striking “this section”
21 and inserting “this subsection”.

22 (w) FINANCIAL INSTITUTIONS REFORM, RECOVERY,
23 AND ENFORCEMENT ACT OF 1989.—The Financial Insti-
24 tutions Reform, Recovery, and Enforcement Act of 1989
25 (Public Law 101–73; 103 Stat. 183) is amended—

1 (1) in section 1121(6) (12 U.S.C. 3350(6)), by
2 striking “the Office of Thrift Supervision,”; and

3 (2) in section 1206(a) (12 U.S.C. 1833b(a)), by
4 striking “and the Bureau of Consumer Financial
5 Protection,” and inserting “the Bureau of Consumer
6 Financial Protection, and”.

7 (x) GRAMM-LEACH-BLILEY ACT.—The Gramm-
8 Leach-Bliley Act (Public Law 106–102; 113 Stat. 1338)
9 is amended—

10 (1) in section 132(a) (12 U.S.C. 1828b(a)), by
11 striking “the Director of the Office of Thrift Super-
12 vision,”;

13 (2) in section 206(a) (15 U.S.C. 78e note), by
14 striking “Except as provided in subsection (e), for”
15 and inserting “For”;

16 (3) in section 502(e)(5) (15 U.S.C. 6802(e)(5)),
17 by inserting a comma after “Protection”;

18 (4) in section 504(a)(2) (15 U.S.C.
19 6804(a)(2)), by striking “and, as appropriate, and
20 with” and inserting “and, as appropriate, with”;

21 (5) in section 509(2) (15 U.S.C. 6809(2))—

22 (A) by striking subparagraph (D); and

23 (B) by redesignating subparagraphs (E)
24 and (F) as subparagraphs (D) and (E), respec-
25 tively; and

1 (6) in section 522(b)(1)(A)(iv) (15 U.S.C.
2 6822(b)(1)(A)(iv)), by striking “Director of the Of-
3 fice of Thrift Supervision” and inserting “Comp-
4 troller of the Currency and the Board of Directors
5 of the Federal Deposit Insurance Corporation, as
6 appropriate”.

7 (y) HELPING FAMILIES SAVE THEIR HOMES ACT OF
8 2009.—Section 104 of the Helping Families Save Their
9 Homes Act of 2009 (12 U.S.C. 1715z–25) is amended—

10 (1) in subsection (a)—

11 (A) in the matter preceding paragraph
12 (1)—

13 (i) by striking “and the Director of
14 the Office of Thrift Supervision, shall
15 jointly” and inserting “shall”;

16 (ii) by striking “Senate,” and insert-
17 ing “Senate and”;

18 (iii) by striking “and the Office of
19 Thrift Supervision”; and

20 (iv) by striking “each such” and in-
21 serting “such”; and

22 (B) in paragraph (1), by striking “and the
23 Office of Thrift Supervision”; and

24 (2) in subsection (b)(1)—

25 (A) in subparagraph (A)—

1 (i) in the first sentence—

2 (I) by striking “and the Director
3 of the Office of Thrift Supervision,”;

4 and

5 (II) by striking “or the Direc-
6 tor”;

7 (ii) in the second sentence, by striking
8 “and the Director of the Office of Thrift
9 Supervision”; and

10 (B) in subparagraph (B), by striking “and
11 the Director of the Office of Thrift Super-
12 vision”.

13 (z) HOME MORTGAGE DISCLOSURE ACT OF 1975.—
14 The Home Mortgage Disclosure Act of 1975 (12 U.S.C.
15 2801 et seq.) is amended—

16 (1) in section 304(j)(3) (12 U.S.C. 2803(j)(3)),
17 by adding a period at the end; and

18 (2) in section 305(b)(1)(A) (12 U.S.C.
19 2804(b)(1)(A))—

20 (A) in the matter preceding clause (i), by
21 inserting “by” before “the appropriate Federal
22 banking agency”; and

23 (B) in clause (iii), by striking “bank as,”
24 and inserting “bank, as”.

1 (aa) HOME OWNERS' LOAN ACT.—The Home Own-
2 ers' Loan Act (12 U.S.C. 1461 et seq.) is amended—

3 (1) in section 5 (12 U.S.C. 1464)—

4 (A) in subsection (d)(2)(E)(ii)—

5 (i) in the first sentence, by striking
6 “Except as provided in section 21A of the
7 Federal Home Loan Bank Act, the” and
8 inserting “The”; and

9 (ii) by striking “, at the Director’s
10 discretion,”;

11 (B) in subsection (i)(6), by striking “the
12 Office of Thrift Supervision or”;

13 (C) in subsection (m), by striking “Direc-
14 tor’s” each place that term appears and insert-
15 ing “appropriate Federal banking agency’s”;

16 (D) in subsection (n)(9)(B), by striking
17 “Director’s” and inserting “Comptroller’s”; and

18 (E) in subsection (s)—

19 (i) in paragraph (1)—

20 (I) in the matter preceding sub-
21 paragraph (A), by striking “of such
22 Act)” and all that follows through
23 “shall require” and inserting “of such
24 Act), the appropriate Federal banking
25 agency shall require”; and

1 (II) in subparagraph (B), by
2 striking “other methods” and all that
3 follows through “determines” and in-
4 serting “other methods as the appro-
5 priate Federal banking agency deter-
6 mines”;

7 (ii) in paragraph (2)—

8 (I) by striking “DETERMINED”
9 and all that follows through “may,
10 consistent” and inserting “DETER-
11 MINED BY APPROPRIATE FEDERAL
12 BANKING AGENCY CASE-BY-CASE.—
13 The appropriate Federal banking
14 agency may, consistent”; and

15 (II) by striking “capital-to-as-
16 sets” and all that follows through
17 “determines to be necessary” and in-
18 serting “capital-to-assets as the ap-
19 propriate Federal banking agency de-
20 termines to be necessary”; and

21 (iii) in paragraph (3)—

22 (I) by striking “agency, may”
23 and inserting “agency may”; and

1 (II) by striking “the Comp-
2 troller” and inserting “the appro-
3 priate Federal banking agency”;

4 (2) in section 6(c) (12 U.S.C. 1465(c)), by
5 striking “sections” and inserting “section”;

6 (3) in section 10 (12 U.S.C. 1467a)—

7 (A) in subsection (b)(6), by striking
8 “time” and all that follows through “release”
9 and inserting “time, upon the motion or appli-
10 cation of the Board, release”;

11 (B) in subsection (c)(2)(H)—

12 (i) in the matter preceding clause

13 (i)—

14 (I) by striking “1841(p))” and
15 inserting “1841(p))”;

16 (II) by inserting “(12 U.S.C.
17 1843(k))” before “if—”; and

18 (ii) in clause (i), by inserting “of 1956
19 (12 U.S.C. 1843(l) and (m))” after “Com-
20 pany Act”; and

21 (C) in subsection (e)(7)(B)(iii)—

22 (i) by striking “Board of the Office of
23 Thrift Supervision” and inserting “Direc-
24 tor of the Office of Thrift Supervision”;

25 and

1 (ii) by inserting “(as defined in sec-
2 tion 2 of the Dodd-Frank Wall Street Re-
3 form and Consumer Protection Act (12
4 U.S.C. 5301))” after “transfer date”; and
5 (4) in section 13 (12 U.S.C. 1468b), by striking
6 “the a” and inserting “a”.

7 (bb) HOME OWNERSHIP AND EQUITY PROTECTION
8 ACT OF 1994.—Section 158 of the Home Ownership and
9 Equity Protection Act of 1994 (15 U.S.C. 1601 note) is
10 amended by striking “Bureau” each place that term ap-
11 pears and inserting “Bureau of Consumer Financial Pro-
12 tection”.

13 (cc) HOUSING ACT OF 1948.—Section 502(c)(3) of
14 the Housing Act of 1948 (12 U.S.C. 1701c(e)(3)) is
15 amended by striking “Federal Home Loan Bank Agency”
16 and inserting “Federal Housing Finance Agency”.

17 (dd) HOUSING AND URBAN DEVELOPMENT ACT OF
18 1968.—Section 106(h)(5) of the Housing and Urban De-
19 velopment Act of 1968 (12 U.S.C. 1701x(h)(5)) is amend-
20 ed by striking “authorised” and inserting “authorized”.

21 (ee) INTERNATIONAL BANKING ACT OF 1978.—Sec-
22 tion 15 of the International Banking Act of 1978 (12
23 U.S.C. 3109) is amended—

24 (1) in each of subsections (a) and (b)—

1 (A) by striking “, and Director of the Of-
2 fice of Thrift Supervision” each place that term
3 appears; and

4 (B) by inserting “and” before “Federal
5 Deposit” each place that term appears;

6 (2) in subsection (a), by striking “Comptroller,
7 Corporation, or Director” and inserting “Comp-
8 troller, or Corporation”; and

9 (3) in subsection (c)(4)—

10 (A) by inserting “and” before “the Federal
11 Deposit”; and

12 (B) by striking “, and the Director of the
13 Office of Thrift Supervision”.

14 (ff) INTERNATIONAL LENDING SUPERVISION ACT OF
15 1983.—Section 912 of the International Lending Super-
16 vision Act of 1983 (12 U.S.C. 3911) is amended—

17 (1) in the section heading, by striking “**AND**
18 **THE OFFICE OF THRIFT SUPERVISION**”;

19 (2) by striking subsection (b);

20 (3) by striking “(a) IN GENERAL.—”; and

21 (4) by striking “4” and inserting “3”.

22 (gg) INTERSTATE LAND SALES FULL DISCLOSURE
23 ACT.—The Interstate Land Sales Full Disclosure Act (15
24 U.S.C. 1701 et seq.) is amended—

1 (1) in section 1402(1) (15 U.S.C. 1701(1)) by
2 striking “Bureau of” and all that follows through
3 the semicolon at the end and inserting “Bureau of
4 Consumer Financial Protection;”; and

5 (2) in each of section 1411(b) (15 U.S.C.
6 1710(b)) and subsections (b)(4) and (d) of section
7 1418a (15 U.S.C. 1717a), by striking “Secretary’s”
8 each place that term appears and inserting “Direc-
9 tor’s”.

10 (hh) INVESTMENT ADVISERS ACT OF 1940.—Section
11 224 of the Investment Advisers Act of 1940 (15 U.S.C.
12 80b–18c) is amended in the section heading, by striking
13 “**COMMODITIES**” and inserting “**COMMODITY**”.

14 (ii) LEGAL CERTAINTY FOR BANK PRODUCTS ACT
15 OF 2000.—Section 403(b)(1) of the Legal Certainty for
16 Bank Products Act of 2000 (7 U.S.C. 27a(b)(1)) is
17 amended by striking “that section” and inserting “sec-
18 tion”.

19 (jj) OMNIBUS APPROPRIATIONS ACT, 2009.—Section
20 626(b) of the Omnibus Appropriations Act, 2009 (12
21 U.S.C. 5538(b)) is amended, in each of paragraphs (2)
22 and (3), by inserting a comma after “as appropriate” each
23 place that term appears.

1 (kk) PUBLIC LAW 93-495.—Section 111 of Public
2 Law 93-495 (12 U.S.C. 250) is amended by striking “the
3 Director of the Office of Thrift Supervision,”.

4 (ll) REVISED STATUTES OF THE UNITED STATES.—
5 Section 5136C(i) of the Revised Statutes of the United
6 States (12 U.S.C. 25b(i)) is amended by striking “POW-
7 ERS.—” and all that follows through “In accordance” and
8 inserting “POWERS.—In accordance”.

9 (mm) RIEGLE COMMUNITY DEVELOPMENT AND
10 REGULATORY IMPROVEMENT ACT OF 1994.—Section
11 117(e) of the Riegle Community Development and Regu-
12 latory Improvement Act of 1994 (12 U.S.C. 4716(e)) is
13 amended by striking “the Director of the Office of Thrift
14 Supervision,”.

15 (nn) S.A.F.E. MORTGAGE LICENSING ACT OF
16 2008.—Section 1514 of the S.A.F.E. Mortgage Licensing
17 Act of 2008 (12 U.S.C. 5113) is amended in each of sub-
18 sections (b)(5) and (c)(4)(C), by striking “Secretary’s”
19 each place that term appears and inserting “Director’s”.

20 (oo) SECURITIES EXCHANGE ACT OF 1934.—The Se-
21 curities Exchange Act of 1934 (15 U.S.C. 78a et seq.)
22 is amended—

23 (1) in section 3C(g)(4)(B)(v) (15 U.S.C. 78c-
24 3(g)(4)(B)(v)), by striking “of that Act” and insert-
25 ing “of that section”;

1 (2) in section 3D(d)(10)(A) (15 U.S.C. 78c–
2 4(d)(10)(A)), by striking “taking” and inserting
3 “take”;

4 (3) in section 3E(b)(1) (15 U.S.C. 78c–
5 5(b)(1)), by striking “though” and inserting
6 “through”;

7 (4) in section 4(g)(8)(A) (15 U.S.C.
8 78d(g)(8)(A)), by striking “(2)(A)(i)” and inserting
9 “(2)(A)(ii)”;

10 (5) in section 15 (15 U.S.C. 78o)—

11 (A) in each of subparagraphs (B)(ii) and
12 (C) of subsection (b)(4), by striking “dealer
13 municipal advisor,” and inserting “dealer, mu-
14 nicipal advisor,”;

15 (B) by redesignating subsection (j) (relat-
16 ing to the authority of the Commission) as sub-
17 section (p), and moving that subsection so it
18 follows subsection (o);

19 (C) by redesignating subsections (k) and
20 (l) (relating to standard of conduct and other
21 matters, respectively), as added by section
22 913(g)(1) of the Investor Protection and Secu-
23 rities Reform Act of 2010 (title IX of Public
24 Law 111–203; 124 Stat. 1828), as subsections

1 (q) and (r), respectively and moving those sub-
2 sections to the end; and

3 (D) in subsection (m), in the undesignated
4 matter following paragraph (2), by inserting
5 “the” before “same extent”;

6 (6) in section 15F(h) (15 U.S.C. 78o–10(h))—

7 (A) in paragraph (2)—

8 (i) in subparagraph (A), by inserting
9 “a” after “that acts as an advisor to”; and

10 (ii) in subparagraph (B), by inserting
11 “a” after “offers to enter into”; and

12 (B) in paragraph (5)(A)(i)—

13 (i) by inserting “(A)” after “(18)”;

14 and

15 (ii) in subclause (VII), by striking
16 “act of” and inserting “Act of”;

17 (7) in section 15G (15 U.S.C. 78o–11)—

18 (A) in subsection (b)(2), by inserting “Di-
19 rector of the” before “Federal Housing”; and

20 (B) in subsection (e)—

21 (i) in paragraph (4)—

22 (I) in subparagraph (A), by strik-
23 ing “subsection” and inserting “sec-
24 tion”; and

25 (II) in subparagraph (C)—

1 (aa) by striking
2 “129C(e)(2)” and inserting
3 “129C(b)(2)(A)”; and

4 (bb) by inserting “(15
5 U.S.C. 1639c(b)(2)(A))” after
6 “Lending Act”; and

7 (ii) in paragraph (5), by striking
8 “subsection” and inserting “section”; and
9 (8) in section 17A (15 U.S.C. 78q-1), by redesi-
10 gnating the second subsection designated as sub-
11 section (g), as added by section 929W of the Inves-
12 tor Protection and Securities Reform Act of 2010
13 (title IX of Public Law 111-203; 124 Stat. 1869)
14 (relating to due diligence for the delivery of divi-
15 dends, interest, and other valuable property rights),
16 as subsection (n) and moving that subsection to the
17 end.

18 (pp) TELEMARKETING AND CONSUMER FRAUD AND
19 ABUSE PREVENTION ACT.—Section 3(b) of the Tele-
20 marketing and Consumer Fraud and Abuse Prevention
21 Act (15 U.S.C. 6102(b)) is amended by inserting before
22 the period at the end the following: “, provided, however,
23 that nothing in this section shall conflict with or supersede
24 section 6 of the Federal Trade Commission Act (15 U.S.C.
25 46)”.

1 (qq) TITLE 5.—Title 5, United States Code, is
2 amended—

3 (1) in section 3132(a)(1)(D), by striking “the
4 Office of Thrift Supervision,, the Resolution Trust
5 Corporation,”; and

6 (2) in section 5314, by striking “Director of the
7 Office of Thrift Supervision.”.

8 (rr) TITLE 31.—

9 (1) AMENDMENTS.—Title 31, United States
10 Code, is amended—

11 (A) by striking section 309;

12 (B) in section 313—

13 (i) in subsection (j)(2), by striking
14 “Agency”; and

15 (ii) in subsection (r)(4), by striking
16 “the Office of Thrift Supervision,”; and

17 (C) in section 714(d)(3)(B) by striking “a
18 audit” and inserting “an audit”.

19 (2) ANALYSIS.—The analysis for subchapter I
20 of chapter 3 of title 31, United States Code, is
21 amended by striking the item relating to section
22 309.

23 (ss) TRUTH IN LENDING ACT.—The Truth in Lend-
24 ing Act (15 U.S.C. 1601 et seq.) is amended—

1 (1) in section 103(dd)(2)(E)(v) (15 U.S.C.
2 1602(dd)(2)(E)(v)), as redesignated by section
3 909(a)(1) of this Act, by striking “Board” and in-
4 serting “Bureau”;

5 (2) in section 105 (15 U.S.C. 1604), by insert-
6 ing subsection (h), as added by section 1472(c) of
7 the Mortgage Reform and Anti-Predatory Lending
8 Act (title XIV of Public Law 111–203; 124 Stat.
9 2190), before subsection (i), as added by section
10 1100A(7) of the Consumer Financial Protection Act
11 of 2010 (title X of Public Law 111–203; 124 Stat.
12 2108);

13 (3) in section 106(f)(2)(B)(i) (15 U.S.C.
14 1605(f)(2)(B)(i)), by striking “103(w)” and insert-
15 ing “103(x)”;

16 (4) in section 121(b) (15 U.S.C. 1631(b)), by
17 striking “103(f)” and inserting “103(g)”;

18 (5) in section 122(d)(5) (15 U.S.C.
19 1632(d)(5)), by striking “and the Bureau”;

20 (6) in section 125(e)(1) (15 U.S.C. 1635(e)(1)),
21 by striking “103(w)” and inserting “103(x)”;

22 (7) in section 129 (15 U.S.C. 1639)—

23 (A) in subsection (q), by striking “(l)(2)”
24 and inserting “(p)(2)”; and

1 (B) in subsection (u)(3), by striking
2 “Board” each place that term appears and in-
3 serting “Bureau”;

4 (8) in section 129C (15 U.S.C. 1639c)—

5 (A) in subsection (b)(2)(B), by striking the
6 second period at the end; and

7 (B) in subsection (c)(1)(B)(ii)(I), by strik-
8 ing “a original” and inserting “an original”;

9 (9) in section 140A (15 U.S.C. 1651), by strik-
10 ing “the Bureau and”;

11 (10) in section 148(d) (15 U.S.C. 1665c(d)), by
12 striking “Bureau” and inserting “Board”;

13 (11) in section 149 (15 U.S.C. 1665d)—

14 (A) by striking “the Director of the Office
15 of Thrift Supervision,” each place that term ap-
16 pears;

17 (B) by striking “National Credit Union
18 Administration Bureau” each place that term
19 appears and inserting “National Credit Union
20 Administration Board”; and

21 (C) by striking “Bureau of Directors of
22 the Federal Deposit Insurance Corporation”
23 each place that term appears and inserting
24 “Board of Directors of the Federal Deposit In-
25 surance Corporation”; and

1 (12) in section 181(1) (15 U.S.C. 1667(1)), by
2 striking “103(g)” and inserting “103(h)”.

3 (tt) TRUTH IN SAVINGS ACT.—The Truth in Savings
4 Act (12 U.S.C. 4301 et seq.) is amended in each of sec-
5 tions 269(a)(4) (12 U.S.C. 4308(a)(4)), 270(a)(2) (12
6 U.S.C. 4309(a)(2)), and 274(6) (12 U.S.C. 4313(6)), by
7 striking “Administration Bureau” each place that term
8 appears and inserting “Administration Board”.

9 **SEC. 999G. RULEMAKING DEADLINES.**

10 (a) ONE-YEAR EXTENSION.—The deadline for
11 issuance of any rule or regulation, conduct of any study,
12 or submission of any report required by the Dodd-Frank
13 Wall Street Reform and Consumer Protection Act (Public
14 Law 111–203) or amendments made by that Act that has
15 not been met or is not met in final form by the date speci-
16 fied in that Act or those amendments, shall be extended
17 for 1 year.

18 (b) NO EFFECT ON FINALIZED RULES.—The exten-
19 sion provided under subsection (a) shall have no effect on
20 any rule required by the Dodd-Frank Wall Street Reform
21 and Consumer Protection Act (Public Law 111–203) or
22 amendments made by that Act that have been issued in
23 final form before the date of enactment of this title.

1 **SEC. 999H. EFFECTIVE DATES.**

2 Except as otherwise specifically provided in this
3 title—

4 (1) the amendments made by this title to a pro-
5 vision of the Dodd-Frank Wall Street Reform and
6 Consumer Protection Act (Public Law 111–203)
7 shall take effect as if enacted on the effective date
8 of the provision, immediately after the provision
9 takes effect; and

10 (2) the amendments made by this title to a pro-
11 vision of law amended by the Dodd-Frank Wall
12 Street Reform and Consumer Protection Act shall
13 take effect as if enacted on the effective date of the
14 amendment to that provision of law made by the
15 Dodd-Frank Wall Street Reform and Consumer Pro-
16 tection Act, immediately after the amendment made
17 by the Dodd-Frank Wall Street Reform and Con-
18 sumer Protection Act takes effect.

19 This division may be cited as the “Financial Services
20 and General Government Appropriations Act, 2016”.

1 **DIVISION B—DEPARTMENT OF THE INTE-**
2 **RIOR, ENVIRONMENT, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2016**

4 TITLE I

5 DEPARTMENT OF THE INTERIOR

6 BUREAU OF LAND MANAGEMENT

7 MANAGEMENT OF LANDS AND RESOURCES

8 For necessary expenses for protection, use, improve-
9 ment, development, disposal, cadastral surveying, classi-
10 fication, acquisition of easements and other interests in
11 lands, and performance of other functions, including main-
12 tenance of facilities, as authorized by law, in the manage-
13 ment of lands and their resources under the jurisdiction
14 of the Bureau of Land Management, including the general
15 administration of the Bureau, and assessment of mineral
16 potential of public lands pursuant to section 1010(a) of
17 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,045,562,000,
18 to remain available until expended, including all such
19 amounts as are collected from permit processing fees, as
20 authorized but made subject to future appropriation by
21 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
22 U.S.C. 191), as amended, except that amounts from per-
23 mit processing fees may be used for any bureau-related
24 expenses associated with the processing of oil and gas ap-
25 plications for permits to drill and related use authoriza-

1 tions; of which \$3,000,000 shall be available in fiscal year
2 2016 subject to a match by at least an equal amount by
3 the National Fish and Wildlife Foundation for cost-shared
4 projects supporting conservation of Bureau lands; and
5 such funds shall be advanced to the Foundation as a lump-
6 sum grant without regard to when expenses are incurred.

7 In addition, \$39,696,000 is for Mining Law Adminis-
8 tration program operations, including the cost of admin-
9 istering the mining claim fee program, to remain available
10 until expended, to be reduced by amounts collected by the
11 Bureau and credited to this appropriation from mining
12 claim maintenance fees and location fees that are hereby
13 authorized for fiscal year 2016, so as to result in a final
14 appropriation estimated at not more than \$1,045,562,000,
15 and \$2,000,000, to remain available until expended, from
16 communication site rental fees established by the Bureau
17 for the cost of administering communication site activities.

18 LAND ACQUISITION

19 For expenses necessary to carry out sections 205,
20 206, and 318(d) of Public Law 94–579, including admin-
21 istrative expenses and acquisition of lands or waters, or
22 interests therein, \$18,922,000, to be derived from the
23 Land and Water Conservation Fund and to remain avail-
24 able until expended.

1 OREGON AND CALIFORNIA GRANT LANDS

2 For expenses necessary for management, protection,
3 and development of resources and for construction, oper-
4 ation, and maintenance of access roads, reforestation, and
5 other improvements on the revested Oregon and California
6 Railroad grant lands, on other Federal lands in the Or-
7 egon and California land-grant counties of Oregon, and
8 on adjacent rights-of-way; and acquisition of lands or in-
9 terests therein, including existing connecting roads on or
10 adjacent to such grant lands; \$105,621,000, to remain
11 available until expended: *Provided*, That 25 percent of the
12 aggregate of all receipts during the current fiscal year
13 from the revested Oregon and California Railroad grant
14 lands is hereby made a charge against the Oregon and
15 California land-grant fund and shall be transferred to the
16 General Fund in the Treasury in accordance with the sec-
17 ond paragraph of subsection (b) of title II of the Act of
18 August 28, 1937 (43 U.S.C. 1181(f)).

19 RANGE IMPROVEMENTS

20 For rehabilitation, protection, and acquisition of
21 lands and interests therein, and improvement of Federal
22 rangelands pursuant to section 401 of the Federal Land
23 Policy and Management Act of 1976 (43 U.S.C. 1751),
24 notwithstanding any other Act, sums equal to 50 percent
25 of all moneys received during the prior fiscal year under

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

9 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

10 For administrative expenses and other costs related
11 to processing application documents and other authoriza-
12 tions for use and disposal of public lands and resources,
13 for costs of providing copies of official public land docu-
14 ments, for monitoring construction, operation, and termi-
15 nation of facilities in conjunction with use authorizations,
16 and for rehabilitation of damaged property, such amounts
17 as may be collected under Public Law 94–579 (43 U.S.C.
18 1701 et seq.), and under section 28 of the Mineral Leasing
19 Act (30 U.S.C. 185), to remain available until expended:
20 *Provided*, That, notwithstanding any provision to the con-
21 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
22 1735(a)), any moneys that have been or will be received
23 pursuant to that section, whether as a result of forfeiture,
24 compromise, or settlement, if not appropriate for refund
25 pursuant to section 305(c) of that Act (43 U.S.C.

1 1735(c)), shall be available and may be expended under
2 the authority of this Act by the Secretary to improve, pro-
3 tect, or rehabilitate any public lands administered through
4 the Bureau of Land Management which have been dam-
5 aged by the action of a resource developer, purchaser, per-
6 mittee, or any unauthorized person, without regard to
7 whether all moneys collected from each such action are
8 used on the exact lands damaged which led to the action:
9 *Provided further*, That any such moneys that are in excess
10 of amounts needed to repair damage to the exact land for
11 which funds were collected may be used to repair other
12 damaged public lands.

13 MISCELLANEOUS TRUST FUNDS

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

22 ADMINISTRATIVE PROVISIONS

23 The Bureau of Land Management may carry out the
24 operations funded under this Act by direct expenditure,
25 contracts, grants, cooperative agreements and reimburs-

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

1 in the care of the Bureau or its contractors or for the
2 sale of wild horses and burros that results in their destruc-
3 tion for processing into commercial products.

4 UNITED STATES FISH AND WILDLIFE SERVICE
5 RESOURCE MANAGEMENT

6 For necessary expenses of the United States Fish and
7 Wildlife Service, as authorized by law, and for scientific
8 and economic studies, general administration, and for the
9 performance of other authorized functions related to such
10 resources, \$1,203,545,000, to remain available until Sep-
11 tember 30, 2017 except as otherwise provided herein: *Pro-*
12 *vided*, That not to exceed \$17,515,000 shall be used for
13 implementing subsections (a), (b), (c), and (e) of section
14 4 of the Endangered Species Act of 1973 (16 U.S.C.
15 1533) (except for processing petitions, developing and
16 issuing proposed and final regulations, and taking any
17 other steps to implement actions described in subsection
18 (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to
19 exceed \$1,605,000 shall be used for any activity regarding
20 the designation of critical habitat, pursuant to subsection
21 (a)(3), excluding litigation support, for species listed pur-
22 suant to subsection (a)(1) prior to October 1, 2012; of
23 which not to exceed \$1,501,000 shall be used for any ac-
24 tivity regarding petitions to list species that are indigen-
25 ous to the United States pursuant to subsections (b)(3)(A)

1 and (b)(3)(B); and, of which not to exceed \$1,504,000
2 shall be used for implementing subsections (a), (b), (c),
3 and (e) of section 4 of the Endangered Species Act of
4 1973 (16 U.S.C. 1533) for species that are not indigenous
5 to the United States.

6 CONSTRUCTION

7 For construction, improvement, acquisition, or re-
8 moval of buildings and other facilities required in the con-
9 servation, management, investigation, protection, and uti-
10 lization of fish and wildlife resources, and the acquisition
11 of lands and interests therein; \$23,687,000, to remain
12 available until expended.

13 LAND ACQUISITION

14 For expenses necessary to carry out the Land and
15 Water Conservation Fund Act of 1965, (16 U.S.C. 460l-
16 4 et seq.), including administrative expenses, and for ac-
17 quisition of land or waters, or interest therein, in accord-
18 ance with statutory authority applicable to the United
19 States Fish and Wildlife Service, \$48,887,000, to be de-
20 rived from the Land and Water Conservation Fund and
21 to remain available until expended: *Provided*, That none
22 of the funds appropriated for specific land acquisition
23 projects may be used to pay for any administrative over-
24 head, planning or other management costs.

1 COOPERATIVE ENDANGERED SPECIES CONSERVATION
2 FUND

3 For expenses necessary to carry out section 6 of the
4 Endangered Species Act of 1973 (16 U.S.C. 1535),
5 \$42,417,000, to remain available until expended, of which
6 \$20,600,000 is to be derived from the Cooperative Endan-
7 gered Species Conservation Fund; and of which
8 \$21,817,000 is to be derived from the Land and Water
9 Conservation Fund.

10 NATIONAL WILDLIFE REFUGE FUND

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

13 NORTH AMERICAN WETLANDS CONSERVATION FUND

14 For expenses necessary to carry out the provisions
15 of the North American Wetlands Conservation Act (16
16 U.S.C. 4401 et seq.), \$35,145,000, to remain available
17 until expended.

18 NEOTROPICAL MIGRATORY BIRD CONSERVATION

19 For expenses necessary to carry out the Neotropical
20 Migratory Bird Conservation Act (16 U.S.C. 6101 et
21 seq.), \$3,660,000, to remain available until expended.

22 MULTINATIONAL SPECIES CONSERVATION FUND

23 For expenses necessary to carry out the African Ele-
24 phant Conservation Act (16 U.S.C. 4201 et seq.), the
25 Asian Elephant Conservation Act of 1997 (16 U.S.C.

1 4261 et seq.), the Rhinoceros and Tiger Conservation Act
2 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
3 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
4 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
5 et seq.), \$10,061,000, to remain available until expended.

6 STATE AND TRIBAL WILDLIFE GRANTS

7 For wildlife conservation grants to States and to the
8 District of Columbia, Puerto Rico, Guam, the United
9 States Virgin Islands, the Northern Mariana Islands,
10 American Samoa, and federally recognized Indian tribes
11 under the provisions of the Fish and Wildlife Act of 1956
12 and the Fish and Wildlife Coordination Act, for the devel-
13 opment and implementation of programs for the benefit
14 of wildlife and their habitat, including species that are not
15 hunted or fished, \$60,571,000, to remain available until
16 expended: *Provided*, That, of the amount provided herein,
17 \$4,084,000 is for a competitive grant program for feder-
18 ally recognized Indian tribes not subject to the remaining
19 provisions of this appropriation: *Provided further*, That
20 \$5,487,000 is for a competitive grant program to imple-
21 ment approved plans for States, territories, and other ju-
22 risdictions and at the discretion of affected States, the re-
23 gional Associations of fish and wildlife agencies, not sub-
24 ject to the remaining provisions of this appropriation: *Pro-*
25 *vided further*, That the Secretary shall, after deducting

1 \$9,571,000 and administrative expenses, apportion the
2 amount provided herein in the following manner: (1) to
3 the District of Columbia and to the Commonwealth of
4 Puerto Rico, each a sum equal to not more than one-half
5 of 1 percent thereof; and (2) to Guam, American Samoa,
6 the United States Virgin Islands, and the Commonwealth
7 of the Northern Mariana Islands, each a sum equal to not
8 more than one-fourth of 1 percent thereof: *Provided fur-*
9 *ther*, That the Secretary shall apportion the remaining
10 amount in the following manner: (1) one-third of which
11 is based on the ratio to which the land area of such State
12 bears to the total land area of all such States; and (2)
13 two-thirds of which is based on the ratio to which the pop-
14 ulation of such State bears to the total population of all
15 such States: *Provided further*, That the amounts appor-
16 tioned under this paragraph shall be adjusted equitably
17 so that no State shall be apportioned a sum which is less
18 than 1 percent of the amount available for apportionment
19 under this paragraph for any fiscal year or more than 5
20 percent of such amount: *Provided further*, That the Fed-
21 eral share of planning grants shall not exceed 75 percent
22 of the total costs of such projects and the Federal share
23 of implementation grants shall not exceed 65 percent of
24 the total costs of such projects: *Provided further*, That the
25 non-Federal share of such projects may not be derived

1 from Federal grant programs: *Provided further*, That any
2 amount apportioned in 2016 to any State, territory, or
3 other jurisdiction that remains unobligated as of Sep-
4 tember 30, 2017, shall be reapportioned, together with
5 funds appropriated in 2018, in the manner provided here-
6 in.

7 ADMINISTRATIVE PROVISIONS

8 The United States Fish and Wildlife Service may
9 carry out the operations of Service programs by direct ex-
10 penditure, contracts, grants, cooperative agreements and
11 reimbursable agreements with public and private entities.
12 Appropriations and funds available to the United States
13 Fish and Wildlife Service shall be available for repair of
14 damage to public roads within and adjacent to reservation
15 areas caused by operations of the Service; options for the
16 purchase of land at not to exceed \$1 for each option; facili-
17 ties incident to such public recreational uses on conserva-
18 tion areas as are consistent with their primary purpose;
19 and the maintenance and improvement of aquaria, build-
20 ings, and other facilities under the jurisdiction of the Serv-
21 ice and to which the United States has title, and which
22 are used pursuant to law in connection with management,
23 and investigation of fish and wildlife resources: *Provided*,
24 That notwithstanding 44 U.S.C. 501, the Service may,
25 under cooperative cost sharing and partnership arrange-

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

17 NATIONAL PARK SERVICE

18 OPERATION OF THE NATIONAL PARK SYSTEM

19 For expenses necessary for the management, oper-
20 ation, and maintenance of areas and facilities adminis-
21 tered by the National Park Service and for the general
22 administration of the National Park Service,
23 \$2,323,273,000, of which \$9,923,000 for planning and
24 interagency coordination in support of Everglades restora-
25 tion and \$96,961,000 for maintenance, repair, or rehabili-

1 tation projects for constructed assets shall remain avail-
2 able until September 30, 2017.

3 NATIONAL RECREATION AND PRESERVATION

4 For expenses necessary to carry out recreation pro-
5 grams, natural programs, cultural programs, heritage
6 partnership programs, environmental compliance and re-
7 view, international park affairs, and grant administration,
8 not otherwise provided for, \$63,132,000.

9 HISTORIC PRESERVATION FUND

10 For expenses necessary in carrying out the National
11 Historic Preservation Act (16 U.S.C. 470 et seq.),
12 \$61,410,000, to be derived from the Historic Preservation
13 Fund and to remain available until September 30, 2017,
14 of which \$500,000 is for competitive grants for the survey
15 and nomination of properties to the National Register of
16 Historic Places and as National Historic Landmarks asso-
17 ciated with communities currently underrepresented, as
18 determined by the Secretary, and of which \$5,000,000 is
19 for competitive grants to preserve the sites and stories of
20 the Civil Rights movement: *Provided*, That such competi-
21 tive grants shall be made without imposing the matching
22 requirements in Section 102(a)(3) of the National Historic
23 Preservation Act (16 U.S.C. 470(a)(3)) to States and
24 Tribes as defined in 16 U.S.C. 470w, Native Hawaiian

1 organizations, local governments, including Certified Local
2 Governments, and nonprofit organizations.

3 CONSTRUCTION

4 For construction, improvements, repair, or replace-
5 ment of physical facilities, including modifications author-
6 ized by section 104 of the Everglades National Park Pro-
7 tection and Expansion Act of 1989 (16 U.S.C. 410r-8),
8 \$192,937,000, to remain available until expended: *Pro-*
9 *vided*, That, notwithstanding any other provision of law,
10 for any project initially funded in fiscal year 2016 with
11 a future phase indicated in the National Park Service 5-
12 Year Line Item Construction Plan, a single procurement
13 may be issued which includes the full scope of the project:
14 *Provided further*, That the solicitation and contract shall
15 contain the clause availability of funds found at 48 CFR
16 52.232-18: *Provided further*, That National Park Service
17 Donations, Park Concessions Franchise Fees, and Recre-
18 ation Fee Permanent appropriations may be made avail-
19 able for the cost of adjustments and changes within the
20 original scope of effort for projects funded by the National
21 Park Service Construction appropriation: *Provided further*,
22 That the Secretary of the Interior shall consult with the
23 Committees on Appropriations, in accordance with current
24 reprogramming thresholds, prior to making any charges
25 authorized by this section.

1 LAND AND WATER CONSERVATION FUND

2 (RESCISSION)

3 The contract authority provided for fiscal year 2016
4 by section 9 of the Land and Water Conservation Fund
5 Act of 1965 (16 U.S.C. 460l–10a) is rescinded.

6 LAND ACQUISITION AND STATE ASSISTANCE

7 For expenses necessary to carry out the Land and
8 Water Conservation Act of 1965 (16 U.S.C. 460l–4
9 through 11), including administrative expenses, and for
10 acquisition of lands or waters, or interest therein, in ac-
11 cordance with the statutory authority applicable to the
12 National Park Service, \$106,275,000, to be derived from
13 the Land and Water Conservation Fund and to remain
14 available until expended, of which \$55,000,000 is for the
15 State assistance program and of which \$8,000,000 shall
16 be for the American Battlefield Protection Program
17 grants as authorized by section 7301 of the Omnibus Pub-
18 lic Land Management Act of 2009 (Public Law 111–11).

19 CENTENNIAL CHALLENGE

20 For expenses necessary to carry out the provisions
21 of section 814(g) of Public Law 104–333 (16 U.S.C. 1f)
22 relating to challenge cost share agreements, \$10,000,000,
23 to remain available until expended, for Centennial Chal-
24 lenge projects and programs: *Provided*, That not less than
25 50 percent of the total cost of each project or program

1 shall be derived from non-Federal sources in the form of
2 donated cash, assets, or a pledge of donation guaranteed
3 by an irrevocable letter of credit.

4 ADMINISTRATIVE PROVISIONS

5 (INCLUDING TRANSFER OF FUNDS)

6 In addition to other uses set forth in section 407(d)
7 of Public Law 105–391, franchise fees credited to a sub-
8 account shall be available for expenditure by the Sec-
9 retary, without further appropriation, for use at any unit
10 within the National Park System to extinguish or reduce
11 liability for Possessory Interest or leasehold surrender in-
12 terest. Such funds may only be used for this purpose to
13 the extent that the benefitting unit anticipated franchise
14 fee receipts over the term of the contract at that unit ex-
15 ceed the amount of funds used to extinguish or reduce
16 liability. Franchise fees at the benefitting unit shall be
17 credited to the sub-account of the originating unit over
18 a period not to exceed the term of a single contract at
19 the benefitting unit, in the amount of funds so expended
20 to extinguish or reduce liability.

21 For the costs of administration of the Land and
22 Water Conservation Fund grants authorized by section
23 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
24 of 2006 (Public Law 109–432), the National Park Service
25 may retain up to 3 percent of the amounts which are au-

1 thORIZED to be disbursed under such section, such retained
2 amounts to remain available until expended.

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

8 Herein and hereafter any amounts deposited into the
9 National Park Service trust fund accounts (31 U.S.C.
10 1321(a)(17)–(18)) shall be invested by the Secretary of the
11 Treasury in interest bearing obligations of the United
12 States to the extent such amounts are not, in his judg-
13 ment, required to meet current withdrawals: *Provided*,
14 That interest earned by such investments shall be avail-
15 able for obligation without further appropriation, to the
16 benefit of the project.

17 UNITED STATES GEOLOGICAL SURVEY

18 SURVEYS, INVESTIGATIONS, AND RESEARCH

19 For expenses necessary for the United States Geo-
20 logical Survey to perform surveys, investigations, and re-
21 search covering topography, geology, hydrology, biology,
22 and the mineral and water resources of the United States,
23 its territories and possessions, and other areas as author-
24 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
25 to their mineral and water resources; give engineering su-

1 pervision to power permittees and Federal Energy Regu-
2 latory Commission licensees; administer the minerals ex-
3 ploration program (30 U.S.C. 641); conduct inquiries into
4 the economic conditions affecting mining and materials
5 processing industries (30 U.S.C. 3, 21a, and 1603; 50
6 U.S.C. 98g(1)) and related purposes as authorized by law;
7 and to publish and disseminate data relative to the fore-
8 going activities; \$1,058,503,000, to remain available until
9 September 30, 2017; of which \$57,637,189 shall remain
10 available until expended for satellite operations; and of
11 which \$7,280,000 shall be available until expended for de-
12 ferred maintenance and capital improvement projects that
13 exceed \$100,000 in cost: *Provided*, That none of the funds
14 provided for the ecosystem research activity shall be used
15 to conduct new surveys on private property, unless specifi-
16 cally authorized in writing by the property owner: *Pro-*
17 *vided further*, That no part of this appropriation shall be
18 used to pay more than one-half the cost of topographic
19 mapping or water resources data collection and investiga-
20 tions carried on in cooperation with States and municipali-
21 ties.

22 ADMINISTRATIVE PROVISIONS

23 From within the amount appropriated for activities
24 of the United States Geological Survey such sums as are
25 necessary shall be available for contracting for the fur-

1 nishing of topographic maps and for the making of geo-
2 physical or other specialized surveys when it is administra-
3 tively determined that such procedures are in the public
4 interest; construction and maintenance of necessary build-
5 ings and appurtenant facilities; acquisition of lands for
6 gauging stations and observation wells; expenses of the
7 United States National Committee for Geological
8 Sciences; and payment of compensation and expenses of
9 persons employed by the Survey duly appointed to rep-
10 resent the United States in the negotiation and adminis-
11 tration of interstate compacts: *Provided*, That activities
12 funded by appropriations herein made may be accom-
13 plished through the use of contracts, grants, or coopera-
14 tive agreements as defined in section 6302 of title 31,
15 United States Code: *Provided further*, That the United
16 States Geological Survey may enter into contracts or coop-
17 erative agreements directly with individuals or indirectly
18 with institutions or nonprofit organizations, without re-
19 gard to 41 U.S.C. 6101, for the temporary or intermittent
20 services of students or recent graduates, who shall be con-
21 sidered employees for the purpose of chapters 57 and 81
22 of title 5, United States Code, relating to compensation
23 for travel and work injuries, and chapter 171 of title 28,
24 United States Code, relating to tort claims, but shall not

1 be considered to be Federal employees for any other pur-
2 poses.

3 BUREAU OF OCEAN ENERGY MANAGEMENT

4 OCEAN ENERGY MANAGEMENT

5 For expenses necessary for granting leases, ease-
6 ments, rights-of-way and agreements for use for oil and
7 gas, other minerals, energy, and marine-related purposes
8 on the Outer Continental Shelf and approving operations
9 related thereto, as authorized by law; for environmental
10 studies, as authorized by law; for implementing other laws
11 and to the extent provided by Presidential or Secretarial
12 delegation; and for matching grants or cooperative agree-
13 ments, \$170,857,000, of which \$74,235,000, is to remain
14 available until September 30, 2017 and of which
15 \$96,622,000 is to remain available until expended: *Pro-*
16 *vided*, That this total appropriation shall be reduced by
17 amounts collected by the Secretary and credited to this
18 appropriation from additions to receipts resulting from in-
19 creases to lease rental rates in effect on August 5, 1993,
20 and from cost recovery fees from activities conducted by
21 the Bureau of Ocean Energy Management pursuant to the
22 Outer Continental Shelf Lands Act, including studies, as-
23 sessments, analysis, and miscellaneous administrative ac-
24 tivities: *Provided further*, That the sum herein appro-
25 priated shall be reduced as such collections are received

1 during the fiscal year, so as to result in a final fiscal year
2 2016 appropriation estimated at not more than
3 \$74,235,000: *Provided further*, That not to exceed \$3,000
4 shall be available for reasonable expenses related to pro-
5 moting volunteer beach and marine cleanup activities.

6 BUREAU OF SAFETY AND ENVIRONMENTAL

7 ENFORCEMENT

8 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

9 For expenses necessary for the regulation of oper-
10 ations related to leases, easements, rights-of-way and
11 agreements for use for oil and gas, other minerals, energy,
12 and marine-related purposes on the Outer Continental
13 Shelf, as authorized by law; for enforcing and imple-
14 menting laws and regulations as authorized by law and
15 to the extent provided by Presidential or Secretarial dele-
16 gation; and for matching grants or cooperative agree-
17 ments, \$124,772,000, of which \$67,565,000 is to remain
18 available until September 30, 2017 and of which
19 \$57,207,000 is to remain available until expended: *Pro-*
20 *vided*, That this total appropriation shall be reduced by
21 amounts collected by the Secretary and credited to this
22 appropriation from additions to receipts resulting from in-
23 creases to lease rental rates in effect on August 5, 1993,
24 and from cost recovery fees from activities conducted by
25 the Bureau of Safety and Environmental Enforcement

1 pursuant to the Outer Continental Shelf Lands Act, in-
2 cluding studies, assessments, analysis, and miscellaneous
3 administrative activities: *Provided further*, That the sum
4 herein appropriated shall be reduced as such collections
5 are received during the fiscal year, so as to result in a
6 final fiscal year 2016 appropriation estimated at not more
7 than \$67,565,000.

8 For an additional amount, \$65,000,000, to remain
9 available until expended, to be reduced by amounts col-
10 lected by the Secretary and credited to this appropriation,
11 which shall be derived from non-refundable inspection fees
12 collected in fiscal year 2016, as provided in this Act: *Pro-*
13 *vided*, That, to the extent that amounts realized from such
14 inspection fees exceed \$65,000,000, the amounts realized
15 in excess of \$65,000,000 shall be credited to this appro-
16 priation and remain available until expended: *Provided*
17 *further*, That, for fiscal year 2016, not less than 50 per-
18 cent of the inspection fees expended by the Bureau of
19 Safety and Environmental Enforcement will be used to
20 fund personnel and mission-related costs to expand capac-
21 ity and expedite the orderly development, subject to envi-
22 ronmental safeguards, of the Outer Continental Shelf pur-
23 suant to the Outer Continental Shelf Lands Act (43
24 U.S.C. 1331 et seq.), including the review of applications
25 for permits to drill.

1 OIL SPILL RESEARCH

2 For necessary expenses to carry out title I, section
3 1016, title IV, sections 4202 and 4303, title VII, and title
4 VIII, section 8201 of the Oil Pollution Act of 1990,
5 \$14,899,000, which shall be derived from the Oil Spill Li-
6 ability Trust Fund, to remain available until expended.

7 OFFICE OF SURFACE MINING RECLAMATION AND

8 ENFORCEMENT

9 REGULATION AND TECHNOLOGY

10 For necessary expenses to carry out the provisions
11 of the Surface Mining Control and Reclamation Act of
12 1977, Public Law 95–87, \$122,747,000, to remain avail-
13 able until September 30, 2017: *Provided*, That appropria-
14 tions for the Office of Surface Mining Reclamation and
15 Enforcement may provide for the travel and per diem ex-
16 penses of State and tribal personnel attending Office of
17 Surface Mining Reclamation and Enforcement sponsored
18 training.

19 In addition, for costs to review, administer, and en-
20 force permits issued by the Bureau pursuant to section
21 507 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to
22 remain available until expended: *Provided*, That fees as-
23 sessed and collected by the Bureau pursuant to such sec-
24 tion 507 shall be credited to this account as discretionary
25 offsetting collections, to remain available until expended:

1 *Provided further*, That the sum herein appropriated from
2 the general fund shall be reduced as collections are re-
3 ceived during the fiscal year, so as to result in a fiscal
4 year 2016 appropriation estimated at not more than
5 \$122,747,000.

6 ABANDONED MINE RECLAMATION FUND

7 For necessary expenses to carry out title IV of the
8 Surface Mining Control and Reclamation Act of 1977,
9 Public Law 95–87, \$27,388,000, to be derived from re-
10 ceipts of the Abandoned Mine Reclamation Fund and to
11 remain available until expended: *Provided*, That, pursuant
12 to Public Law 97–365, the Department of the Interior is
13 authorized to use up to 20 percent from the recovery of
14 the delinquent debt owed to the United States Government
15 to pay for contracts to collect these debts: *Provided fur-*
16 *ther*, That funds made available under title IV of Public
17 Law 95–87 may be used for any required non-Federal
18 share of the cost of projects funded by the Federal Gov-
19 ernment for the purpose of environmental restoration re-
20 lated to treatment or abatement of acid mine drainage
21 from abandoned mines: *Provided further*, That such
22 projects must be consistent with the purposes and prior-
23 ities of the Surface Mining Control and Reclamation Act:
24 *Provided further*, That amounts provided under this head-
25 ing may be used for the travel and per diem expenses of

1 State and tribal personnel attending Office of Surface
2 Mining Reclamation and Enforcement sponsored training.

3 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
4 EDUCATION

5 OPERATION OF INDIAN PROGRAMS
6 (INCLUDING TRANSFER OF FUNDS)

7 For expenses necessary for the operation of Indian
8 programs, as authorized by law, including the Snyder Act
9 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
10 termination and Education Assistance Act of 1975 (25
11 U.S.C. 450 et seq.), the Education Amendments of 1978
12 (25 U.S.C. 2001–2019), and the Tribally Controlled
13 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
14 \$2,232,419,000, to remain available until September 30,
15 2017, except as otherwise provided herein; of which not
16 to exceed \$8,500 may be for official reception and rep-
17 resentation expenses; of which not to exceed \$74,791,000
18 shall be for welfare assistance payments: *Provided*, That,
19 in cases of designated Federal disasters, the Secretary
20 may exceed such cap, from the amounts provided herein,
21 to provide for disaster relief to Indian communities af-
22 fected by the disaster: *Provided further*, That federally rec-
23 ognized Indian tribes and tribal organizations of federally
24 recognized Indian tribes may use their tribal priority allo-
25 cations for unmet welfare assistance costs: *Provided fur-*

1 *ther*, That not to exceed \$617,370,000 for school oper-
2 ations costs of Bureau-funded schools and other education
3 programs shall become available on July 1, 2016, and
4 shall remain available until September 30, 2017: *Provided*
5 *further*, That not to exceed \$43,810,000 shall remain
6 available until expended for housing improvement, road
7 maintenance, attorney fees, litigation support, land
8 records improvement, and the Navajo-Hopi Settlement
9 Program: *Provided further*, That, notwithstanding any
10 other provision of law, including but not limited to the
11 Indian Self-Determination Act of 1975 (25 U.S.C. 450f
12 et seq.) and section 1128 of the Education Amendments
13 of 1978 (25 U.S.C. 2008), not to exceed \$64,395,000
14 within and only from such amounts made available for
15 school operations shall be available for administrative cost
16 grants associated with grants approved prior to July 1,
17 2016: *Provided further*, That any forestry funds allocated
18 to a federally recognized tribe which remain unobligated
19 as of September 30, 2017, may be transferred during fis-
20 cal year 2018 to an Indian forest land assistance account
21 established for the benefit of the holder of the funds within
22 the holder's trust fund account: *Provided further*, That
23 any such unobligated balances not so transferred shall ex-
24 pire on September 30, 2018: *Provided further*, That, in
25 order to enhance the safety of Bureau field employees, the

1 Bureau may use funds to purchase uniforms or other iden-
2 tifying articles of clothing for personnel.

3 CONTRACT SUPPORT COSTS

4 For payments to tribes and tribal organizations for
5 contract support costs associated with Indian Self-Deter-
6 mination and Education Assistance Act agreements with
7 the Bureau of Indian Affairs for fiscal year 2016, such
8 sums as may be necessary, which shall be available for
9 obligation through September 30, 2017: *Provided*, That
10 amounts obligated but not expended by a tribe or tribal
11 organization for contract support costs for such agree-
12 ments for the current fiscal year shall be applied to con-
13 tract support costs otherwise due for such agreements for
14 subsequent fiscal years: *Provided further*, That, notwith-
15 standing any other provision of law, no amounts made
16 available under this heading shall be available for transfer
17 to another budget account.

18 CONSTRUCTION

19 (INCLUDING TRANSFER OF FUNDS)

20 For construction, repair, improvement, and mainte-
21 nance of irrigation and power systems, buildings, utilities,
22 and other facilities, including architectural and engineer-
23 ing services by contract; acquisition of lands, and interests
24 in lands; and preparation of lands for farming, and for
25 construction of the Navajo Indian Irrigation Project pur-

1 suant to Public Law 87-483, \$135,204,000, to remain
2 available until expended: *Provided*, That such amounts as
3 may be available for the construction of the Navajo Indian
4 Irrigation Project may be transferred to the Bureau of
5 Reclamation: *Provided further*, That not to exceed 6 per-
6 cent of contract authority available to the Bureau of In-
7 dian Affairs from the Federal Highway Trust Fund may
8 be used to cover the road program management costs of
9 the Bureau: *Provided further*, That any funds provided for
10 the Safety of Dams program pursuant to 25 U.S.C. 13
11 shall be made available on a nonreimbursable basis: *Pro-*
12 *vided further*, That, for fiscal year 2016, in implementing
13 new construction or facilities improvement and repair
14 project grants in excess of \$100,000 that are provided to
15 grant schools under Public Law 100-297, as amended, the
16 Secretary of the Interior shall use the Administrative and
17 Audit Requirements and Cost Principles for Assistance
18 Programs contained in 43 CFR part 12 as the regulatory
19 requirements: *Provided further*, That such grants shall not
20 be subject to section 12.61 of 43 CFR; the Secretary and
21 the grantee shall negotiate and determine a schedule of
22 payments for the work to be performed: *Provided further*,
23 That, in considering grant applications, the Secretary
24 shall consider whether such grantee would be deficient in
25 assuring that the construction projects conform to applica-

1 ble building standards and codes and Federal, tribal, or
2 State health and safety standards as required by 25
3 U.S.C. 2005(b), with respect to organizational and finan-
4 cial management capabilities: *Provided further*, That, if
5 the Secretary declines a grant application, the Secretary
6 shall follow the requirements contained in 25 U.S.C.
7 2504(f): *Provided further*, That any disputes between the
8 Secretary and any grantee concerning a grant shall be
9 subject to the disputes provision in 25 U.S.C. 2507(e):
10 *Provided further*, That, in order to ensure timely comple-
11 tion of construction projects, the Secretary may assume
12 control of a project and all funds related to the project,
13 if, within 18 months of the date of enactment of this Act,
14 any grantee receiving funds appropriated in this Act or
15 in any prior Act, has not completed the planning and de-
16 sign phase of the project and commenced construction:
17 *Provided further*, That this appropriation may be reim-
18 bursed from the Office of the Special Trustee for Amer-
19 ican Indians appropriation for the appropriate share of
20 construction costs for space expansion needed in agency
21 offices to meet trust reform implementation.

22 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
23 MISCELLANEOUS PAYMENTS TO INDIANS

24 For payments and necessary administrative expenses
25 for implementation of Indian land and water claim settle-

1 ments pursuant to Public Laws 99–264, 100–580, 101–
2 618, 111–11, and 111–291, and for implementation of
3 other land and water rights settlements, \$40,655,000, to
4 remain available until expended.

5 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

6 For the cost of guaranteed loans and insured loans,
7 \$7,748,000, of which \$1,062,000 is for administrative ex-
8 penses, as authorized by the Indian Financing Act of
9 1974: *Provided*, That such costs, including the cost of
10 modifying such loans, shall be as defined in section 502
11 of the Congressional Budget Act of 1974: *Provided fur-*
12 *ther*, That these funds are available to subsidize total loan
13 principal, any part of which is to be guaranteed or insured,
14 not to exceed \$113,804,510.

15 ADMINISTRATIVE PROVISIONS

16 The Bureau of Indian Affairs may carry out the oper-
17 ation of Indian programs by direct expenditure, contracts,
18 cooperative agreements, compacts, and grants, either di-
19 rectly or in cooperation with States and other organiza-
20 tions.

21 Notwithstanding 25 U.S.C. 15, the Bureau of Indian
22 Affairs may contract for services in support of the man-
23 agement, operation, and maintenance of the Power Divi-
24 sion of the San Carlos Irrigation Project.

1 Notwithstanding any other provision of law, no funds
2 available to the Bureau of Indian Affairs for central office
3 oversight and Executive Direction and Administrative
4 Services (except executive direction and administrative
5 services funding for Tribal Priority Allocations, regional
6 offices, and facilities operations and maintenance) shall be
7 available for contracts, grants, compacts, or cooperative
8 agreements with the Bureau of Indian Affairs under the
9 provisions of the Indian Self-Determination Act or the
10 Tribal Self-Governance Act of 1994 (Public Law 103–
11 413).

12 In the event any tribe returns appropriations made
13 available by this Act to the Bureau of Indian Affairs, this
14 action shall not diminish the Federal Government’s trust
15 responsibility to that tribe, or the government-to-govern-
16 ment relationship between the United States and that
17 tribe, or that tribe’s ability to access future appropria-
18 tions.

19 Notwithstanding any other provision of law, no funds
20 available to the Bureau of Indian Education, other than
21 the amounts provided herein for assistance to public
22 schools under 25 U.S.C. 452 et seq., shall be available to
23 support the operation of any elementary or secondary
24 school in the State of Alaska.

1 No funds available to the Bureau of Indian Edu-
2 cation shall be used to support expanded grades for any
3 school or dormitory beyond the grade structure in place
4 or approved by the Secretary of the Interior at each school
5 in the Bureau of Indian Education school system as of
6 October 1, 1995, except that the Secretary of the Interior
7 may waive this prohibition to support expansion of up to
8 one additional grade when the Secretary determines such
9 waiver is needed to support accomplishment of the mission
10 of the Bureau of Indian Education. Appropriations made
11 available in this or any prior Act for schools funded by
12 the Bureau shall be available, in accordance with the Bu-
13 reau's funding formula, only to the schools in the Bureau
14 school system as of September 1, 1996, and to any school
15 or school program that was reinstated in fiscal year 2012.
16 Funds made available under this Act may not be used to
17 establish a charter school at a Bureau-funded school (as
18 that term is defined in section 1141 of the Education
19 Amendments of 1978 (25 U.S.C. 2021)), except that a
20 charter school that is in existence on the date of the enact-
21 ment of this Act and that has operated at a Bureau-fund-
22 ed school before September 1, 1999, may continue to oper-
23 ate during that period, but only if the charter school pays
24 to the Bureau a pro rata share of funds to reimburse the
25 Bureau for the use of the real and personal property (in-

1 cluding buses and vans), the funds of the charter school
2 are kept separate and apart from Bureau funds, and the
3 Bureau does not assume any obligation for charter school
4 programs of the State in which the school is located if
5 the charter school loses such funding. Employees of Bu-
6 reau-funded schools sharing a campus with a charter
7 school and performing functions related to the charter
8 school's operation and employees of a charter school shall
9 not be treated as Federal employees for purposes of chap-
10 ter 171 of title 28, United States Code.

11 Notwithstanding any other provision of law, including
12 section 113 of title I of appendix C of Public Law 106-
13 113, if in fiscal year 2003 or 2004 a grantee received indi-
14 rect and administrative costs pursuant to a distribution
15 formula based on section 5(f) of Public Law 101-301, the
16 Secretary shall continue to distribute indirect and admin-
17 istrative cost funds to such grantee using the section 5(f)
18 distribution formula.

19 Funds available under this Act may not be used to
20 establish satellite locations of schools in the Bureau school
21 system as of September 1, 1996, except that the Secretary
22 may waive this prohibition in order for an Indian tribe
23 to provide language and cultural immersion educational
24 programs for non-public schools located within the juris-
25 dictional area of the tribal government which exclusively

1 serve tribal members, do not include grades beyond those
2 currently served at the existing Bureau-funded school,
3 provide an educational environment with educator pres-
4 ence and academic facilities comparable to the Bureau-
5 funded school, comply with all applicable Tribal, Federal,
6 or State health and safety standards, and the Americans
7 with Disabilities Act, and demonstrate the benefits of es-
8 tablishing operations at a satellite location in lieu of incur-
9 ring extraordinary costs, such as for transportation or
10 other impacts to students such as those caused by busing
11 students extended distances: *Provided*, That no funds
12 available under this Act may be used to fund operations,
13 maintenance, rehabilitation, construction or other facili-
14 ties-related costs for such assets that are not owned by
15 the Bureau: *Provided further*, That the term “satellite
16 school” means a school location physically separated from
17 the existing Bureau school by more than 50 miles but that
18 forms part of the existing school in all other respects.

19 DEPARTMENTAL OFFICES

20 OFFICE OF THE SECRETARY

21 DEPARTMENTAL OPERATIONS

22 For necessary expenses for management of the De-
23 partment of the Interior, including the collection and dis-
24 bursement of royalties, fees, and other mineral revenue
25 proceeds, and for grants and cooperative agreements, as

1 authorized by law, \$265,263,000, to remain available until
2 September 30, 2017; of which not to exceed \$15,000 may
3 be for official reception and representation expenses; and
4 of which up to \$1,000,000 shall be available for workers
5 compensation payments and unemployment compensation
6 payments associated with the orderly closure of the United
7 States Bureau of Mines; and of which \$12,000,000 for
8 the Office of Valuation Services is to be derived from the
9 Land and Water Conservation Fund and shall remain
10 available until expended; and of which \$38,300,000 shall
11 remain available until expended for the purpose of mineral
12 revenue management activities: *Provided*, That, notwith-
13 standing any other provision of law, \$15,000 under this
14 heading shall be available for refunds of overpayments in
15 connection with certain Indian leases in which the Sec-
16 retary concurred with the claimed refund due, to pay
17 amounts owed to Indian allottees or tribes, or to correct
18 prior unrecoverable erroneous payments.

19 ADMINISTRATIVE PROVISIONS

20 For fiscal year 2016, up to \$400,000 of the payments
21 authorized by the Act of October 20, 1976 (31 U.S.C.
22 6901–6907) may be retained for administrative expenses
23 of the Payments in Lieu of Taxes Program: *Provided*,
24 That no payment shall be made pursuant to that Act to
25 otherwise eligible units of local government if the com-

1 puted amount of the payment is less than \$100: *Provided*
2 *further*, That the Secretary may reduce the payment au-
3 thorized by 31 U.S.C. 6901–6907 for an individual county
4 by the amount necessary to correct prior year overpay-
5 ments to that county: *Provided further*, That the amount
6 needed to correct a prior year underpayment to an indi-
7 vidual county shall be paid from any reductions for over-
8 payments to other counties and the amount necessary to
9 cover any remaining underpayment is hereby appropriated
10 and shall be paid to individual counties.

11 INSULAR AFFAIRS

12 ASSISTANCE TO TERRITORIES

13 For expenses necessary for assistance to territories
14 under the jurisdiction of the Department of the Interior
15 and other jurisdictions identified in section 104(e) of Pub-
16 lic Law 108–188, \$85,976,000, of which: (1) \$76,528,000
17 shall remain available until expended for territorial assist-
18 ance, including general technical assistance, maintenance
19 assistance, disaster assistance, coral reef initiative activi-
20 ties, and brown tree snake control and research; grants
21 to the judiciary in American Samoa for compensation and
22 expenses, as authorized by law (48 U.S.C. 1661(c));
23 grants to the Government of American Samoa, in addition
24 to current local revenues, for construction and support of
25 governmental functions; grants to the Government of the

1 Virgin Islands as authorized by law; grants to the Govern-
2 ment of Guam, as authorized by law; and grants to the
3 Government of the Northern Mariana Islands as author-
4 ized by law (Public Law 94–241; 90 Stat. 272); and (2)
5 \$9,448,000 shall be available until September 30, 2017,
6 for salaries and expenses of the Office of Insular Affairs:
7 *Provided*, That all financial transactions of the territorial
8 and local governments herein provided for, including such
9 transactions of all agencies or instrumentalities estab-
10 lished or used by such governments, may be audited by
11 the Government Accountability Office, at its discretion, in
12 accordance with chapter 35 of title 31, United States
13 Code: *Provided further*, That Northern Mariana Islands
14 Covenant grant funding shall be provided according to
15 those terms of the Agreement of the Special Representa-
16 tives on Future United States Financial Assistance for the
17 Northern Mariana Islands approved by Public Law 104–
18 134: *Provided further*, That the funds for the program of
19 operations and maintenance improvement are appro-
20 priated to institutionalize routine operations and mainte-
21 nance improvement of capital infrastructure with terri-
22 torial participation and cost sharing to be determined by
23 the Secretary based on the grantee’s commitment to time-
24 ly maintenance of its capital assets: *Provided further*, That
25 any appropriation for disaster assistance under this head-

1 ing in this Act or previous appropriations Acts may be
2 used as non-Federal matching funds for the purpose of
3 hazard mitigation grants provided pursuant to section 404
4 of the Robert T. Stafford Disaster Relief and Emergency
5 Assistance Act (42 U.S.C. 5170e).

6 COMPACT OF FREE ASSOCIATION

7 For grants and necessary expenses, \$3,318,000, to
8 remain available until expended, as provided for in sec-
9 tions 221(a)(2) and 233 of the Compact of Free Associa-
10 tion for the Republic of Palau; and section 221(a)(2) of
11 the Compacts of Free Association for the Government of
12 the Republic of the Marshall Islands and the Federated
13 States of Micronesia, as authorized by Public Law 99-
14 658 and Public Law 108-188.

15 ADMINISTRATIVE PROVISIONS

16 (INCLUDING TRANSFER OF FUNDS)

17 At the request of the Governor of Guam, the Sec-
18 retary may transfer discretionary funds or mandatory
19 funds provided under section 104(e) of Public Law 108-
20 188 and Public Law 104-134, that are allocated for
21 Guam, to the Secretary of Agriculture for the subsidy cost
22 of direct or guaranteed loans, plus not to exceed three per-
23 cent of the amount of the subsidy transferred for the cost
24 of loan administration, for the purposes authorized by the
25 Rural Electrification Act of 1936 and section 306(a)(1)

1 of the Consolidated Farm and Rural Development Act for
2 construction and repair projects in Guam, and such funds
3 shall remain available until expended: *Provided*, That such
4 costs, including the cost of modifying such loans, shall be
5 as defined in section 502 of the Congressional Budget Act
6 of 1974: *Provided further*, That such loans or loan guaran-
7 tees may be made without regard to the population of the
8 area, credit elsewhere requirements, and restrictions on
9 the types of eligible entities under the Rural Electrifica-
10 tion Act of 1936 and section 306(a)(1) of the Consolidated
11 Farm and Rural Development Act: *Provided further*, That
12 any funds transferred to the Secretary of Agriculture shall
13 be in addition to funds otherwise made available to make
14 or guarantee loans under such authorities.

15 OFFICE OF THE SOLICITOR

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of the Solicitor,
18 \$63,800,000.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Inspector
22 General, \$50,047,000.

1 or less: *Provided further*, That the Secretary shall issue
2 an annual account statement and maintain a record of any
3 such accounts and shall permit the balance in each such
4 account to be withdrawn upon the express written request
5 of the account holder: *Provided further*, That not to exceed
6 \$50,000 is available for the Secretary to make payments
7 to correct administrative errors of either disbursements
8 from or deposits to Individual Indian Money or Tribal ac-
9 counts after September 30, 2002: *Provided further*, That
10 erroneous payments that are recovered shall be credited
11 to and remain available in this account for this purpose:
12 *Provided further*, That the Secretary shall not be required
13 to reconcile Special Deposit Accounts with a balance of
14 less than \$500 unless the Office of the Special Trustee
15 receives proof of ownership from a Special Deposit Ac-
16 counts claimant.

17 DEPARTMENT-WIDE PROGRAMS

18 WILDLAND FIRE MANAGEMENT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses for fire preparedness, fire
21 suppression operations, fire science and research, emer-
22 gency rehabilitation, hazardous fuels management activi-
23 ties, and rural fire assistance by the Department of the
24 Interior, \$908,745,000, to remain available until ex-
25 pended, of which not to exceed \$6,427,000 shall be for

1 the renovation or construction of fire facilities: *Provided*,
2 That such funds are also available for repayment of ad-
3 vances to other appropriation accounts from which funds
4 were previously transferred for such purposes: *Provided*
5 *further*, That, of the funds provided, \$170,000,000 is for
6 hazardous fuels management activities: *Provided further*,
7 That, of the funds provided, \$18,970,000 is for burned
8 area rehabilitation: *Provided further*, That persons hired
9 pursuant to 43 U.S.C. 1469 may be furnished subsistence
10 and lodging without cost from funds available from this
11 appropriation: *Provided further*, That, notwithstanding 42
12 U.S.C. 1856d, sums received by a bureau or office of the
13 Department of the Interior for fire protection rendered
14 pursuant to 42 U.S.C. 1856 et seq., protection of United
15 States property, may be credited to the appropriation from
16 which funds were expended to provide that protection, and
17 are available without fiscal year limitation: *Provided fur-*
18 *ther*, That, using the amounts designated under this title
19 of this Act, the Secretary of the Interior may enter into
20 procurement contracts, grants, or cooperative agreements,
21 for hazardous fuels management and resilient landscapes
22 activities, and for training and monitoring associated with
23 such hazardous fuels management and resilient landscapes
24 activities on Federal land, or on adjacent non-Federal land
25 for activities that benefit resources on Federal land: *Pro-*

1 *vided further*, That the costs of implementing any coopera-
2 tive agreement between the Federal Government and any
3 non-Federal entity may be shared, as mutually agreed on
4 by the affected parties: *Provided further*, That, notwith-
5 standing requirements of the Competition in Contracting
6 Act, the Secretary, for purposes of hazardous fuels man-
7 agement and resilient landscapes activities, may obtain
8 maximum practicable competition among: (1) local pri-
9 vate, nonprofit, or cooperative entities; (2) Youth Con-
10 servation Corps crews, Public Lands Corps (Public Law
11 109–154), or related partnerships with State, local, or
12 nonprofit youth groups; (3) small or micro-businesses; or
13 (4) other entities that will hire or train locally a significant
14 percentage, defined as 50 percent or more, of the project
15 workforce to complete such contracts: *Provided further*,
16 That, in implementing this section, the Secretary shall de-
17 velop written guidance to field units to ensure account-
18 ability and consistent application of the authorities pro-
19 vided herein: *Provided further*, That funds appropriated
20 under this heading may be used to reimburse the United
21 States Fish and Wildlife Service and the National Marine
22 Fisheries Service for the costs of carrying out their re-
23 sponsibilities under the Endangered Species Act of 1973
24 (16 U.S.C. 1531 et seq.) to consult and conference, as
25 required by section 7 of such Act, in connection with

1 wildland fire management activities: *Provided further,*
2 That the Secretary of the Interior may use wildland fire
3 appropriations to enter into leases of real property with
4 local governments, at or below fair market value, to con-
5 struct capitalized improvements for fire facilities on such
6 leased properties, including but not limited to fire guard
7 stations, retardant stations, and other initial attack and
8 fire support facilities, and to make advance payments for
9 any such lease or for construction activity associated with
10 the lease: *Provided further,* That the Secretary of the Inte-
11 rior and the Secretary of Agriculture may authorize the
12 transfer of funds appropriated for wildland fire manage-
13 ment, in an aggregate amount not to exceed \$50,000,000,
14 between the Departments when such transfers would fa-
15 cilitate and expedite wildland fire management programs
16 and projects: *Provided further,* That funds provided for
17 wildfire suppression shall be available for support of Fed-
18 eral emergency response actions: *Provided further,* That
19 funds appropriated under this heading shall be available
20 for assistance to or through the Department of State in
21 connection with forest and rangeland research, technical
22 information, and assistance in foreign countries, and, with
23 the concurrence of the Secretary of State, shall be avail-
24 able to support forestry, wildland fire management, and
25 related natural resource activities outside the United

1 States and its territories and possessions, including tech-
2 nical assistance, education and training, and cooperation
3 with United States and international organizations.

4 For an additional amount, \$200,000,000 for wildfire
5 suppression operations to meet the emergency and unpre-
6 dictable aspects of wildland firefighting including support,
7 response, and emergency stabilization activities, other
8 emergency management activities, and funds necessary to
9 repay any transfers needed for these costs, to remain
10 available until expended: *Provided*, That such funds are
11 also available for transfer to other appropriations accounts
12 to repay amounts previously transferred for wildlife sup-
13 pression: *Provided further*, That such amount is des-
14 ignated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17 CENTRAL HAZARDOUS MATERIALS FUND

18 For necessary expenses of the Department of the In-
19 terior and any of its component offices and bureaus for
20 the response action, including associated activities, per-
21 formed pursuant to the Comprehensive Environmental Re-
22 sponse, Compensation, and Liability Act (42 U.S.C. 9601
23 et seq.), \$10,011,000, to remain available until expended.

1 NATURAL RESOURCE DAMAGE ASSESSMENT AND
2 RESTORATION
3 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

4 To conduct natural resource damage assessment, res-
5 toration activities, and onshore oil spill preparedness by
6 the Department of the Interior necessary to carry out the
7 provisions of the Comprehensive Environmental Response,
8 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
9 the Federal Water Pollution Control Act (33 U.S.C. 1251
10 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
11 et seq.), and Public Law 101–337 (16 U.S.C. 19jj et seq.),
12 \$7,767,000, to remain available until expended.

13 WORKING CAPITAL FUND

14 For the operation and maintenance of a departmental
15 financial and business management system, information
16 technology improvements of general benefit to the Depart-
17 ment, and the consolidation of facilities and operations
18 throughout the Department, \$57,100,000, to remain
19 available until expended: *Provided*, That none of the funds
20 appropriated in this Act or any other Act may be used
21 to establish reserves in the Working Capital Fund account
22 other than for accrued annual leave and depreciation of
23 equipment without prior approval of the Committees on
24 Appropriations of the House of Representatives and the
25 Senate: *Provided further*, That the Secretary may assess

1 reasonable charges to State, local and tribal government
2 employees for training services provided by the National
3 Indian Program Training Center, other than training re-
4 lated to Public Law 93–638: *Provided further*, That the
5 Secretary may lease or otherwise provide space and related
6 facilities, equipment or professional services of the Na-
7 tional Indian Program Training Center to State, local and
8 tribal government employees or persons or organizations
9 engaged in cultural, educational, or recreational activities
10 (as defined in section 3306(a) of title 40, United States
11 Code) at the prevailing rate for similar space, facilities,
12 equipment, or services in the vicinity of the National In-
13 dian Program Training Center: *Provided further*, That all
14 funds received pursuant to the two preceding provisos
15 shall be credited to this account, shall be available until
16 expended, and shall be used by the Secretary for necessary
17 expenses of the National Indian Program Training Center:
18 *Provided further*, That the Secretary may enter into grants
19 and cooperative agreements to support the Office of Nat-
20 ural Resource Revenue’s collection and disbursement of
21 royalties, fees, and other mineral revenue proceeds, as au-
22 thorized by law.

23 ADMINISTRATIVE PROVISION

24 There is hereby authorized for acquisition from avail-
25 able resources within the Working Capital Fund, aircraft

1 which may be obtained by donation, purchase or through
2 available excess surplus property: *Provided*, That existing
3 aircraft being replaced may be sold, with proceeds derived
4 or trade-in value used to offset the purchase price for the
5 replacement aircraft.

6 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

7 (INCLUDING TRANSFERS OF FUNDS)

8 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

9 SEC. 101. Appropriations made in this title shall be
10 available for expenditure or transfer (within each bureau
11 or office), with the approval of the Secretary, for the emer-
12 gency reconstruction, replacement, or repair of aircraft,
13 buildings, utilities, or other facilities or equipment dam-
14 aged or destroyed by fire, flood, storm, or other unavoid-
15 able causes: *Provided*, That no funds shall be made avail-
16 able under this authority until funds specifically made
17 available to the Department of the Interior for emer-
18 gencies shall have been exhausted: *Provided further*, That
19 all funds used pursuant to this section must be replenished
20 by a supplemental appropriation, which must be requested
21 as promptly as possible.

22 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

23 SEC. 102. The Secretary may authorize the expendi-
24 ture or transfer of any no year appropriation in this title,
25 in addition to the amounts included in the budget pro-

1 grams of the several agencies, for the suppression or emer-
2 gency prevention of wildland fires on or threatening lands
3 under the jurisdiction of the Department of the Interior;
4 for the emergency rehabilitation of burned-over lands
5 under its jurisdiction; for emergency actions related to po-
6 tential or actual earthquakes, floods, volcanoes, storms, or
7 other unavoidable causes; for contingency planning subse-
8 quent to actual oil spills; for response and natural resource
9 damage assessment activities related to actual oil spills or
10 releases of hazardous substances into the environment; for
11 the prevention, suppression, and control of actual or po-
12 tential grasshopper and Mormon cricket outbreaks on
13 lands under the jurisdiction of the Secretary, pursuant to
14 the authority in section 417(b) of Public Law 106–224
15 (7 U.S.C. 7717(b)); for emergency reclamation projects
16 under section 410 of Public Law 95–87; and shall trans-
17 fer, from any no year funds available to the Office of Sur-
18 face Mining Reclamation and Enforcement, such funds as
19 may be necessary to permit assumption of regulatory au-
20 thority in the event a primacy State is not carrying out
21 the regulatory provisions of the Surface Mining Act: *Pro-*
22 *vided*, That appropriations made in this title for wildland
23 fire operations shall be available for the payment of obliga-
24 tions incurred during the preceding fiscal year, and for
25 reimbursement to other Federal agencies for destruction

1 of vehicles, aircraft, or other equipment in connection with
2 their use for wildland fire operations, such reimbursement
3 to be credited to appropriations currently available at the
4 time of receipt thereof: *Provided further*, That, for
5 wildland fire operations, no funds shall be made available
6 under this authority until the Secretary determines that
7 funds appropriated for “wildland fire operations” shall be
8 exhausted within 30 days: *Provided further*, That all funds
9 used pursuant to this section must be replenished by a
10 supplemental appropriation, which must be requested as
11 promptly as possible: *Provided further*, That such replen-
12 ishment funds shall be used to reimburse, on a pro rata
13 basis, accounts from which emergency funds were trans-
14 ferred.

15 AUTHORIZED USE OF FUNDS

16 SEC. 103. Appropriations made to the Department
17 of the Interior in this title shall be available for services
18 as authorized by section 3109 of title 5, United States
19 Code, when authorized by the Secretary, in total amount
20 not to exceed \$500,000; purchase and replacement of
21 motor vehicles, including specially equipped law enforce-
22 ment vehicles; hire, maintenance, and operation of air-
23 craft; hire of passenger motor vehicles; purchase of re-
24 prints; payment for telephone service in private residences
25 in the field, when authorized under regulations approved

1 by the Secretary; and the payment of dues, when author-
2 ized by the Secretary, for library membership in societies
3 or associations which issue publications to members only
4 or at a price to members lower than to subscribers who
5 are not members.

6 AUTHORIZED USE OF FUNDS, INDIAN TRUST

7 MANAGEMENT

8 SEC. 104. Appropriations made in this Act under the
9 headings Bureau of Indian Affairs and Bureau of Indian
10 Education, and Office of the Special Trustee for American
11 Indians and any unobligated balances from prior appro-
12 priations Acts made under the same headings shall be
13 available for expenditure or transfer for Indian trust man-
14 agement and reform activities. Total funding for historical
15 accounting activities shall not exceed amounts specifically
16 designated in this Act for such purpose.

17 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN

18 AFFAIRS

19 SEC. 105. Notwithstanding any other provision of
20 law, the Secretary of the Interior is authorized to redis-
21 tribute any Tribal Priority Allocation funds, including
22 tribal base funds, to alleviate tribal funding inequities by
23 transferring funds to address identified, unmet needs,
24 dual enrollment, overlapping service areas or inaccurate
25 distribution methodologies. No tribe shall receive a reduc-

1 tion in Tribal Priority Allocation funds of more than 10
2 percent in fiscal year 2016. Under circumstances of dual
3 enrollment, overlapping service areas or inaccurate dis-
4 tribution methodologies, the 10 percent limitation does not
5 apply.

6 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

7 SEC. 106. Notwithstanding any other provision of
8 law, the Secretary of the Interior is authorized to acquire
9 lands, waters, or interests therein including the use of all
10 or part of any pier, dock, or landing within the State of
11 New York and the State of New Jersey, for the purpose
12 of operating and maintaining facilities in the support of
13 transportation and accommodation of visitors to Ellis,
14 Governors, and Liberty Islands, and of other program and
15 administrative activities, by donation or with appropriated
16 funds, including franchise fees (and other monetary con-
17 sideration), or by exchange; and the Secretary is author-
18 ized to negotiate and enter into leases, subleases, conces-
19 sion contracts or other agreements for the use of such fa-
20 cilities on such terms and conditions as the Secretary may
21 determine reasonable.

22 OUTER CONTINENTAL SHELF INSPECTION FEES

23 SEC. 107. (a) In fiscal year 2016, the Secretary shall
24 collect a nonrefundable inspection fee, which shall be de-
25 posited in the “Offshore Safety and Environmental En-

1 enforcement” account, from the designated operator for fa-
2 cilities subject to inspection under 43 U.S.C. 1348(c).

3 (b) Annual fees shall be collected for facilities that
4 are above the waterline, excluding drilling rigs, and are
5 in place at the start of the fiscal year. Fees for fiscal year
6 2016 shall be:

7 (1) \$10,500 for facilities with no wells, but with
8 processing equipment or gathering lines;

9 (2) \$17,000 for facilities with 1 to 10 wells,
10 with any combination of active or inactive wells; and

11 (3) \$31,500 for facilities with more than 10
12 wells, with any combination of active or inactive
13 wells.

14 (c) Fees for drilling rigs shall be assessed for all in-
15 spections completed in fiscal year 2016. Fees for fiscal
16 year 2016 shall be:

17 (1) \$30,500 per inspection for rigs operating in
18 water depths of 500 feet or more; and

19 (2) \$16,700 per inspection for rigs operating in
20 water depths of less than 500 feet.

21 (d) The Secretary shall bill designated operators
22 under subsection (b) within 60 days, with payment re-
23 quired within 30 days of billing. The Secretary shall bill
24 designated operators under subsection (c) within 30 days

1 of the end of the month in which the inspection occurred,
2 with payment required within 30 days of billing.

3 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
4 AND ENFORCEMENT REORGANIZATION

5 SEC. 108. The Secretary of the Interior, in order to
6 implement a reorganization of the Bureau of Ocean En-
7 ergy Management, Regulation and Enforcement, may
8 transfer funds among and between the successor offices
9 and bureaus affected by the reorganization only in con-
10 formance with the reprogramming guidelines described in
11 the report accompanying this Act.

12 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
13 BURRO HOLDING FACILITIES

14 SEC. 109. Notwithstanding any other provision of
15 this Act, the Secretary of the Interior may enter into
16 multiyear cooperative agreements with nonprofit organiza-
17 tions and other appropriate entities, and may enter into
18 multiyear contracts in accordance with the provisions of
19 section 304B of the Federal Property and Administrative
20 Services Act of 1949 (41 U.S.C. 254c) (except that the
21 5-year term restriction in subsection (d) shall not apply),
22 for the long-term care and maintenance of excess wild free
23 roaming horses and burros by such organizations or enti-
24 ties on private land. Such cooperative agreements and con-

1 tracts may not exceed 10 years, subject to renewal at the
2 discretion of the Secretary.

3 REISSUANCE OF FINAL RULES

4 SEC. 110. Before the end of the 60-day period begin-
5 ning on the date of the enactment of this Act, the Sec-
6 retary of the Interior shall reissue the final rule published
7 on December 28, 2011 (76 Fed. Reg. 81666 et seq.) and
8 the final rule published on September 10, 2012 (77 Fed.
9 7 Reg. 55530 et seq.), without regard to any other provi-
10 sion of statute or regulation that applies to issuance of
11 such rules. Such reissuances (including this section) shall
12 not be subject to judicial review.

13 MASS MARKING OF SALMONIDS

14 SEC. 111. The United States Fish and Wildlife Serv-
15 ice shall, in carrying out its responsibilities to protect
16 threatened and endangered species of salmon, implement
17 a system of mass marking of salmonid stocks, intended
18 for harvest, that are released from federally operated or
19 federally financed hatcheries including but not limited to
20 fish releases of coho, chinook, and steelhead species.
21 Marked fish must have a visible mark that can be readily
22 identified by commercial and recreational fishers.

23 PROHIBITION ON USE OF FUNDS

24 SEC. 112. (a) Any proposed new use of the Arizona
25 & California Railroad Company's Right of Way for convey-

1 ance of water shall not proceed unless the Secretary of
2 the Interior certifies that the proposed new use is within
3 the scope of the Right of Way as interpreted by the De-
4 partment's Office of the Solicitor's opinion, Memorandum
5 M-37025, issued on November 4, 2011.

6 (b) No funds appropriated or otherwise made avail-
7 able to the Department of the Interior may be used, in
8 relation to any proposal to export groundwater for munic-
9 ipal use, for approval of any right-of-way or similar au-
10 thorization on the Mojave National Preserve or lands man-
11 aged by the Needles Field Office of the Bureau of Land
12 Management, or for carrying out any activities associated
13 with such right-of-way or similar approval.

14 REPUBLIC OF PALAU

15 SEC. 113. (a) IN GENERAL.—Subject to subsection
16 (c), the United States Government, through the Secretary
17 of the Interior shall provide to the Government of Palau
18 for fiscal year 2016 grants in amounts equal to the annual
19 amounts specified in subsections (a), (c), and (d) of sec-
20 tion 211 of the Compact of Free Association between the
21 Government of the United States of America and the Gov-
22 ernment of Palau (48 U.S.C. 1931 note) (referred to in
23 this section as the “Compact”).

24 (b) PROGRAMMATIC ASSISTANCE.—Subject to sub-
25 section (c), the United States shall provide programmatic

1 assistance to the Republic of Palau for fiscal year 2016
2 in amounts equal to the amounts provided in subsections
3 (a) and (b)(1) of section 221 of the Compact.

4 (c) LIMITATIONS ON ASSISTANCE.—

5 (1) IN GENERAL.—The grants and pro-
6 grammatic assistance provided under subsections (a)
7 and (b) shall be provided to the same extent and in
8 the same manner as the grants and assistance were
9 provided in fiscal year 2009.

10 (2) TRUST FUND.—If the Government of Palau
11 withdraws more than \$5,000,000 from the trust
12 fund established under section 211(f) of the Com-
13 pact, amounts to be provided under subsections (a)
14 and (b) shall be withheld from the Government of
15 Palau.

16 STATEWIDE VARIANCES

17 SEC. 114. On land under the jurisdiction of a State
18 or federally recognized Indian tribe, if State or tribal laws
19 or regulations are in place regarding the process generally
20 understood to encompass hydraulic fracturing or well
21 stimulation for the purpose of production of natural gas
22 and oil, the Bureau of Land Management shall issue to
23 that State or Indian tribe a statewide variance for all wells
24 from the requirements of the final rule entitled “Oil and

1 Gas; Hydraulic Fracturing on Federal and Indian Lands”
2 (80 Fed. Reg. 16128 (March 26, 2015)).

3 WILD LANDS FUNDING PROHIBITION

4 SEC. 115. None of the funds made available in this
5 Act or any other Act may be used to implement, admin-
6 ister, or enforce Secretarial Order No. 3310 issued by the
7 Secretary of the Interior on December 22, 2010: *Provided*,
8 That nothing in this section shall restrict the Secretary’s
9 authorities under sections 201 and 202 of the Federal
10 Land Policy and Management Act of 1976 (43 U.S.C.
11 1711 and 1712).

12 VOLUNTEERS IN PARKS

13 SEC. 116. Section 4 of Public Law 91–357 (16
14 U.S.C. 18j), as amended, is further amended by striking
15 “\$5,000,000” and inserting “\$10,000,000”.

16 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

17 SEC. 117. Notwithstanding any other provision of
18 law, during fiscal year 2016, in carrying out work involv-
19 ing cooperation with State, local, and tribal governments
20 or any political subdivision thereof, Indian Affairs may
21 record obligations against accounts receivable from any
22 such entities, except that total obligations at the end of
23 the fiscal year shall not exceed total budgetary resources
24 available at the end of the fiscal year.

1 EXTENSION OF AUTHORITIES

2 SEC. 118. Division II of Public Law 104–333 (16
3 U.S.C. 461 note), as amended, is further amended in sec-
4 tions 208, 310, and 607 by striking “2015” and inserting
5 “2021”.

6 SAGE-GROUSE

7 SEC. 119. None of the funds made available by this
8 or any other Act may be used by the Secretary of the Inte-
9 rior to write or issue pursuant to section 4 of the Endan-
10 gered Species Act of 1973 (16 U.S.C. 1533)—

11 (1) a proposed rule for greater sage-grouse
12 (*Centrocercus urophasianus*);

13 (2) a proposed rule for the Columbia basin
14 distinct population segment of greater sage-
15 grouse;

16 (3) a final rule for the bi-state distinct
17 population segment of greater sage-grouse; or

18 (4) a final rule for Gunnison sage-grouse
19 (*Centrocercus minimus*).

20 OFFSHORE PAY AUTHORITY EXTENSION

21 SEC. 120. Section 117 of Division G of Public Law
22 113–76 is amended by striking “and 2015” and inserting
23 “through 2016”.

1 1965 to utilize the talents of older Americans in programs
2 authorized by other provisions of law administered by the
3 Secretary and consistent with such provisions of law.

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

7 (1) result in the displacement of individuals
8 currently employed by the Department, including
9 partial displacement through reduction of non-over-
10 time hours, wages, or employment benefits;

11 (2) result in the use of an individual under the
12 Department of the Interior Experienced Services
13 Program for a job or function in a case in which a
14 Federal employee is in a layoff status from the same
15 or substantially equivalent job within the Depart-
16 ment; or

17 (3) affect existing contracts for services.

18 NATIONAL DEFENSE AUTHORIZATION ACT TECHNICAL

19 AMENDMENT

20 SEC. 125. Section 3096(2) of the Carl Levin and
21 Howard P. “Buck” McKeon National Defense Authoriza-
22 tion Act for Fiscal Year 2015 is amended by inserting “for
23 fiscal year 2015” after “\$37,000,000”.

1 ROOSEVELT CAMPOBELLO INTERNATIONAL PARK

2 SEC. 126. The annual budget request submitted by
3 the Roosevelt Campobello International Park Commission
4 shall hereafter be directly submitted to Congress un-
5 changed by the National Park Service. The Service may
6 comment on the Commission's budget request with such
7 additions and subtractions that the Service may propose.
8 There shall be no diminution of the amount appropriated
9 for the Commission, unless specified by Congress in the
10 annual appropriations bill or the report to accompany the
11 bill.

12 KING COVE ROAD LAND EXCHANGE

13 SEC. 127. (a) FINDING.—Congress finds that the
14 land exchange required under this section (including the
15 designation of the road corridor and the construction of
16 the road along the road corridor) is in the public interest.

17 (b) DEFINITIONS.—In this section:

18 (1) FEDERAL LAND.—

19 (A) IN GENERAL.—The term “Federal
20 land” means the approximately 206 acres of
21 Federal land located within the Refuge as de-
22 picted on the map entitled “Project Area Map”
23 and dated September 2012.

24 (B) INCLUSION.—The term “Federal
25 land” includes the 131 acres of Federal land in

1 the Wilderness, which shall be used for the road
2 corridor along which the road is to be con-
3 structed in accordance with subsection (c)(2).

4 (2) NON-FEDERAL LAND.—The term “non-Fed-
5 eral land” means the approximately 43,093 acres of
6 land owned by the State as depicted on the map en-
7 titled “Project Area Map” and dated September
8 2012.

9 (3) REFUGE.—The term “Refuge” means the
10 Izembek National Wildlife Refuge in the State.

11 (4) ROAD CORRIDOR.—The term “road cor-
12 ridor” means the road corridor designated under
13 subsection (c)(2)(A).

14 (5) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 (6) STATE.—The term “State” means the State
17 of Alaska.

18 (7) WILDERNESS.—The term “Wilderness”
19 means the Izembek Wilderness designated by section
20 702(6) of the Alaska National Interest Lands Con-
21 servation Act (16 U.S.C. 1132 note; Public Law 96-
22 487).

23 (c) LAND EXCHANGE REQUIRED.—

24 (1) IN GENERAL.—If the State offers to convey
25 to the Secretary all right, title, and interest of the

1 State in and to the non-Federal land, the Secretary
2 shall convey to the State all right, title, and interest
3 of the United States in and to the Federal Land.

4 (2) USE OF FEDERAL LAND.—The Federal land
5 shall be conveyed to the State for the purposes of—

6 (A) designating a road corridor through
7 the Refuge; and

8 (B) constructing a noncommercial single-
9 lane gravel road along the road corridor be-
10 tween the cities of King Cove and Cold Bay in
11 the State to provide access to emergency med-
12 ical services via the all-weather airport in Cold
13 Bay.

14 (3) VALUATION, APPRAISALS, AND EQUALI-
15 ZATION.—

16 (A) IN GENERAL.—The value of the Fed-
17 eral land and the non-Federal land to be ex-
18 changed under this section—

19 (i) shall be equal, as determined by
20 appraisals conducted in accordance with
21 subparagraph (B); or

22 (ii) if not equal, shall be equalized in
23 accordance with subparagraph (C).

24 (B) APPRAISALS.—

1 (i) IN GENERAL.—As soon as prac-
2 ticable after the date of enactment of this
3 Act, the Secretary and State shall select an
4 appraiser to conduct appraisals of the Fed-
5 eral land and non-Federal land.

6 (ii) REQUIREMENTS.—The appraisals
7 required under clause (i) shall be con-
8 ducted in accordance with nationally recog-
9 nized appraisal standards, including—

10 (I) the Uniform Appraisal Stand-
11 ards for Federal Land Acquisitions;
12 and

13 (II) the Uniform Standards of
14 Professional Appraisal Practice.

15 (C) EQUALIZATION.—

16 (i) SURPLUS OF FEDERAL LAND.—If
17 the final appraised value of the Federal
18 land exceeds the final appraised value of
19 the non-Federal land to be conveyed under
20 the land exchange under this section, the
21 value of the Federal land and non-Federal
22 land shall be equalized—

23 (I) by conveying additional non-
24 Federal land in the State to the Sec-

1 retary, subject to the approval of the
2 Secretary;

3 (II) by the State making a cash
4 payment to the United States; or

5 (III) by using a combination of
6 the methods described in subclauses
7 (I) and (II).

8 (ii) SURPLUS OF NON-FEDERAL
9 LAND.—If the final appraised value of the
10 non-Federal land exceeds the final ap-
11 praised value of the Federal land to be
12 conveyed under the land exchange under
13 this section, the value of the Federal land
14 and non-Federal land shall be equalized by
15 the State adjusting the acreage of the non-
16 Federal land to be conveyed.

17 (iii) AMOUNT OF PAYMENT.—Notwith-
18 standing section 206(b) of the Federal
19 Land Policy and Management Act of 1976
20 (43 U.S.C. 1716(b)), the Secretary may
21 accept a payment under clause (i)(II) in
22 excess of 25 percent of the value of the
23 Federal land conveyed.

1 (4) ADMINISTRATION.—On completion of the
2 exchange of Federal land and non-Federal land
3 under this section—

4 (A) the boundary of the Wilderness shall
5 be modified to exclude the Federal land; and

6 (B) the non-Federal land shall be—

7 (i) added to the Wilderness; and

8 (ii) administered in accordance with—

9 (I) the Wilderness Act (16
10 U.S.C. 1131 et seq.); and

11 (II) other applicable laws.

12 (5) DEADLINE.—The land exchange under this
13 section shall be completed not later than 90 days
14 after the date of enactment of this Act.

15 (d) ROUTE OF ROAD CORRIDOR.—The route of the
16 road corridor shall follow the southern road alignment as
17 described in the alternative entitled “Alternative 2-Land
18 Exchange and Southern Road Alignment” in the final en-
19 vironmental impact statement entitled “Izembek National
20 Wildlife Refuge Land Exchange/Road Corridor Final En-
21 vironmental Impact Statement” and dated February 5,
22 2013.

23 (e) REQUIREMENTS RELATING TO ROAD.—The re-
24 quirements relating to usage, barrier cables, and dimen-
25 sions and the limitation on support facilities under sub-

1 sections (a) and (b) of section 6403 of the Omnibus Public
2 Land Management Act of 2009 (Public Law 111–11; 123
3 Stat. 1180) shall apply to the road constructed in the road
4 corridor.

5 (f) EFFECT.—The exchange of Federal land and non-
6 Federal land under this section shall not constitute a
7 major Federal action for purposes of the National Envi-
8 ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

9 LESSER PRAIRIE CHICKEN

10 SEC. 128. None of the funds made available by this
11 Act shall be used to implement or enforce the threatened
12 species listing of the lesser prairie chicken under the En-
13 dangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

14 TITLE II

15 ENVIRONMENTAL PROTECTION AGENCY

16 SCIENCE AND TECHNOLOGY

17 For science and technology, including research and
18 development activities, which shall include research and
19 development activities under the Comprehensive Environ-
20 mental Response, Compensation, and Liability Act of
21 1980; necessary expenses for personnel and related costs
22 and travel expenses; procurement of laboratory equipment
23 and supplies; and other operating expenses in support of
24 research and development, \$703,958,000, to remain avail-
25 able until September 30, 2017: *Provided*, That of the

1 funds included under this heading, \$4,100,000 shall be for
2 Research: National Priorities as specified in the report ac-
3 companying this Act.

4 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

5 For environmental programs and management, in-
6 cluding necessary expenses, not otherwise provided for, for
7 personnel and related costs and travel expenses; hire of
8 passenger motor vehicles; hire, maintenance, and oper-
9 ation of aircraft; purchase of reprints; library member-
10 ships in societies or associations which issue publications
11 to members only or at a price to members lower than to
12 subscribers who are not members; administrative costs of
13 the brownfields program under the Small Business Liabil-
14 ity Relief and Brownfields Revitalization Act of 2002; and
15 not to exceed \$9,000 for official reception and representa-
16 tion expenses, \$2,561,498,000, to remain available until
17 September 30, 2017: *Provided*, That of the funds included
18 under this heading, \$15,000,000 shall be for Environ-
19 mental Protection: National Priorities as specified in the
20 report accompanying this Act: *Provided further*, That of
21 the funds included under this heading, \$432,493,000 shall
22 be for Geographic Programs specified in the report accom-
23 panying this Act.

1 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM
2 FUND

3 For necessary expenses to carry out section 3024 of
4 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
5 ing the development, operation, maintenance, and upgrad-
6 ing of the hazardous waste electronic manifest system es-
7 tablished by such section, \$3,786,000, to remain available
8 until September 30, 2018.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$41,489,000, to remain available
13 until September 30, 2017.

14 BUILDINGS AND FACILITIES

15 For construction, repair, improvement, extension, al-
16 teration, and purchase of fixed equipment or facilities of,
17 or for use by, the Environmental Protection Agency,
18 \$42,317,000, to remain available until expended.

19 HAZARDOUS SUBSTANCE SUPERFUND

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses to carry out the Comprehen-
22 sive Environmental Response, Compensation, and Liabil-
23 ity Act of 1980 (CERCLA), including sections 111(c)(3),
24 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
25 \$1,106,809,000, to remain available until expended, con-

1 sisting of such sums as are available in the Trust Fund
2 on September 30, 2015, as authorized by section 517(a)
3 of the Superfund Amendments and Reauthorization Act
4 of 1986 (SARA) and up to \$1,106,809,000 as a payment
5 from general revenues to the Hazardous Substance Super-
6 fund for purposes as authorized by section 517(b) of
7 SARA: *Provided*, That funds appropriated under this
8 heading may be allocated to other Federal agencies in ac-
9 cordance with section 111(a) of CERCLA: *Provided fur-*
10 *ther*, That of the funds appropriated under this heading,
11 \$8,459,000 shall be paid to the “Office of Inspector Gen-
12 eral” appropriation to remain available until September
13 30, 2017, and \$16,217,000 shall be paid to the “Science
14 and Technology” appropriation to remain available until
15 September 30, 2017.

16 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
17 PROGRAM

18 For necessary expenses to carry out leaking under-
19 ground storage tank cleanup activities authorized by sub-
20 title I of the Solid Waste Disposal Act, \$91,485,000, to
21 remain available until expended, of which \$66,116,000
22 shall be for carrying out leaking underground storage tank
23 cleanup activities authorized by section 9003(h) of the
24 Solid Waste Disposal Act; \$25,369,000 shall be for car-
25 rying out the other provisions of the Solid Waste Disposal

1 Act specified in section 9508(c) of the Internal Revenue
2 Code: *Provided*, That the Administrator is authorized to
3 use appropriations made available under this heading to
4 implement section 9013 of the Solid Waste Disposal Act
5 to provide financial assistance to federally recognized In-
6 dian tribes for the development and implementation of
7 programs to manage underground storage tanks.

8 INLAND OIL SPILL PROGRAMS

9 For expenses necessary to carry out the Environ-
10 mental Protection Agency's responsibilities under the Oil
11 Pollution Act of 1990, \$18,078,000, to be derived from
12 the Oil Spill Liability trust fund, to remain available until
13 expended.

14 STATE AND TRIBAL ASSISTANCE GRANTS

15 For environmental programs and infrastructure as-
16 sistance, including capitalization grants for State revolv-
17 ing funds and performance partnership grants,
18 \$3,027,937,000, to remain available until expended, of
19 which—

20 (1) \$1,047,000,000 shall be for making capital-
21 ization grants for the Clean Water State Revolving
22 Funds under title VI of the Federal Water Pollution
23 Control Act; and of which \$775,896,000 shall be for
24 making capitalization grants for the Drinking Water
25 State Revolving Funds under section 1452 of the

1 Safe Drinking Water Act: *Provided*, That, for fiscal
2 year 2016, to the extent there are sufficient eligible
3 project applications and projects are consistent with
4 State Intended Use Plans, not less than 10 percent
5 of the funds made available under this title to each
6 State for Clean Water State Revolving Fund capital-
7 ization grants shall be used by the State for projects
8 to address green infrastructure, water or energy effi-
9 ciency improvements, or other environmentally inno-
10 vative activities: *Provided further*, That, for fiscal
11 year 2016, funds made available under this title to
12 each State for Drinking Water State Revolving
13 Fund capitalization grants may, at the discretion of
14 each State, be used for projects to address green in-
15 frastructure, water or energy efficiency improve-
16 ments, or other environmentally innovative activities:
17 *Provided further*, That, notwithstanding section
18 603(d)(7) of the Federal Water Pollution Control
19 Act, the limitation on the amounts in a State water
20 pollution control revolving fund that may be used by
21 a State to administer the fund shall not apply to
22 amounts included as principal in loans made by such
23 fund in fiscal year 2016 and prior years where such
24 amounts represent costs of administering the fund
25 to the extent that such amounts are or were deemed

1 reasonable by the Administrator, accounted for sepa-
2 rately from other assets in the fund, and used for
3 eligible purposes of the fund, including administra-
4 tion: *Provided further*, That, for fiscal year 2016,
5 notwithstanding the provisions of sections 201(h)
6 and (l) of the Federal Water Pollution Control Act,
7 grants under Title II of the Federal Water Pollution
8 Control Act for American Samoa, Guam, the Com-
9 monwealth of the Northern Marianas, the United
10 States Virgin Islands, and the District of Columbia
11 may also be made for the purpose of providing as-
12 sistance: (1) solely for facility plans, design activi-
13 ties, or plans, specifications, and estimates for any
14 proposed project for the construction of treatment
15 works; and (2) for the construction, repair, or re-
16 placement of privately owned treatment works serv-
17 ing one or more principal residences or small com-
18 mercial establishments: *Provided further*, That, for
19 fiscal year 2016, notwithstanding the provisions of
20 sections 201(h) and (l) and section 518 of the Fed-
21 eral Water Pollution Control Act, funds reserved by
22 the Administrator for grants under section 518(c) of
23 the Federal Water Pollution Control Act may also be
24 used for grants to provide assistance: (1) solely for
25 facility plans, design activities, or plans, specifica-

1 tions, and estimates for any proposed project for the
2 construction of treatment works; and (2) for the
3 construction, repair, or replacement of privately
4 owned treatment works serving one or more prin-
5 cipal residences or small commercial establishments:
6 *Provided further*, That, for fiscal year 2016, notwith-
7 standing the limitation on amounts in section 518(c)
8 of the Federal Water Pollution Control Act and sec-
9 tion 1452(i) of the Safe Drinking Water Act, up to
10 a total of 2 percent of the funds appropriated under
11 the Federal Water Pollution Control Act or
12 \$30,000,000, whichever is greater, and up to a total
13 of 2 percent of the funds appropriated under the
14 Safe Drinking Water Act, or \$20,000,000, whichever
15 is greater for State Revolving Funds under such
16 Acts may be reserved by the Administrator for
17 grants under section 518(c) and section 1452(i) of
18 such Acts: *Provided further*, That, for fiscal year
19 2016, notwithstanding the amounts specified in sec-
20 tion 205(c) of the Federal Water Pollution Control
21 Act, up to 1.5 percent of the aggregate funds appro-
22 priated for the Clean Water State Revolving Fund
23 program under the Act less any sums reserved under
24 section 518(c) of the Act, may be reserved by the
25 Administrator for grants made under title II of the

1 Clean Water Act for American Samoa, Guam, the
2 Commonwealth of the Northern Marianas, and
3 United States Virgin Islands: *Provided further*, That,
4 for fiscal year 2016, notwithstanding the limitations
5 on amounts specified in section 1452(j) of the Safe
6 Drinking Water Act, up to 1.5 percent of the funds
7 appropriated for the Drinking Water State Revolv-
8 ing Fund programs under the Safe Drinking Water
9 Act may be reserved by the Administrator for grants
10 made under section 1452(j) of the Safe Drinking
11 Water Act: *Provided further*, That no less than 10
12 percent but not more than 20 percent of the funds
13 made available under this title to each State for
14 Clean Water State Revolving Fund capitalization
15 grants and not less than 20 percent but not more
16 than 30 percent of the funds made available under
17 this title to each State for Drinking Water State Re-
18 volving Fund capitalization grants shall be used by
19 the State to provide additional subsidy to eligible re-
20 cipients in the form of forgiveness of principal, nega-
21 tive interest loans, or grants (or any combination of
22 these), and shall be so used by the State only where
23 such funds are provided as initial financing for an
24 eligible recipient or to buy, refinance, or restructure
25 the debt obligations of eligible recipients only where

1 such debt was incurred on or after the date of enact-
2 ment of this Act;

3 (2) \$10,000,000 shall be for architectural, engi-
4 neering, planning, design, construction and related
5 activities in connection with the construction of high
6 priority water and wastewater facilities in the area
7 of the United States-Mexico Border, after consulta-
8 tion with the appropriate border commission; *Pro-*
9 *vided*, That no funds provided by this appropriations
10 Act to address the water, wastewater and other crit-
11 ical infrastructure needs of the colonias in the
12 United States along the United States-Mexico bor-
13 der shall be made available to a county or municipal
14 government unless that government has established
15 an enforceable local ordinance, or other zoning rule,
16 which prevents in that jurisdiction the development
17 or construction of any additional colonia areas, or
18 the development within an existing colonia the con-
19 struction of any new home, business, or other struc-
20 ture which lacks water, wastewater, or other nec-
21 essary infrastructure;

22 (3) \$20,000,000 shall be for grants to the State
23 of Alaska to address drinking water and wastewater
24 infrastructure needs of rural and Alaska Native Vil-
25 lages: *Provided*, That, of these funds: (A) the State

1 of Alaska shall provide a match of 25 percent; (B)
2 no more than 5 percent of the funds may be used
3 for administrative and overhead expenses; and (C)
4 the State of Alaska shall make awards consistent
5 with the Statewide priority list established in con-
6 junction with the Agency and the U.S. Department
7 of Agriculture for all water, sewer, waste disposal,
8 and similar projects carried out by the State of Alas-
9 ka that are funded under section 221 of the Federal
10 Water Pollution Control Act (33 U.S.C. 1301) or
11 the Consolidated Farm and Rural Development Act
12 (7 U.S.C. 1921 et seq.) which shall allocate not less
13 than 25 percent of the funds provided for projects
14 in regional hub communities;

15 (4) \$80,000,000 shall be to carry out section
16 104(k) of the Comprehensive Environmental Re-
17 sponse, Compensation, and Liability Act of 1980
18 (CERCLA), including grants, interagency agree-
19 ments, and associated program support costs: *Pro-*
20 *vided*, That not more than 25 percent of the amount
21 appropriated to carry out section 104(k) of
22 CERCLA shall be used for site characterization, as-
23 sessment, and remediation of facilities described in
24 section 101(39)(D)(ii)(II) of CERCLA;

1 (5) \$20,000,000 shall be for grants under title
2 VII, subtitle G of the Energy Policy Act of 2005;

3 (6) \$15,000,000 shall be for targeted airshed
4 grants in accordance with the terms and conditions
5 of the report accompanying this Act; and

6 (7) \$1,060,041,000 shall be for grants, includ-
7 ing associated program support costs, to States, fed-
8 erally recognized tribes, interstate agencies, tribal
9 consortia, and air pollution control agencies for
10 multi-media or single media pollution prevention,
11 control and abatement and related activities, includ-
12 ing activities pursuant to the provisions set forth
13 under this heading in Public Law 104–134, and for
14 making grants under section 103 of the Clean Air
15 Act for particulate matter monitoring and data col-
16 lection activities subject to terms and conditions
17 specified by the Administrator, of which:
18 \$47,745,000 shall be for carrying out section 128 of
19 CERCLA; \$9,646,000 shall be for Environmental
20 Information Exchange Network grants, including as-
21 sociated program support costs; \$1,498,000 shall be
22 for grants to States under section 2007(f)(2) of the
23 Solid Waste Disposal Act, which shall be in addition
24 to funds appropriated under the heading “Leaking
25 Underground Storage Tank Trust Fund Program”

1 to carry out the provisions of the Solid Waste Dis-
2 posal Act specified in section 9508(c) of the Internal
3 Revenue Code other than section 9003(h) of the
4 Solid Waste Disposal Act; \$17,848,000 of the funds
5 available for grants under section 106 of the Federal
6 Water Pollution Control Act shall be for State par-
7 ticipation in national- and State-level statistical sur-
8 veys of water resources and enhancements to State
9 monitoring programs: *Provided, That*, for fiscal year
10 2016 and hereafter, notwithstanding other applica-
11 ble provisions of law, the funds appropriated for the
12 Indian Environmental General Assistance Program
13 shall be available to federally recognized tribes for
14 solid waste and recovered materials collection, trans-
15 portation, backhaul, and disposal services.

16 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL
17 PROTECTION AGENCY

18 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

19 For fiscal year 2016, notwithstanding 31 U.S.C.
20 6303(1) and 6305(1), the Administrator of the Environ-
21 mental Protection Agency, in carrying out the Agency's
22 function to implement directly Federal environmental pro-
23 grams required or authorized by law in the absence of an
24 acceptable tribal program, may award cooperative agree-
25 ments to federally recognized Indian tribes or Intertribal

1 consortia, if authorized by their member tribes, to assist
2 the Administrator in implementing Federal environmental
3 programs for Indian tribes required or authorized by law,
4 except that no such cooperative agreements may be award-
5 ed from funds designated for State financial assistance
6 agreements.

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

13 Notwithstanding section 33(d)(2) of the Federal In-
14 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
15 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
16 mental Protection Agency may assess fees under section
17 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2016.

18 The Administrator is authorized to transfer up to
19 \$300,000,000 of the funds appropriated for the Great
20 Lakes Restoration Initiative under the heading “Environ-
21 mental Programs and Management” to the head of any
22 Federal department or agency, with the concurrence of
23 such head, to carry out activities that would support the
24 Great Lakes Restoration Initiative and Great Lakes
25 Water Quality Agreement programs, projects, or activities;

1 to enter into an interagency agreement with the head of
2 such Federal department or agency to carry out these ac-
3 tivities; and to make grants to governmental entities, non-
4 profit organizations, institutions, and individuals for plan-
5 ning, research, monitoring, outreach, and implementation
6 in furtherance of the Great Lakes Restoration Initiative
7 and the Great Lakes Water Quality Agreement.

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

15 The Administrator of the Environmental Protection
16 Agency shall base agency policies and actions regarding
17 air emission from forest biomass including, but not limited
18 to, air emissions from facilities that combust forest bio-
19 mass for energy, on the principle that forest biomass emis-
20 sion do not increase overall carbon dioxide accumulations
21 in the atmosphere when USDA Forest Inventory and
22 Analysis data show that forest carbon stocks in the U.S.
23 are stable or increasing on a national scale, or when forest
24 biomass is derived from mill residuals, harvest residuals
25 or forest management activities. Such policies and actions

1 shall not pre-empt existing authorities of States to deter-
2 mine how to utilize biomass as a renewable energy source
3 and shall not inhibit States' authority to apply the same
4 policies to forest biomass as other renewable fuels in im-
5 plementing Federal law.

6 For fiscal year 2016, and notwithstanding section
7 518(f) of the Water Pollution Control Act, the Adminis-
8 trator is authorized to use the amounts appropriated for
9 any fiscal year under Section 319 of the Act to make
10 grants to federally recognized Indian tribes pursuant to
11 sections 319(h) and 518(e) of that Act.

12 The Administrator is authorized to use the amounts
13 appropriated under the heading "Environmental Pro-
14 grams and Management" for fiscal year 2016 to provide
15 grants to implement the Southeastern New England Wa-
16 tershed Restoration Program.

17 TITLE III

18 RELATED AGENCIES

19 DEPARTMENT OF AGRICULTURE

20 FOREST SERVICE

21 FOREST AND RANGELAND RESEARCH

22 For necessary expenses of forest and rangeland re-
23 search as authorized by law, \$291,904,000, to remain
24 available until expended: *Provided*, That, of the funds pro-

1 vided, \$80,000,000 is for the forest inventory and analysis
2 program.

3 STATE AND PRIVATE FORESTRY

4 For necessary expenses of cooperating with and pro-
5 viding technical and financial assistance to States, terri-
6 tories, possessions, and others, and for forest health man-
7 agement, including treatments of pests, pathogens, and
8 invasive or noxious plants and for restoring and rehabili-
9 tating forests damaged by pests or invasive plants, cooper-
10 ative forestry, and education and land conservation activi-
11 ties and conducting an international program as author-
12 ized, \$226,655,000, to remain available until expended, as
13 authorized by law; of which \$59,800,000 is to be derived
14 from the Land and Water Conservation Fund.

15 NATIONAL FOREST SYSTEM

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the Forest Service, not
18 otherwise provided for, for management, protection, im-
19 provement, and utilization of the National Forest System,
20 \$1,516,764,000, to remain available until expended: *Pro-*
21 *vided*, That, of the funds provided, \$40,000,000 shall be
22 deposited in the Collaborative Forest Landscape Restora-
23 tion Fund for ecological restoration treatments as author-
24 ized by 16 U.S.C. 7303(f): *Provided further*, That, of the
25 funds provided, \$359,805,000 shall be for forest products:

1 *Provided further*, That, of the funds provided, up to
2 \$81,941,000 is for the Integrated Resource Restoration
3 pilot program for Region 1, Region 3 and Region 4: *Pro-*
4 *vided further*, That, of the funds provided for forest prod-
5 ucts, up to \$65,560,000 may be transferred to support
6 the Integrated Resource Restoration pilot program in the
7 preceding proviso: *Provided further*, That the Secretary of
8 Agriculture may transfer to the Secretary of the Interior
9 any unobligated funds appropriated in a previous fiscal
10 year for operation of the Valles Caldera National Preserve.

11 CAPITAL IMPROVEMENT AND MAINTENANCE

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of the Forest Service, not
14 otherwise provided for, \$358,164,000, to remain available
15 until expended, for construction, capital improvement,
16 maintenance and acquisition of buildings and other facili-
17 ties and infrastructure; and for construction, reconstruc-
18 tion, decommissioning of roads that are no longer needed,
19 including unauthorized roads that are not part of the
20 transportation system, and maintenance of forest roads
21 and trails by the Forest Service as authorized by 16
22 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*,
23 That \$25,000,000 shall be designated for urgently needed
24 road decommissioning, road and trail repair and mainte-
25 nance and associated activities, and removal of fish pas-

1 sage barriers, especially in areas where Forest Service
2 roads may be contributing to water quality problems in
3 streams and water bodies which support threatened, en-
4 dangered, or sensitive species or community water sources:
5 *Provided further*, That funds becoming available in fiscal
6 year 2016 under the Act of March 4, 1913 (16 U.S.C.
7 501) shall be transferred to the General Fund of the
8 Treasury and shall not be available for transfer or obliga-
9 tion for any other purpose unless the funds are appro-
10 priated: *Provided further*, That, of the funds provided for
11 decommissioning of roads, up to \$14,743,000 may be
12 transferred to the “National Forest System” to support
13 the Integrated Resource Restoration pilot program.

14 LAND ACQUISITION

15 For expenses necessary to carry out the provisions
16 of the Land and Water Conservation Fund Act of 1965,
17 (16 U.S.C. 460l–4 et seq.), including administrative ex-
18 penses, and for acquisition of land or waters, or interest
19 therein, in accordance with statutory authority applicable
20 to the Forest Service, \$38,440,000, to be derived from the
21 Land and Water Conservation Fund and to remain avail-
22 able until expended.

1 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
2 ACTS

3 For acquisition of lands within the exterior bound-
4 aries of the Cache, Uinta, and Wasatch National Forests,
5 Utah; the Toiyabe National Forest, Nevada; and the An-
6 geles, San Bernardino, Sequoia, and Cleveland National
7 Forests, California, as authorized by law, \$950,000, to be
8 derived from forest receipts.

9 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

10 For acquisition of lands, such sums, to be derived
11 from funds deposited by State, county, or municipal gov-
12 ernments, public school districts, or other public school au-
13 thorities, and for authorized expenditures from funds de-
14 posited by non-Federal parties pursuant to Land Sale and
15 Exchange Acts, pursuant to the Act of December 4, 1967,
16 (16 U.S.C. 484a), to remain available until expended (16
17 U.S.C. 4601–516–617a, 555a; Public Law 96–586; Public
18 Law 76–589, 76–591; and Public Law 78–310).

19 RANGE BETTERMENT FUND

20 For necessary expenses of range rehabilitation, pro-
21 tection, and improvement, 50 percent of all moneys re-
22 ceived during the prior fiscal year, as fees for grazing do-
23 mestic livestock on lands in National Forests in the 16
24 Western States, pursuant to section 401(b)(1) of Public
25 Law 94–579, to remain available until expended, of which

1 not to exceed 6 percent shall be available for administra-
2 tive expenses associated with on-the-ground range reha-
3 bilitation, protection, and improvements.

4 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
5 RANGELAND RESEARCH

6 For expenses authorized by 16 U.S.C. 1643(b),
7 \$45,000, to remain available until expended, to be derived
8 from the fund established pursuant to the above Act.

9 MANAGEMENT OF NATIONAL FOREST LANDS FOR
10 SUBSISTENCE USES

11 For necessary expenses of the Forest Service to man-
12 age Federal lands in Alaska for subsistence uses under
13 title VIII of the Alaska National Interest Lands Conserva-
14 tion Act (Public Law 96-487), \$2,500,000, to remain
15 available until expended.

16 WILDLAND FIRE MANAGEMENT
17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses for forest fire presuppression
19 activities on National Forest System lands, for emergency
20 fire suppression on or adjacent to such lands or other
21 lands under fire protection agreement, hazardous fuels
22 management on or adjacent to such lands, emergency re-
23 habilitation of burned-over National Forest System lands
24 and water, and for State and volunteer fire assistance,
25 \$2,701,341,000, to remain available until expended: *Pro-*

1 *vided*, That such funds including unobligated balances
2 under this heading, are available for repayment of ad-
3 vances from other appropriations accounts previously
4 transferred for such purposes: *Provided further*, That such
5 funds shall be available to reimburse State and other co-
6 operating entities for services provided in response to wild-
7 fire and other emergencies or disasters to the extent such
8 reimbursements by the Forest Service for non-fire emer-
9 gencies are fully repaid by the responsible emergency man-
10 agement agency: *Provided further*, That, notwithstanding
11 any other provision of law, \$6,914,000 of funds appro-
12 priated under this appropriation shall be available for the
13 Forest Service in support of fire science research author-
14 ized by the Joint Fire Science Program, including all For-
15 est Service authorities for the use of funds, such as con-
16 tracts, grants, research joint venture agreements, and co-
17 operative agreements: *Provided further*, That all authori-
18 ties for the use of funds, including the use of contracts,
19 grants, and cooperative agreements, available to execute
20 the Forest and Rangeland Research appropriation, are
21 also available in the utilization of these funds for Fire
22 Science Research: *Provided further*, That funds provided
23 shall be available for emergency rehabilitation and restora-
24 tion, hazardous fuels management activities, support to
25 Federal emergency response, and wildfire suppression ac-

1 tivities of the Forest Service: *Provided further*, That, of
2 the funds provided, \$375,000,000 is for hazardous fuels
3 management activities, \$19,795,000 is for research activi-
4 ties and to make competitive research grants pursuant to
5 the Forest and Rangeland Renewable Resources Research
6 Act, (16 U.S.C. 1641 et seq.), \$78,012,000 is for State
7 fire assistance, and \$13,000,000 is for volunteer fire as-
8 sistance under section 10 of the Cooperative Forestry As-
9 sistance Act of 1978 (16 U.S.C. 2106): *Provided further*,
10 That amounts in this paragraph may be transferred to
11 the “National Forest System”, and “Forest and Range-
12 land Research” accounts to fund forest and rangeland re-
13 search, the Joint Fire Science Program, vegetation and
14 watershed management, heritage site rehabilitation, and
15 wildlife and fish habitat management and restoration: *Pro-*
16 *vided further*, That the costs of implementing any coopera-
17 tive agreement between the Federal Government and any
18 non-Federal entity may be shared, as mutually agreed on
19 by the affected parties: *Provided further*, That up to
20 \$15,000,000 of the funds provided herein may be used by
21 the Secretary of Agriculture to enter into procurement
22 contracts or cooperative agreements or to issue grants for
23 hazardous fuels management activities and for training or
24 monitoring associated with such hazardous fuels manage-
25 ment activities on Federal land or on non-Federal land

1 if the Secretary determines such activities benefit re-
2 sources on Federal land: *Provided further*, That funds
3 made available to implement the Community Forest Res-
4 toration Act, Public Law 106–393, title VI, shall be avail-
5 able for use on non-Federal lands in accordance with au-
6 thorities made available to the Forest Service under the
7 “State and Private Forestry” appropriation: *Provided fur-*
8 *ther*, That the Secretary of the Interior and the Secretary
9 of Agriculture may authorize the transfer of funds appro-
10 priated for wildland fire management, in an aggregate
11 amount not to exceed \$50,000,000, between the Depart-
12 ments when such transfers would facilitate and expedite
13 wildland fire management programs and projects: *Pro-*
14 *vided further*, That, of the funds provided for hazardous
15 fuels management, not to exceed \$15,000,000 may be
16 used to make grants, using any authorities available to
17 the Forest Service under the “State and Private Forestry”
18 appropriation, for the purpose of creating incentives for
19 increased use of biomass from National Forest System
20 lands: *Provided further*, That funds designated for wildfire
21 suppression shall be assessed for cost pools on the same
22 basis as such assessments are calculated against other
23 agency programs: *Provided further*, That, of the funds for
24 hazardous fuels management, up to \$24,000,000 may be

1 transferred to the “National Forest System” to support
2 the Integrated Resource Restoration pilot program.

3 For an additional amount, \$854,578,000 for wildfire
4 suppression operations to meet the emergency and unpre-
5 dictable aspects of wildland firefighting including support,
6 response, and emergency stabilization activities, other
7 emergency management activities, and funds necessary to
8 repay any transfers needed for these costs, to remain
9 available until expended: *Provided*, That such funds are
10 also available for transfer to other appropriations accounts
11 to repay amounts previously transferred for wildfire sup-
12 pression: *Provided further*, That such amount is des-
13 igned by the Congress as being for an emergency re-
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985.

16 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

17 (INCLUDING TRANSFERS OF FUNDS)

18 Appropriations to the Forest Service for the current
19 fiscal year shall be available for: (1) purchase of passenger
20 motor vehicles; acquisition of passenger motor vehicles
21 from excess sources, and hire of such vehicles; purchase,
22 lease, operation, maintenance, and acquisition of aircraft
23 to maintain the operable fleet for use in Forest Service
24 wildland fire programs and other Forest Service programs;
25 notwithstanding other provisions of law, existing aircraft

1 being replaced may be sold, with proceeds derived or
2 trade-in value used to offset the purchase price for the
3 replacement aircraft; (2) services pursuant to 7 U.S.C.
4 2225, and not to exceed \$100,000 for employment under
5 5 U.S.C. 3109; (3) purchase, erection, and alteration of
6 buildings and other public improvements (7 U.S.C. 2250);
7 (4) acquisition of land, waters, and interests therein pur-
8 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
9 Volunteers in the National Forest Act of 1972 (16 U.S.C.
10 558a, 558d, and 558a note); (6) the cost of uniforms as
11 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
12 lection contracts in accordance with 31 U.S.C. 3718(e).

13 Any appropriations or funds available to the Forest
14 Service may be transferred to the Wildland Fire Manage-
15 ment appropriation for forest firefighting, emergency re-
16 habilitation of burned-over or damaged lands or waters
17 under its jurisdiction, and fire preparedness due to severe
18 burning conditions upon the Secretary’s notification of the
19 House and Senate Committees on Appropriations that all
20 fire suppression funds appropriated under the heading
21 “Wildland Fire Management” will be obligated within 30
22 days: *Provided*, That all funds used pursuant to this para-
23 graph must be replenished by a supplemental appropria-
24 tion which must be requested as promptly as possible.

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

18 Funds appropriated to the Forest Service shall be
19 available for expenditure or transfer to the Department
20 of the Interior, Bureau of Land Management, for removal,
21 preparation, and adoption of excess wild horses and burros
22 from National Forest System lands, and for the perform-
23 ance of cadastral surveys to designate the boundaries of
24 such lands.

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

8 None of the funds available to the Forest Service may
9 be reprogrammed without the advance approval of the
10 House and Senate Committees on Appropriations in ac-
11 cordance with the reprogramming procedures contained in
12 the explanatory statement accompanying this Act.

13 Not more than \$82,000,000 of funds available to the
14 Forest Service shall be transferred to the Working Capital
15 Fund of the Department of Agriculture and not more than
16 \$14,500,000 of funds available to the Forest Service shall
17 be transferred to the Department of Agriculture for De-
18 partment Reimbursable Programs, commonly referred to
19 as Greenbook charges. Nothing in this paragraph shall
20 prohibit or limit the use of reimbursable agreements re-
21 quested by the Forest Service in order to obtain services
22 from the Department of Agriculture’s National Informa-
23 tion Technology Center. Nothing in this paragraph shall
24 limit the Forest Service portion of implementation costs

1 to be paid to the Department of Agriculture for the Inter-
2 national Technology Service.

3 Of the funds available to the Forest Service, up to
4 \$5,000,000 shall be available for priority projects within
5 the scope of the approved budget, which shall be carried
6 out by the Youth Conservation Corps and shall be carried
7 out under the authority of the Public Lands Corps Act
8 of 1993, Public Law 103–82, as amended by Public Lands
9 Corps Healthy Forests Restoration Act of 2005, Public
10 Law 109–154.

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

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

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

7 Pursuant to section 2(b)(2) of Public Law 98-244,
8 up to \$3,000,000 of the funds available to the Forest
9 Service may be advanced to the National Fish and Wildlife
10 Foundation in a lump sum to aid cost-share conservation
11 projects, without regard to when expenses are incurred,
12 on or benefitting National Forest System lands or related
13 to Forest Service programs: *Provided*, That such funds
14 shall be matched on at least a one-for-one basis by the
15 Foundation or its sub-recipients: *Provided further*, That
16 the Foundation may transfer Federal funds to a Federal
17 or non-Federal recipient for a project at the same rate
18 that the recipient has obtained the non-Federal matching
19 funds.

20 Funds appropriated to the Forest Service shall be
21 available for interactions with and providing technical as-
22 sistance to rural communities and natural resource-based
23 businesses for sustainable rural development purposes.

24 Funds appropriated to the Forest Service shall be
25 available for payments to counties within the Columbia

1 River Gorge National Scenic Area, pursuant to section
2 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
3 663.

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

8 Funds available to the Forest Service, not to exceed
9 \$65,000,000, shall be assessed for the purpose of per-
10 forming fire, administrative and other facilities mainte-
11 nance and decommissioning. Such assessments shall occur
12 using a square foot rate charged on the same basis the
13 agency uses to assess programs for payment of rent, utili-
14 ties, and other support services.

15 Notwithstanding any other provision of law, any ap-
16 propriations or funds available to the Forest Service not
17 to exceed \$500,000 may be used to reimburse the Office
18 of the General Counsel (OGC), Department of Agri-
19 culture, for travel and related expenses incurred as a re-
20 sult of OGC assistance or participation requested by the
21 Forest Service at meetings, training sessions, management
22 reviews, land purchase negotiations and similar nonlitiga-
23 tion-related matters. Future budget justifications for both
24 the Forest Service and the Department of Agriculture

1 should clearly display the sums previously transferred and
2 the requested funding transfers.

3 An eligible individual who is employed in any project
4 funded under title V of the Older Americans Act of 1965
5 (42 U.S.C. 3056 et seq.) and administered by the Forest
6 Service shall be considered to be a Federal employee for
7 purposes of chapter 171 of title 28, United States Code.

8 DEPARTMENT OF HEALTH AND HUMAN
9 SERVICES

10 INDIAN HEALTH SERVICE

11 INDIAN HEALTH SERVICES

12 For expenses necessary to carry out the Act of Au-
13 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
14 tion and Education Assistance Act, the Indian Health
15 Care Improvement Act, and titles II and III of the Public
16 Health Service Act with respect to the Indian Health Serv-
17 ice, \$3,539,523,000, together with payments received dur-
18 ing the fiscal year pursuant to 42 U.S.C. 238(b) and
19 238b, for services furnished by the Indian Health Service:
20 *Provided*, That funds made available to tribes and tribal
21 organizations through contracts, grant agreements, or any
22 other agreements or compacts authorized by the Indian
23 Self-Determination and Education Assistance Act of 1975
24 (25 U.S.C. 450), shall be deemed to be obligated at the
25 time of the grant or contract award and thereafter shall

1 remain available to the tribe or tribal organization without
2 fiscal year limitation: *Provided further*, That,
3 \$915,347,000 for Purchased/Referred Care, including
4 \$51,500,000 for the Indian Catastrophic Health Emer-
5 gency Fund, shall remain available until expended: *Pro-*
6 *vided further*, That, of the funds provided, up to
7 \$36,000,000 shall remain available until expended for im-
8 plementation of the loan repayment program under section
9 108 of the Indian Health Care Improvement Act: *Provided*
10 *further*, That, of the funds provided, \$2,000,000 shall be
11 for operational shortfalls at health clinics previously au-
12 thorized under the “Administrative Provisions, Indian
13 Health Service” heading. *Provided further*, That the
14 amounts collected by the Federal Government as author-
15 ized by sections 104 and 108 of the Indian Health Care
16 Improvement Act (25 U.S.C. 1613a and 1616a) during
17 the preceding fiscal year for breach of contracts shall be
18 deposited to the Fund authorized by section 108A of the
19 Act (25 U.S.C. 1616a–1) and shall remain available until
20 expended and, notwithstanding section 108A(c) of the Act
21 (25 U.S.C. 1616a–1(c)), funds shall be available to make
22 new awards under the loan repayment and scholarship
23 programs under sections 104 and 108 of the Act (25
24 U.S.C. 1613a and 1616a): *Provided further*, That, not-
25 withstanding any other provision of law, the amounts

1 made available within this account for the methamphet-
2 amine and suicide prevention and treatment initiative, and
3 for the domestic violence prevention initiative, and to im-
4 prove collections from public and private insurance at In-
5 dian Health Service and tribally operated facilities shall
6 be allocated at the discretion of the Director of the Indian
7 Health Service and shall remain available until expended:
8 *Provided further*, That funds provided in this Act may be
9 used for annual contracts and grants that fall within 2
10 fiscal years, provided the total obligation is recorded in
11 the year the funds are appropriated: *Provided further*,
12 That the amounts collected by the Secretary of Health and
13 Human Services under the authority of title IV of the In-
14 dian Health Care Improvement Act shall remain available
15 until expended for the purpose of achieving compliance
16 with the applicable conditions and requirements of titles
17 XVIII and XIX of the Social Security Act, except for those
18 related to the planning, design, or construction of new fa-
19 cilities: *Provided further*, That funding contained herein
20 for scholarship programs under the Indian Health Care
21 Improvement Act (25 U.S.C. 1613) shall remain available
22 until expended: *Provided further*, That amounts received
23 by tribes and tribal organizations under title IV of the In-
24 dian Health Care Improvement Act shall be reported and
25 accounted for and available to the receiving tribes and

1 tribal organizations until expended: *Provided further*, That
2 the Bureau of Indian Affairs may collect from the Indian
3 Health Service, tribes and tribal organizations operating
4 health facilities pursuant to Public Law 93–638, such in-
5 dividually identifiable health information relating to dis-
6 abled children as may be necessary for the purpose of car-
7 rying out its functions under the Individuals with Disabil-
8 ities Education Act (20 U.S.C. 1400, et seq.): *Provided*
9 *further*, That the Indian Health Care Improvement Fund
10 may be used, as needed, to carry out activities typically
11 funded under the Indian Health Facilities account.

12 CONTRACT SUPPORT COSTS

13 For payments to tribes and tribal organizations for
14 contract support costs associated with Indian Self-Deter-
15 mination and Education Assistance Act agreements with
16 the Indian Health Service for fiscal year 2016, such sums
17 as may be necessary: *Provided*, That amounts obligated
18 but not expended by a tribe or tribal organization for con-
19 tract support costs for such agreements for the current
20 fiscal year shall be applied to contract support costs other-
21 wise due for such agreements for subsequent fiscal years:
22 *Provided further*, That, notwithstanding any other provi-
23 sion of law, no amounts made available under this heading
24 shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

1
2 For construction, repair, maintenance, improvement,
3 and equipment of health and related auxiliary facilities,
4 including quarters for personnel; preparation of plans,
5 specifications, and drawings; acquisition of sites, purchase
6 and erection of modular buildings, and purchases of trail-
7 ers; and for provision of domestic and community sanita-
8 tion facilities for Indians, as authorized by section 7 of
9 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
10 Self-Determination Act, and the Indian Health Care Im-
11 provement Act, and for expenses necessary to carry out
12 such Acts and titles II and III of the Public Health Serv-
13 ice Act with respect to environmental health and facilities
14 support activities of the Indian Health Service,
15 \$521,818,000, to remain available until expended: *Pro-*
16 *vided*, That, notwithstanding any other provision of law,
17 funds appropriated for the planning, design, construction,
18 renovation or expansion of health facilities for the benefit
19 of an Indian tribe or tribes may be used to purchase land
20 on which such facilities will be located: *Provided further*,
21 That not to exceed \$500,000 may be used by the Indian
22 Health Service to purchase TRANSAM equipment from
23 the Department of Defense for distribution to the Indian
24 Health Service and tribal facilities: *Provided further*, That
25 none of the funds appropriated to the Indian Health Serv-

1 ice may be used for sanitation facilities construction for
2 new homes funded with grants by the housing programs
3 of the United States Department of Housing and Urban
4 Development: *Provided further*, That not to exceed
5 \$2,700,000 from this account and the “Indian Health
6 Services” account may be used by the Indian Health Serv-
7 ice to obtain ambulances for the Indian Health Service
8 and tribal facilities in conjunction with an existing inter-
9 agency agreement between the Indian Health Service and
10 the General Services Administration: *Provided further*,
11 That not to exceed \$500,000 may be placed in a Demoli-
12 tion Fund, to remain available until expended, and be used
13 by the Indian Health Service for the demolition of Federal
14 buildings.

15 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

16 Appropriations provided in this Act to the Indian
17 Health Service shall be available for services as authorized
18 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
19 equivalent to the maximum rate payable for senior-level
20 positions under 5 U.S.C. 5376; hire of passenger motor
21 vehicles and aircraft; purchase of medical equipment; pur-
22 chase of reprints; purchase, renovation and erection of
23 modular buildings and renovation of existing facilities;
24 payments for telephone service in private residences in the
25 field, when authorized under regulations approved by the

1 Secretary; uniforms or allowances therefor as authorized
2 by 5 U.S.C. 5901–5902; and for expenses of attendance
3 at meetings that relate to the functions or activities of the
4 Indian Health Service: *Provided*, That, in accordance with
5 the provisions of the Indian Health Care Improvement
6 Act, non-Indian patients may be extended health care at
7 all tribally administered or Indian Health Service facili-
8 ties, subject to charges, and the proceeds along with funds
9 recovered under the Federal Medical Care Recovery Act
10 (42 U.S.C. 2651–2653) shall be credited to the account
11 of the facility providing the service and shall be available
12 without fiscal year limitation: *Provided further*, That, not-
13 withstanding any other law or regulation, funds trans-
14 ferred from the Department of Housing and Urban Devel-
15 opment to the Indian Health Service shall be administered
16 under Public Law 86–121, the Indian Sanitation Facilities
17 Act and Public Law 93–638: *Provided further*, That funds
18 appropriated to the Indian Health Service in this Act, ex-
19 cept those used for administrative and program direction
20 purposes, shall not be subject to limitations directed at
21 curtailing Federal travel and transportation: *Provided fur-*
22 *ther*, That none of the funds made available to the Indian
23 Health Service in this Act shall be used for any assess-
24 ments or charges by the Department of Health and
25 Human Services unless identified in the budget justifica-

1 tion and provided in this Act, or approved by the House
2 and Senate Committees on Appropriations through the re-
3 programming process: *Provided further*, That, notwith-
4 standing any other provision of law, funds previously or
5 herein made available to a tribe or tribal organization
6 through a contract, grant, or agreement authorized by
7 title I or title V of the Indian Self-Determination and
8 Education Assistance Act of 1975 (25 U.S.C. 450), may
9 be deobligated and reobligated to a self-determination con-
10 tract under title I, or a self-governance agreement under
11 title V of such Act and thereafter shall remain available
12 to the tribe or tribal organization without fiscal year limi-
13 tation: *Provided further*, That none of the funds made
14 available to the Indian Health Service in this Act shall
15 be used to implement the final rule published in the Fed-
16 eral Register on September 16, 1987, by the Department
17 of Health and Human Services, relating to the eligibility
18 for the health care services of the Indian Health Service
19 until the Indian Health Service has submitted a budget
20 request reflecting the increased costs associated with the
21 proposed final rule, and such request has been included
22 in an appropriations Act and enacted into law: *Provided*
23 *further*, That, with respect to functions transferred by the
24 Indian Health Service to tribes or tribal organizations, the
25 Indian Health Service is authorized to provide goods and

1 services to those entities on a reimbursable basis, includ-
2 ing payments in advance with subsequent adjustment, and
3 the reimbursements received therefrom, along with the
4 funds received from those entities pursuant to the Indian
5 Self-Determination Act, may be credited to the same or
6 subsequent appropriation account from which the funds
7 were originally derived, with such amounts to remain
8 available until expended: *Provided further*, That reim-
9 bursements for training, technical assistance, or services
10 provided by the Indian Health Service will contain total
11 costs, including direct, administrative, and overhead asso-
12 ciated with the provision of goods, services, or technical
13 assistance: *Provided further*, That the appropriation struc-
14 ture for the Indian Health Service may not be altered
15 without advance notification to the House and Senate
16 Committees on Appropriations.

17 NATIONAL INSTITUTES OF HEALTH

18 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

19 SCIENCES

20 For necessary expenses for the National Institute of
21 Environmental Health Sciences in carrying out activities
22 set forth in section 311(a) of the Comprehensive Environ-
23 mental Response, Compensation, and Liability Act of
24 1980 (42 U.S.C. 9660(a)) and section 126(g) of the

1 Superfund Amendments and Reauthorization Act of 1986,
2 \$77,349,000.

3 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
4 REGISTRY
5 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
6 HEALTH

7 For necessary expenses for the Agency for Toxic Sub-
8 stances and Disease Registry (ATSDR) in carrying out
9 activities set forth in sections 104(i) and 111(c)(4) of the
10 Comprehensive Environmental Response, Compensation,
11 and Liability Act of 1980 (CERCLA) and section 3019
12 of the Solid Waste Disposal Act, \$74,691,000, of which
13 up to \$1,000 per eligible employee of the Agency for Toxic
14 Substances and Disease Registry shall remain available
15 until expended for Individual Learning Accounts: *Pro-*
16 *vided*, That, notwithstanding any other provision of law,
17 in lieu of performing a health assessment under section
18 104(i)(6) of CERCLA, the Administrator of ATSDR may
19 conduct other appropriate health studies, evaluations, or
20 activities, including, without limitation, biomedical testing,
21 clinical evaluations, medical monitoring, and referral to
22 accredited healthcare providers: *Provided further*, That, in
23 performing any such health assessment or health study,
24 evaluation, or activity, the Administrator of ATSDR shall
25 not be bound by the deadlines in section 104(i)(6)(A) of

1 CERCLA: *Provided further*, That none of the funds appro-
2 priated under this heading shall be available for ATSDR
3 to issue in excess of 40 toxicological profiles pursuant to
4 section 104(i) of CERCLA during fiscal year 2016, and
5 existing profiles may be updated as necessary.

6 OTHER RELATED AGENCIES

7 EXECUTIVE OFFICE OF THE PRESIDENT

8 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
9 ENVIRONMENTAL QUALITY

10 For necessary expenses to continue functions as-
11 signed to the Council on Environmental Quality and Office
12 of Environmental Quality pursuant to the National Envi-
13 ronmental Policy Act of 1969, the Environmental Quality
14 Improvement Act of 1970, and Reorganization Plan No.
15 1 of 1977, and not to exceed \$750 for official reception
16 and representation expenses, \$3,000,000: *Provided*, That
17 notwithstanding section 202 of the National Environ-
18 mental Policy Act of 1970, the Council shall consist of
19 one member, appointed by the President, by and with the
20 advice and consent of the Senate, serving as chairman and
21 exercising all powers, functions, and duties of the Council.

22 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
23 SALARIES AND EXPENSES

24 For necessary expenses in carrying out activities pur-
25 suant to section 112(r)(6) of the Clean Air Act, including

1 hire of passenger vehicles, uniforms or allowances there-
 2 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
 3 ices authorized by 5 U.S.C. 3109 but at rates for individ-
 4 uals not to exceed the per diem equivalent to the maximum
 5 rate payable for senior level positions under 5 U.S.C.
 6 5376, \$10,700,000: *Provided*, That the Chemical Safety
 7 and Hazard Investigation Board (Board) shall have not
 8 more than three career Senior Executive Service positions:
 9 *Provided further*, That, notwithstanding any other provi-
 10 sion of law, the individual appointed to the position of In-
 11 spector General of the Environmental Protection Agency
 12 (EPA) shall, by virtue of such appointment, also hold the
 13 position of Inspector General of the Board: *Provided fur-*
 14 *ther*, That, notwithstanding any other provision of law, the
 15 Inspector General of the Board shall utilize personnel of
 16 the Office of Inspector General of EPA in performing the
 17 duties of the Inspector General of the Board, and shall
 18 not appoint any individuals to positions within the Board.

19 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of the Office of Navajo and
 23 Hopi Indian Relocation as authorized by Public Law 93–
 24 531, \$7,341,000, to remain available until expended: *Pro-*
 25 *vided*, That funds provided in this or any other appropria-

1 tions Act are to be used to relocate eligible individuals and
2 groups including evictees from District 6, Hopi-partitioned
3 lands residents, those in significantly substandard hous-
4 ing, and all others certified as eligible and not included
5 in the preceding categories: *Provided further*, That none
6 of the funds contained in this or any other Act may be
7 used by the Office of Navajo and Hopi Indian Relocation
8 to evict any single Navajo or Navajo family who, as of
9 November 30, 1985, was physically domiciled on the lands
10 partitioned to the Hopi Tribe unless a new or replacement
11 home is provided for such household: *Provided further*,
12 That no relocatee will be provided with more than one new
13 or replacement home: *Provided further*, That the Office
14 shall relocate any certified eligible relocatees who have se-
15 lected and received an approved homesite on the Navajo
16 reservation or selected a replacement residence off the
17 Navajo reservation or on the land acquired pursuant to
18 25 U.S.C. 640d-10: *Provided further*, That \$200,000 shall
19 be transferred to the Office of Inspector General of the
20 Department of the Interior, to remain available until ex-
21 pended, for audits and investigations of the Office of Nav-
22 ajo and Hopi Indian Relocation, consistent with the In-
23 spector General Act of 1978 (5 U.S.C. App.).

1 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
2 CULTURE AND ARTS DEVELOPMENT
3 PAYMENT TO THE INSTITUTE

4 For payment to the Institute of American Indian and
5 Alaska Native Culture and Arts Development, as author-
6 ized by title XV of Public Law 99–498 (20 U.S.C. 56 part
7 A), \$11,619,000, to remain available until September 30,
8 2017.

9 SMITHSONIAN INSTITUTION
10 SALARIES AND EXPENSES

11 For necessary expenses of the Smithsonian Institu-
12 tion, as authorized by law, including research in the fields
13 of art, science, and history; development, preservation, and
14 documentation of the National Collections; presentation of
15 public exhibits and performances; collection, preparation,
16 dissemination, and exchange of information and publica-
17 tions; conduct of education, training, and museum assist-
18 ance programs; maintenance, alteration, operation, lease
19 agreements of no more than 30 years, and protection of
20 buildings, facilities, and approaches; not to exceed
21 \$100,000 for services as authorized by 5 U.S.C. 3109; and
22 purchase, rental, repair, and cleaning of uniforms for em-
23 ployees, \$689,566,000, to remain available until Sep-
24 tember 30, 2017, except as otherwise provided herein; of
25 which not to exceed \$48,387,000 for the instrumentation

1 program, collections acquisition, exhibition reinstallation,
2 the National Museum of African American History and
3 Culture, and the repatriation of skeletal remains program
4 shall remain available until expended; and including such
5 funds as may be necessary to support American overseas
6 research centers: *Provided*, That funds appropriated here-
7 in are available for advance payments to independent con-
8 tractors performing research services or participating in
9 official Smithsonian presentations.

10 FACILITIES CAPITAL

11 For necessary expenses of repair, revitalization, and
12 alteration of facilities owned or occupied by the Smithso-
13 nian Institution, by contract or otherwise, as authorized
14 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
15 and for construction, including necessary personnel,
16 \$129,975,000, to remain available until expended, of
17 which not to exceed \$10,000 shall be for services as au-
18 thorized by 5 U.S.C. 3109.

19 NATIONAL GALLERY OF ART

20 SALARIES AND EXPENSES

21 For the upkeep and operations of the National Gal-
22 lery of Art, the protection and care of the works of art
23 therein, and administrative expenses incident thereto, as
24 authorized by the Act of March 24, 1937 (50 Stat. 51),
25 as amended by the public resolution of April 13, 1939

1 (Public Resolution 9, Seventy-sixth Congress), including
2 services as authorized by 5 U.S.C. 3109; payment in ad-
3 vance when authorized by the treasurer of the Gallery for
4 membership in library, museum, and art associations or
5 societies whose publications or services are available to
6 members only, or to members at a price lower than to the
7 general public; purchase, repair, and cleaning of uniforms
8 for guards, and uniforms, or allowances therefor, for other
9 employees as authorized by law (5 U.S.C. 5901–5902);
10 purchase or rental of devices and services for protecting
11 buildings and contents thereof, and maintenance, alter-
12 ation, improvement, and repair of buildings, approaches,
13 and grounds; and purchase of services for restoration and
14 repair of works of art for the National Gallery of Art by
15 contracts made, without advertising, with individuals,
16 firms, or organizations at such rates or prices and under
17 such terms and conditions as the Gallery may deem prop-
18 er, \$122,500,000, to remain available until September 30,
19 2017, of which not to exceed \$3,578,000 for the special
20 exhibition program shall remain available until expended.

21 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

22 For necessary expenses of repair, restoration and
23 renovation of buildings, grounds and facilities owned or
24 occupied by the National Gallery of Art, by contract or
25 otherwise, for operating lease agreements of no more than

1 10 years, with no extensions or renewals beyond the 10
2 years, that address space needs created by the ongoing
3 renovations in the Master Facilities Plan, as authorized,
4 \$16,000,000, to remain available until expended: *Pro-*
5 *vided*, That contracts awarded for environmental systems,
6 protection systems, and exterior repair or renovation of
7 buildings of the National Gallery of Art may be negotiated
8 with selected contractors and awarded on the basis of con-
9 tractor qualifications as well as price.

10 JOHN F. KENNEDY CENTER FOR THE PERFORMING
11 ARTS

12 OPERATIONS AND MAINTENANCE

13 For necessary expenses for the operation, mainte-
14 nance and security of the John F. Kennedy Center for
15 the Performing Arts, \$21,660,000.

16 CAPITAL REPAIR AND RESTORATION

17 For necessary expenses for capital repair and restora-
18 tion of the existing features of the building and site of
19 the John F. Kennedy Center for the Performing Arts,
20 \$11,140,000, to remain available until expended.

21 WOODROW WILSON INTERNATIONAL CENTER FOR
22 SCHOLARS

23 SALARIES AND EXPENSES

24 For expenses necessary in carrying out the provisions
25 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.

1 1356) including hire of passenger vehicles and services as
2 authorized by 5 U.S.C. 3109, \$10,500,000, to remain
3 available until September 30, 2017.

4 NATIONAL FOUNDATION ON THE ARTS AND THE
5 HUMANITIES

6 NATIONAL ENDOWMENT FOR THE ARTS
7 GRANTS AND ADMINISTRATION

8 For necessary expenses to carry out the National
9 Foundation on the Arts and the Humanities Act of 1965,
10 \$146,021,000 shall be available to the National Endow-
11 ment for the Arts for the support of projects and produc-
12 tions in the arts, including arts education and public out-
13 reach activities, through assistance to organizations and
14 individuals pursuant to section 5 of the Act, for program
15 support, and for administering the functions of the Act,
16 to remain available until expended.

17 NATIONAL ENDOWMENT FOR THE HUMANITIES
18 GRANTS AND ADMINISTRATION

19 For necessary expenses to carry out the National
20 Foundation on the Arts and the Humanities Act of 1965,
21 \$146,021,000 to remain available until expended, of which
22 \$135,121,000 shall be available for support of activities
23 in the humanities, pursuant to section 7(c) of the Act and
24 for administering the functions of the Act; and
25 \$10,900,000 shall be available to carry out the matching

1 grants program pursuant to section 10(a)(2) of the Act,
2 including \$8,500,000 for the purposes of section 7(h):
3 *Provided*, That appropriations for carrying out section
4 10(a)(2) shall be available for obligation only in such
5 amounts as may be equal to the total amounts of gifts,
6 bequests, devises of money, and other property accepted
7 by the chairman or by grantees of the National Endow-
8 ment for the Humanities under the provisions of sections
9 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
10 ceding fiscal years for which equal amounts have not pre-
11 viously been appropriated.

12 ADMINISTRATIVE PROVISIONS

13 None of the funds appropriated to the National
14 Foundation on the Arts and the Humanities may be used
15 to process any grant or contract documents which do not
16 include the text of 18 U.S.C. 1913: *Provided*, That none
17 of the funds appropriated to the National Foundation on
18 the Arts and the Humanities may be used for official re-
19 ception and representation expenses: *Provided further*,
20 That funds from nonappropriated sources may be used as
21 necessary for official reception and representation ex-
22 penses: *Provided further*, That the Chairperson of the Na-
23 tional Endowment for the Arts may approve grants of up
24 to \$10,000, if in the aggregate the amount of such grants
25 does not exceed 5 percent of the sums appropriated for

1 grantmaking purposes per year: *Provided further*, That
2 such small grant actions are taken pursuant to the terms
3 of an expressed and direct delegation of authority from
4 the National Council on the Arts to the Chairperson.

5 COMMISSION OF FINE ARTS

6 SALARIES AND EXPENSES

7 For expenses of the Commission of Fine Arts under
8 Chapter 91 of title 40, United States Code, \$2,653,000:
9 *Provided*, That the Commission is authorized to charge
10 fees to cover the full costs of its publications, and such
11 fees shall be credited to this account as an offsetting col-
12 lection, to remain available until expended without further
13 appropriation: *Provided further*, That the Commission is
14 authorized to accept gifts, including objects, papers, art-
15 work, drawings and artifacts, that pertain to the history
16 and design of the Nation's Capital or the history and ac-
17 tivities of the Commission of Fine Arts, for the purpose
18 of artistic display, study or education.

19 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

20 For necessary expenses as authorized by Public Law
21 99-190 (20 U.S.C. 956a), \$2,000,000.

22 ADVISORY COUNCIL ON HISTORIC PRESERVATION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Advisory Council on
25 Historic Preservation (Public Law 89-665), \$6,080,000.

1 NATIONAL CAPITAL PLANNING COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses of the National Capital Plan-
4 ning Commission under chapter 87 of title 40, United
5 States Code, including services as authorized by 5 U.S.C.
6 3109, \$7,948,000: *Provided*, That one-quarter of 1 per-
7 cent of the funds provided under this heading may be used
8 for official reception and representational expenses associ-
9 ated with hosting international visitors engaged in the
10 planning and physical development of world capitals.

11 UNITED STATES HOLOCAUST MEMORIAL MUSEUM
12 HOLOCAUST MEMORIAL MUSEUM

13 For expenses of the Holocaust Memorial Museum, as
14 authorized by Public Law 106–292 (36 U.S.C. 2301–
15 2310), \$52,385,000, of which \$865,000 shall remain
16 available until September 30, 2018, for the Museum’s
17 equipment replacement program; and of which \$2,200,000
18 for the Museum’s repair and rehabilitation program and
19 \$1,264,000 for the Museum’s outreach initiatives program
20 shall remain available until expended.

21 DWIGHT D. EISENHOWER MEMORIAL COMMISSION
22 SALARIES AND EXPENSES

23 For necessary expenses, including the costs of con-
24 struction design, of the Dwight D. Eisenhower Memorial

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

3 TITLE IV

4 GENERAL PROVISIONS

5 (INCLUDING TRANSFERS OF FUNDS)

6 RESTRICTION ON USE OF FUNDS

7 SEC. 401. No part of any appropriation contained in
8 this Act shall be available:

9 (1) for any activity or the publication or dis-
10 tribution of literature that in any way tends to pro-
11 mote public support or opposition to any legislative
12 proposal on which Congressional action is not com-
13 plete or other than to communicate to Members of
14 Congress as described in 18 U.S.C. 1913; or,

15 (2) for publicity or propaganda purposes for the
16 preparation, distribution or use of any communica-
17 tion designed to support or defeat any proposed or
18 pending regulation, administrative action, or order
19 issued by an executive branch agency, except in
20 presentation to the executive branch itself or to Con-
21 gress.

22 OBLIGATION OF APPROPRIATIONS

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

1 DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

13 MINING APPLICATIONS

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

19 (b) EXCEPTIONS.—Subsection (a) shall not apply if
20 the Secretary of the Interior determines that, for the claim
21 concerned (1) a patent application was filed with the Sec-
22 retary on or before September 30, 1994; and (2) all re-
23 quirements established under sections 2325 and 2326 of
24 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
25 lode claims, sections 2329, 2330, 2331, and 2333 of the

1 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
2 claims, and section 2337 of the Revised Statutes (30
3 U.S.C. 42) for mill site claims, as the case may be, were
4 fully complied with by the applicant by that date.

5 (c) REPORT.—On September 30, 2017, the Secretary
6 of the Interior shall file with the House and Senate Com-
7 mittees on Appropriations and the Committee on Natural
8 Resources of the House and the Committee on Energy and
9 Natural Resources of the Senate a report on actions taken
10 by the Department under the plan submitted pursuant to
11 section 314(c) of the Department of the Interior and Re-
12 lated Agencies Appropriations Act, 1997 (Public Law
13 104–208).

14 (d) MINERAL EXAMINATIONS.—In order to process
15 patent applications in a timely and responsible manner,
16 upon the request of a patent applicant, the Secretary of
17 the Interior shall allow the applicant to fund a qualified
18 third-party contractor to be selected by the Director of the
19 Bureau of Land Management to conduct a mineral exam-
20 ination of the mining claims or mill sites contained in a
21 patent application as set forth in subsection (b). The Bu-
22 reau of Land Management shall have the sole responsi-
23 bility to choose and pay the third-party contractor in ac-
24 cordance with the standard procedures employed by the

1 Bureau of Land Management in the retention of third-
2 party contractors.

3 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

4 SEC. 405. Sections 405 and 406 of division F of the
5 Consolidated and Further Continuing Appropriations Act,
6 2015 (Public Law 113–235) shall continue in effect in fis-
7 cal year 2016.

8 CONTRACT SUPPORT COSTS, FISCAL YEAR 2016

9 LIMITATION

10 SEC. 406. Amounts provided by this Act for fiscal
11 year 2016 under the headings “Department of Health and
12 Human Services, Indian Health Service, Contract Support
13 Costs” and “Department of the Interior, Bureau of Indian
14 Affairs and Bureau of Indian Education, Contract Sup-
15 port Costs” are the only amounts available for contract
16 support costs arising out of self-determination or self-gov-
17 ernance contracts, grants, compacts, or annual funding
18 agreements for fiscal year 2016 with the Bureau of Indian
19 Affairs or the Indian Health Service: *Provided*, That such
20 amounts provided by this Act are not available for pay-
21 ment of claims for contract support costs for prior years,
22 or for repayments of payments for settlements or judg-
23 ments awarding contract support costs for prior years.

1 FOREST MANAGEMENT PLANS

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

17 PROHIBITION WITHIN NATIONAL MONUMENTS

18 SEC. 408. No funds provided in this Act may be ex-
19 pended to conduct preleasing, leasing and related activities
20 under either the Mineral Leasing Act (30 U.S.C. 181 et
21 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
22 1331 et seq.) within the boundaries of a National Monu-
23 ment established pursuant to the Act of June 8, 1906 (16
24 U.S.C. 431 et seq.) as such boundary existed on January
25 20, 2001, except where such activities are allowed under

1 the Presidential proclamation establishing such monu-
2 ment.

3 LIMITATION ON TAKINGS

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

15 TIMBER SALE REQUIREMENTS

16 SEC. 410. No timber sale in Alaska's Region 10 shall
17 be advertised if the indicated rate is deficit (defined as
18 the value of the timber is not sufficient to cover all logging
19 and stumpage costs and provide a normal profit and risk
20 allowance under the Forest Service's appraisal process)
21 when appraised using a residual value appraisal. The west-
22 ern red cedar timber from those sales which is surplus
23 to the needs of the domestic processors in Alaska, shall
24 be made available to domestic processors in the contiguous
25 48 United States at prevailing domestic prices. All addi-

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

6 PROHIBITION ON NO-BID CONTRACTS

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

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

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

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

1 POSTING OF REPORTS

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

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

9 (1) the public posting of the report com-
10 promises national security; or

11 (2) the report contains proprietary information.

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

16 NATIONAL ENDOWMENT FOR THE ARTS GRANT

17 GUIDELINES

18 SEC. 413. Of the funds provided to the National En-
19 dowment for the Arts—

20 (1) The Chairperson shall only award a grant
21 to an individual if such grant is awarded to such in-
22 dividual for a literature fellowship, National Herit-
23 age Fellowship, or American Jazz Masters Fellow-
24 ship.

1 ties, who have historically been outside the purview
2 of arts and humanities programs due to factors such
3 as a high incidence of income below the poverty line
4 or to geographic isolation.

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

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

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

23 (1) the Chairperson shall establish a grant cat-
24 egory for projects, productions, workshops, or pro-

1 grants that are of national impact or availability or
2 are able to tour several States;

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

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

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

14 STATUS OF BALANCES OF APPROPRIATIONS

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

22 REPORT ON USE OF CLIMATE CHANGE FUNDS

23 SEC. 416. Not later than 120 days after the date on
24 which the President's fiscal year 2017 budget request is
25 submitted to the Congress, the President shall submit a

1 comprehensive report to the Committees on Appropria-
2 tions of the House of Representatives and the Senate de-
3 scribing in detail all Federal agency funding, domestic and
4 international, for climate change programs, projects, and
5 activities in fiscal years 2015 and 2016, including an ac-
6 counting of funding by agency with each agency identi-
7 fying climate change programs, projects, and activities
8 and associated costs by line item as presented in the Presi-
9 dent's Budget Appendix, and including citations and link-
10 ages where practicable to each strategic plan that is driv-
11 ing funding within each climate change program, project,
12 and activity listed in the report.

13 PROHIBITION ON FEDERAL IMPLEMENTATION PLANS

14 SEC. 417. None of the funds made available by this
15 Act, or any other Act for any fiscal year, shall be used
16 to develop, propose, finalize, implement, or enforce section
17 111(d)(2) of the Clean Air Act (42 U.S.C. 7411(d)(2))
18 in the case of States that have failed to submit a satisfac-
19 tory plan to implement section 111(d)(1) of that Act (42
20 U.S.C. 7411(d)(1)), in the case of any air pollutant being
21 regulated as part of any proposed or final rule to address
22 carbon dioxide emissions from existing sources that are
23 fossil fuel-fired electric utility generating units under sec-
24 tion 111 of that Act (42 U.S.C. 7411), including any final
25 rule that succeeds—

1 (1) the proposed rule entitled “Carbon Pollu-
 2 tion Emission Guidelines for Existing Stationary
 3 Sources: Electric Utility Generating Units” (79 Fed.
 4 Reg. 34830 (June 18, 2014)); or

5 (2) the supplemental proposed rule entitled
 6 “Carbon Pollution Emission Guidelines for Existing
 7 Stationary Sources: EGUs in Indian Country and
 8 U.S. Territories; Multi-Jurisdictional Partnerships”
 9 (79 Fed. Reg. 65482 (November 4, 2014)).

10 PROHIBITION ON USE OF FUNDS

11 SEC. 418. Notwithstanding any other provision of
 12 law, none of the funds made available in this Act or any
 13 other Act may be used to promulgate or implement any
 14 regulation requiring the issuance of permits under title V
 15 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
 16 dioxide, nitrous oxide, water vapor, or methane emissions
 17 resulting from biological processes associated with live-
 18 stock production.

19 GREENHOUSE GAS REPORTING RESTRICTIONS

20 SEC. 419. Notwithstanding any other provision of
 21 law, none of the funds made available in this or any other
 22 Act may be used to implement any provision in a rule,
 23 if that provision requires mandatory reporting of green-
 24 house gas emissions from manure management systems.

1 RECREATION FEE

2 SEC. 420. Section 810 of the Federal Lands Recre-
3 ation Enhancement Act (16 U.S.C. 6809) is amended by
4 striking “September 30, 2016” and inserting “September
5 30, 2017”.

6 WATERS OF THE UNITED STATES

7 SEC. 421. None of the funds made available in this
8 Act or any other Act for any fiscal year may be used to
9 develop, adopt, implement, administer, or enforce any
10 change to the regulations and guidance in effect on Octo-
11 ber 1, 2012, pertaining to the definition of waters under
12 the jurisdiction of the Federal Water Pollution Control
13 Act (33 U.S.C. Sec. 1251, et seq.), including the provi-
14 sions of the rules dated November 13, 1986 and August
15 25, 1993, relating to said jurisdiction, and the guidance
16 documents dated January 15, 2003 and December 2,
17 2008, relating to said jurisdiction.

18 MODIFICATION OF AUTHORITIES

19 SEC. 422. (a) Section 8162(m)(3) of the Department
20 of Defense Appropriations Act, 2000 (40 U.S.C. 8903
21 note; Public Law 106–79) is amended by striking “Sep-
22 tember 30, 2015” and inserting “September 30, 2016”.

23 (b) For fiscal year 2016, the authority provided by
24 the provisos under the heading “Dwight D. Eisenhower

1 Memorial Commission—Capital Construction” in division
2 E of Public Law 112–74 shall not be in effect.

3 USE OF AMERICAN IRON AND STEEL

4 SEC. 423. (a)(1) None of the funds made available
5 by a State water pollution control revolving fund as au-
6 thorized by section 1452 of the Safe Drinking Water Act
7 (42 U.S.C. 300j–12) shall be used for a project for the
8 construction, alteration, maintenance, or repair of a public
9 water system or treatment works unless all of the iron and
10 steel products used in the project are produced in the
11 United States.

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

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

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

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

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

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

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

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

1 (f) This section does not apply with respect to a
2 project if a State agency approves the engineering plans
3 and specifications for the project, in that agency's capacity
4 to approve such plans and specifications prior to a project
5 requesting bids, prior to the date of the enactment of this
6 Act.

7 NATIONAL AMBIENT AIR QUALITY STANDARD FUNDING
8 LIMITATION

9 SEC. 424. None of the funds made available by this
10 Act, or any other Act for any fiscal year, shall be used
11 to develop, adopt, implement, administer, or enforce a na-
12 tional primary or secondary ambient air quality standard
13 for ozone that is lower than the standard established
14 under section 50.15 of title 40, Code of Federal Regula-
15 tions (as in effect on January 1, 2015), until at least 85
16 percent of the counties that, as of January 30, 2015, were
17 in nonattainment areas under the standard established
18 under section 50.15 of title 40, Code of Federal Regula-
19 tions (as in effect on January 1, 2015), achieve full com-
20 pliance with that standard.

21 FUNDING PROHIBITION

22 SEC. 425. None of the funds made available by this
23 or any other Act may be used to regulate the lead content
24 of ammunition, ammunition components, or fishing tackle

1 under the Toxic Substances Control Act (15 U.S.C. 2601
2 et seq.) or any other law.

3 CONTRACTING AUTHORITIES

4 SEC. 426. Section 412 of Division E of Public Law
5 112–74 is amended by striking “fiscal year 2015,” and
6 inserting “fiscal year 2017,”.

7 CHESAPEAKE BAY INITIATIVE

8 SEC. 427. Section 502(c) of the Chesapeake Bay Ini-
9 tiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461
10 note) is amended by striking “2015” and inserting
11 “2017”.

12 PROHIBITION OF SEWAGE DUMPING INTO THE GREAT
13 LAKES

14 SEC. 428. (a) Section 402 of the Federal Water Pol-
15 lution Control Act (33 U.S.C. 1342) is amended by adding
16 at the end the following:

17 “(s) PROHIBITION ON SEWAGE DUMPING INTO THE
18 GREAT LAKES.—

19 “(1) DEFINITIONS.—In this subsection:

20 “(A) BYPASS.—The term ‘bypass’ means
21 an intentional diversion of waste streams to by-
22 pass any portion of a treatment facility which
23 results in a discharge into the Great Lakes.

24 “(B) DISCHARGE.—

1 “(i) IN GENERAL.—The term ‘dis-
2 charge’ means a direct or indirect dis-
3 charge of untreated sewage or partially
4 treated sewage from a treatment works
5 into the Great Lakes or a tributary of the
6 Great Lakes.

7 “(ii) INCLUSIONS.—The term ‘dis-
8 charge’ includes a bypass and a combined
9 sewer overflow.

10 “(C) GREAT LAKES.—The term ‘Great
11 Lakes’ has the meaning given the term in sec-
12 tion 118(a)(3).

13 “(D) PARTIALLY TREATED SEWAGE.—The
14 term ‘partially treated sewage’ means any sew-
15 age, sewage and storm water, or sewage and
16 wastewater, from domestic or industrial sources
17 that—

18 “(i) is not treated to national sec-
19 ondary treatment standards for waste-
20 water; or

21 “(ii) is treated to a level less than the
22 level required by the applicable national
23 pollutant discharge elimination system per-
24 mit.

1 “(E) TREATMENT FACILITY.—The term
2 ‘treatment facility’ includes all wastewater
3 treatment units used by a publicly owned treat-
4 ment works to meet secondary treatment stand-
5 ards or higher, as required to attain water qual-
6 ity standards, under any operating conditions.

7 “(F) TREATMENT WORKS.—The term
8 ‘treatment works’ has the meaning given the
9 term in section 212.

10 “(2) PROHIBITION.—A publicly owned treat-
11 ment works is prohibited from performing a bypass
12 unless—

13 “(A)(i) the bypass is unavoidable to pre-
14 vent loss of life, personal injury, or severe prop-
15 erty damage;

16 “(ii) there is not a feasible alternative to
17 the bypass, such as the use of auxiliary treat-
18 ment facilities, retention of untreated wastes, or
19 maintenance during normal periods of equip-
20 ment downtime; and

21 “(iii) the treatment works provides notice
22 of the bypass in accordance with this sub-
23 section; or

24 “(B) the bypass does not cause effluent
25 limitations to be exceeded, and the bypass is for

1 essential maintenance to ensure efficient oper-
2 ation of the treatment facility.

3 “(3) LIMITATION.—The requirement of para-
4 graph (2)(A)(ii) is not satisfied if—

5 “(A) adequate back-up equipment should
6 have been installed in the exercise of reasonable
7 engineering judgment to prevent the bypass;
8 and

9 “(B) the bypass occurred during normal
10 periods of equipment downtime or preventive
11 maintenance.

12 “(4) IMMEDIATE NOTICE REQUIREMENTS.—

13 “(A) IN GENERAL.—The Administrator
14 shall work with States having publicly owned
15 treatment works subject to the requirements of
16 this subsection to create immediate notice re-
17 quirements in the event of discharge that pro-
18 vide for the method, contents, and requirements
19 for public availability of the notice.

20 “(B) MINIMUM REQUIREMENTS.—

21 “(i) IN GENERAL.—At a minimum,
22 the contents of the notice shall include—

23 “(I) the exact dates and times of
24 the discharge;

1 “(II) the volume of the discharge;

2 and

3 “(III) a description of any public

4 access areas impacted.

5 “(ii) CONSISTENCY.—Minimum re-

6 quirements shall be consistent for all

7 States.

8 “(C) ADDITIONAL REQUIREMENTS.—The

9 Administrator and States described in subpara-

10 graph (A) shall include—

11 “(i) follow-up notice requirements

12 that provide a more full description of each

13 event, the cause, and plans to prevent reoc-

14 currence; and

15 “(ii) annual publication requirements

16 that list each treatment works from which

17 the Administrator or the State receive a

18 follow-up notice.

19 “(D) TIMING.—The notice and publication

20 requirements described in this paragraph shall

21 be implemented not later than 2 years after the

22 date of enactment of this subsection.

23 “(5) SEWAGE BLENDING.—Bypasses prohibited

24 by this section include bypasses resulting in dis-

25 charges from a publicly owned treatment works that

1 consist of effluent routed around treatment units
2 and thereafter blended together with effluent from
3 treatment units prior to discharge.

4 “(6) IMPLEMENTATION.—As soon as prac-
5 ticable, the Administrator shall establish procedures
6 to ensure that permits issued under this section (or
7 under a State permit program approved under this
8 section) to a publicly owned treatment works include
9 requirements to implement this subsection.

10 “(7) INCREASE IN MAXIMUM CIVIL PENALTY
11 FOR VIOLATIONS OCCURRING AFTER JANUARY 1,
12 2035.—Notwithstanding section 309, in the case of a
13 violation of this subsection occurring on or after
14 January 1, 2035, or any violation of a permit limita-
15 tion or condition implementing this subsection occur-
16 ring after that date, the maximum civil penalty that
17 shall be assessed for the violation shall be \$100,000
18 per day for each day the violation occurs.

19 “(8) APPLICABILITY.—This subsection shall
20 apply to a bypass occurring after the last day of the
21 1-year period beginning on the date of enactment of
22 this subsection.”.

23 (b) GREAT LAKES CLEANUP FUND.—(1) Title V of
24 the Federal Water Pollution Control Act (33 U.S.C. 1361
25 et seq.) is amended—

1 (A) by redesignating section 519 (33 U.S.C.
2 1251 note) as section 520; and

3 (B) by inserting after section 518 (33 U.S.C.
4 1377) the following:

5 **“SEC. 519. ESTABLISHMENT OF GREAT LAKES CLEANUP**
6 **FUND.**

7 “(a) DEFINITIONS.—In this section:

8 “(1) FUND.—The term ‘Fund’ means the Great
9 Lakes Cleanup Fund established by subsection (b).

10 “(2) GREAT LAKES; GREAT LAKES STATES.—
11 The terms ‘Great Lakes’ and ‘Great Lakes States’
12 have the meanings given the terms in section
13 118(a)(3).

14 “(b) ESTABLISHMENT OF FUND.—There is estab-
15 lished in the Treasury of the United States a trust fund
16 to be known as the ‘Great Lakes Cleanup Fund’ (referred
17 to in this section as the ‘Fund’).

18 “(c) TRANSFERS TO FUND.—Effective January 1,
19 2035, there are authorized to be appropriated to the Fund
20 amounts equivalent to the penalties collected for violations
21 of section 402(s).

22 “(d) ADMINISTRATION OF FUND.—The Adminis-
23 trator shall administer the Fund.

24 “(e) USE OF FUNDS.—The Administrator shall—

1 “(1) make the amounts in the Fund available
2 to the Great Lakes States for use in carrying out
3 programs and activities for improving wastewater
4 discharges into the Great Lakes, including habitat
5 protection and wetland restoration; and

6 “(2) allocate those amounts among the Great
7 Lakes States based on the proportion that—

8 “(A) the amount attributable to a Great
9 Lakes State for penalties collected for violations
10 of section 402(s); bears to

11 “(B) the total amount of those penalties
12 attributable to all Great Lakes States.

13 “(f) PRIORITY.—In selecting programs and activities
14 to be funded using amounts made available under this sec-
15 tion, a Great Lakes State shall give priority consideration
16 to programs and activities that address violations of sec-
17 tion 402(s) resulting in the collection of penalties.”.

18 (2) Section 607 of the Federal Water Pollution Con-
19 trol Act (33 U.S.C. 1387) is amended—

20 (A) by striking “There is” and inserting “(a) In
21 General.—There is”; and

22 (B) by adding at the end the following:

23 “(b) TREATMENT OF GREAT LAKES CLEANUP
24 FUND.—For purposes of this title, amounts made avail-
25 able from the Great Lakes Cleanup Fund under section

1 519 shall be treated as funds authorized to be appro-
2 priated to carry out this title and as funds made available
3 under this title, except that the funds shall be made avail-
4 able to the Great Lakes States in accordance with section
5 519.”.

6 STEWARDSHIP CONTRACTING AMENDMENTS

7 SEC. 429. Section 604(d) of the Healthy Forest Res-
8 toration Act of 2003 (16 U.S.C. 6591), as amended by
9 the Agricultural Act of 2014 (Public Law 113–79), is fur-
10 ther amended—

11 (a) in paragraph (5), by adding at the end the fol-
12 lowing: “Notwithstanding the Materials Act of 1947 (30
13 U.S.C. 602(a)), the Director may enter into an agreement
14 or contract under subsection (b).”; and

15 (b) in paragraph (7), by striking “and the Director”.

16 EXTENSION OF GRAZING PERMITS

17 SEC. 430. The terms and conditions of section 325
18 of Public Law 108–108 (117 Stat. 1307), regarding graz-
19 ing permits issued by the Forest Service on any lands not
20 subject to administration under section 402 of Federal
21 Lands Policy and Management Act (43 U.S.C. 1752),
22 shall remain in effect for fiscal year 2016.

23 FINANCIAL ASSURANCE

24 SEC. 431. None of the funds made available by this
25 Act may be used to develop, propose, finalize, implement,

1 enforce, or administer any regulation that would establish
2 new financial responsibility requirements pursuant to sec-
3 tion 108(b) of the Comprehensive Environmental Re-
4 sponse, Compensation, and Liability Act of 1980 (42
5 U.S.C. 9608(b)).

6 NEPA GUIDANCE

7 SEC. 432. None of the funds made available in this
8 Act may be used by any Federal agency to develop, adopt,
9 implement, enforce, or administer guidance or regulations
10 published in (1) 79 Fed. Reg. 77,802 dated December 24,
11 2014; and (2) 79 Fed. Reg. 76,986, dated December 23,
12 2014.

13 GOOD NEIGHBOR AUTHORITY

14 SEC. 433. Section 8206(b)(2) of the Agricultural Act
15 of 2014 (16 USC 2113a(b)(2)) is amended by adding at
16 the end of the following:

17 “(C) FOREST DEVELOPMENT ROADS.—

18 “(i) IN GENERAL.—Notwithstanding
19 subsection (a)(3)(B), existing roads shall
20 be repaired or reconstructed to a satisfac-
21 tory condition to perform authorized res-
22 toration services including removal of tim-
23 ber.”.

1 **TITLE V—WILDFIRE DISASTER**
2 **FUNDING**

3 **SEC. 501. WILDFIRE DISASTER FUNDING AUTHORITY.**

4 (a) **DISASTER FUNDING.**—Section 251(b)(2)(D) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985 (2 U.S.C. 901(b)(2)(D)) is amended—

7 (1) in clause (i)—

8 (A) in subclause (I), by striking “and” at
9 the end and inserting “plus”;

10 (B) in subclause (II), by striking the pe-
11 riod at the end and inserting “; less”; and

12 (C) by adding the following:

13 “(III) the additional new budget
14 authority provided in an appropriation
15 Act for wildfire suppression operations
16 pursuant to subparagraph (E) for the
17 preceding fiscal year.”; and

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

19 “(v) Beginning in fiscal year 2018,
20 and for each fiscal year thereafter, the cal-
21 culation of the ‘average funding provided
22 for disaster relief over the previous 10
23 years’ shall include, for each year within
24 that average, the additional new budget
25 authority provided in an appropriation Act

1 for wildfire suppression operations pursu-
2 ant to subparagraph (E) for the preceding
3 fiscal year.”.

4 (b) WILDFIRE SUPPRESSION.—Section 251(b)(2) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at
7 the end the following:

8 “(E) WILDFIRE SUPPRESSION.—

9 “(i) DEFINITIONS.—In this subpara-
10 graph:

11 “(I) ADDITIONAL NEW BUDGET
12 AUTHORITY.—The term ‘additional
13 new budget authority’ means the
14 amount provided for a fiscal year in
15 an appropriation Act that is—

16 “(aa) in excess of 100 per-
17 cent of the average costs for wild-
18 fire suppression operations over
19 the previous 10 years; and

20 “(bb) specified to pay for
21 the costs of wildfire suppression
22 operations.

23 “(II) WILDFIRE SUPPRESSION
24 OPERATIONS.—The term ‘wildfire sup-
25 pression operations’ means the emer-

1 agency and unpredictable aspects of
2 wildland firefighting, including—

3 “(aa) support, response, and
4 emergency stabilization activities;

5 “(bb) other emergency man-
6 agement activities; and

7 “(cc) the funds necessary to
8 repay any transfers needed for
9 the costs of wildfire suppression
10 operations.

11 “(ii) ADDITIONAL NEW BUDGET AU-
12 THORITY.—If a bill or joint resolution
13 making appropriations for a fiscal year is
14 enacted that specifies an amount for wild-
15 fire suppression operations in the Wildland
16 Fire Management accounts at the Depart-
17 ment of Agriculture or the Department of
18 the Interior, then the adjustments for that
19 fiscal year shall be the amount of addi-
20 tional new budget authority provided in
21 that Act for wildfire suppression operations
22 for that fiscal year, but shall not exceed—

23 “(I) for fiscal year 2016,
24 \$1,460,000,000 in additional new
25 budget authority;

1 “(II) for fiscal year 2017,
2 \$1,557,000,000 in additional new
3 budget authority;

4 “(III) for fiscal year 2018,
5 \$1,778,000,000 in additional new
6 budget authority;

7 “(IV) for fiscal year 2019,
8 \$2,030,000,000 in additional new
9 budget authority;

10 “(V) for fiscal year 2020,
11 \$2,319,000,000 in additional new
12 budget authority; and

13 “(VI) for fiscal year 2021,
14 \$2,650,000,000 in additional new
15 budget authority.

16 “(iii) AVERAGE COST CALCULATION.—

17 The average costs for wildfire suppression
18 operations over the previous 10 years shall
19 be calculated annually and reported in the
20 budget of the President submitted under
21 section 1105(a) of title 31, United States
22 Code, for each fiscal year.”.

23 **SEC. 502. REPORTING REQUIREMENTS.**

24 (a) SUPPLEMENTAL APPROPRIATIONS.—If the Sec-
25 retary of the Interior or the Secretary of Agriculture de-

1 terminates that supplemental appropriations are necessary
2 for a fiscal year for wildfire suppression operations, a re-
3 quest for the supplemental appropriations shall promptly
4 be submitted to Congress.

5 (b) NOTICE OF NEED FOR ADDITIONAL FUNDS.—

6 Prior to the obligation of any of the additional new budget
7 authority for wildfire suppression operations specified for
8 purposes of section 251(b)(2)(E)(ii) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985 (2
10 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or
11 the Secretary of Agriculture, as applicable, shall submit
12 to the Committees on Appropriations and the Budget of
13 the House of Representatives and the Committees on Ap-
14 propriations and the Budget of the Senate written notifi-
15 cation that describes—

16 (1) that the amount for wildfire suppression op-
17 erations to meet the terms of section 251(b)(2)(E)
18 of that Act for that fiscal year will be exhausted im-
19 minently; and

20 (2) the need for additional new budget author-
21 ity for wildfire suppression operations.

22 (c) ACCOUNTING, REPORTS AND ACCOUNTABILITY.—

23 (1) ACCOUNTING AND REPORTING REQUIRE-
24 MENTS.—For each fiscal year, the Secretary of the
25 Interior and the Secretary of Agriculture shall ac-

1 count for and report on the amounts used from the
2 additional new budget authority for wildfire suppres-
3 sion operations provided to the Secretary of the In-
4 terior or Secretary of Agriculture, as applicable, in
5 an appropriations Act pursuant to section
6 251(b)(2)(E)(ii) of the Balanced Budget and Emer-
7 gency Deficit Control Act of 1985 (2 U.S.C.
8 901(b)(2)(E)(ii)).

9 (2) ANNUAL REPORT.—

10 (A) IN GENERAL.—Not later than 180
11 days after the end of the fiscal year for which
12 additional new budget authority is used, pursu-
13 ant to section 251(b)(2)(E)(ii) of the Balanced
14 Budget and Emergency Deficit Control Act of
15 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary
16 of the Interior or the Secretary of Agriculture,
17 as applicable, shall—

18 (i) prepare an annual report with re-
19 spect to the additional new budget author-
20 ity;

21 (ii) submit to the Committees on Ap-
22 propriations, the Budget, and Natural Re-
23 sources of the House of Representatives
24 and the Committees on Appropriations, the
25 Budget, and Energy and Natural Re-

1 sources of the Senate the annual report
2 prepared under clause (i); and

3 (iii) make the report prepared under
4 clause (i) available to the public.

5 (B) COMPONENTS.—The annual report
6 prepared under subparagraph (A) shall—

7 (i) document risk-based factors that
8 influenced management decisions with re-
9 spect to wildfire suppression operations;

10 (ii) analyze a statistically significant
11 sample of large fires, including an analysis
12 for each fire of—

13 (I) cost drivers;

14 (II) the effectiveness of risk man-
15 agement techniques and whether fire
16 operations strategy tracked the risk
17 assessment;

18 (III) any resulting ecological or
19 other benefits to the landscape;

20 (IV) the impact of investments in
21 wildfire suppression operations pre-
22 paredness;

23 (V) effectiveness of wildfire sup-
24 pression operations, including an anal-

- 1 ysis of resources lost versus dollars in-
2 vested;
- 3 (VI) effectiveness of any fuel
4 treatments on fire behavior and sup-
5 pression expenditures;
- 6 (VII) suggested corrective ac-
7 tions; and
- 8 (VIII) any other factors the Sec-
9 retary of the Interior or Secretary of
10 Agriculture determines to be appro-
11 priate;
- 12 (iii) include an accounting of overall
13 fire management and spending by the De-
14 partment of the Interior or the Depart-
15 ment of Agriculture, which shall be ana-
16 lyzed by fire size, cost, regional location,
17 and other factors;
- 18 (iv) describe any lessons learned in
19 the conduct of wildfire suppression oper-
20 ations; and
- 21 (v) include any other elements that
22 the Secretary of the Interior or the Sec-
23 retary of Agriculture determines to be nec-
24 essary.

1 This division may be cited as the “Department of the
2 Interior, Environment, and Related Agencies Appropria-
3 tions Act, 2016”.

4 **DIVISION C—DEPARTMENTS OF LABOR,**
5 **HEALTH AND HUMAN SERVICES, AND**
6 **EDUCATION, AND RELATED AGENCIES**
7 **APPROPRIATIONS ACT, 2016**

8 TITLE I

9 DEPARTMENT OF LABOR

10 EMPLOYMENT AND TRAINING ADMINISTRATION

11 TRAINING AND EMPLOYMENT SERVICES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of the Workforce Innovation
14 and Opportunity Act (referred to in this Act as “WIOA”),
15 and the Second Chance Act of 2007, \$2,936,244,000, plus
16 reimbursements, shall be available. Of the amounts pro-
17 vided:

18 (1) for grants to States for adult employment
19 and training activities, youth activities, and dis-
20 located worker employment and training activities,
21 \$2,492,000,000 as follows:

22 (A) \$737,000,000 for adult employment
23 and training activities, of which \$25,000,000
24 shall be available for the period July 1, 2016,
25 through June 30, 2017, and of which

1 \$712,000,000 shall be available for the period
2 October 1, 2016, through June 30, 2017;

3 (B) \$790,000,000 for youth activities,
4 which shall be available for the period April 1,
5 2016, through June 30, 2017; and

6 (C) \$965,000,000 for dislocated worker
7 employment and training activities, of which
8 \$105,000,000 shall be available for the period
9 July 1, 2016, through June 30, 2017, and of
10 which \$860,000,000 shall be available for the
11 period October 1, 2016, through June 30,
12 2017:

13 *Provided*, That pursuant to section 128(a)(1) of the
14 WIOA, the amount available to the Governor for statewide
15 workforce investment activities shall not exceed 15 percent
16 of the amount allotted to the State from each of the appro-
17 priations under the preceding subparagraphs; and

18 (2) for national programs, \$444,244,000 as fol-
19 lows:

20 (A) \$200,000,000 for the dislocated work-
21 ers assistance national reserve, which shall be
22 available for the period October 1, 2016
23 through September 30, 2017: *Provided*, That
24 funds provided to carry out section
25 132(a)(2)(A) of the WIOA may be used to pro-

1 vide assistance to a State for statewide or local
2 use in order to address cases where there have
3 been worker dislocations across multiple sectors
4 or across multiple local areas and such workers
5 remain dislocated; coordinate the State work-
6 force development plan with emerging economic
7 development needs; and train such eligible dis-
8 located workers: *Provided further*, That funds
9 provided to carry out sections 168(b) and
10 169(c) of the WIOA may be used for technical
11 assistance and demonstration projects, respec-
12 tively, that provide assistance to new entrants
13 in the workforce and incumbent workers: *Pro-*
14 *vided further*, That notwithstanding section
15 168(b) of the WIOA, of the funds provided
16 under this subparagraph, the Secretary of
17 Labor (referred to in this title as “Secretary”)
18 may reserve not more than 10 percent of such
19 funds to provide technical assistance and carry
20 out additional activities related to the transition
21 to the WIOA: *Provided further*, That, of the
22 funds provided under this subparagraph,
23 \$19,000,000 shall be made available for appli-
24 cations submitted in accordance with section
25 170 of the WIOA for training and employment

1 assistance for workers dislocated from coal
2 mines and coal-fired power plants;

3 (B) \$40,500,000 for Native American pro-
4 grams under section 166 of the WIOA, which
5 shall be available for the period July 1, 2016,
6 through June 30, 2017;

7 (C) \$23,750,000, which shall be available
8 for the period October 1, 2015, through Sep-
9 tember 30, 2016, for necessary expenses for the
10 Office of Disability Employment Policy to de-
11 velop policy and initiatives furthering the objec-
12 tive of eliminating barriers to the training and
13 employment of people with disabilities, includ-
14 ing funds for competitive grants: *Provided,*
15 That, not later than 180 days after the date of
16 enactment of this Act, the Office of Disability
17 Employment Policy in the Department of Labor
18 shall be placed in the Employment and Train-
19 ing Administration, and the functions and du-
20 ties previously assigned to the Assistant Sec-
21 retary for Disability Employment Policy shall
22 hereafter be assigned to the Assistant Secretary
23 for Employment and Training.

24 (D) \$73,000,000 for migrant and seasonal
25 farmworker programs under section 167 of the

1 WIOA, including \$67,306,000 for formula
2 grants (of which not less than 70 percent shall
3 be for employment and training services),
4 \$5,200,000 for migrant and seasonal housing
5 (of which not less than 70 percent shall be for
6 permanent housing), and \$494,000 for other
7 discretionary purposes, which shall be available
8 for the period July 1, 2016, through June 30,
9 2017: *Provided*, That notwithstanding any
10 other provision of law or related regulation, the
11 Department of Labor shall take no action lim-
12 iting the number or proportion of eligible par-
13 ticipants receiving related assistance services or
14 discouraging grantees from providing such serv-
15 ices;

16 (E) \$79,689,000 for YouthBuild activities
17 as described in section 171 of the WIOA, which
18 shall be available for the period April 1, 2016,
19 through June 30, 2017;

20 (F) \$1,000,000 for technical assistance ac-
21 tivities under section 168 of the WIOA, which
22 shall be available for the period July 1, 2016
23 through June 30, 2017;

24 (G) \$22,305,000 for ex-offender activities,
25 under the authority of section 169 of the WIOA

1 and section 212 of the Second Chance Act of
2 2007, which shall be available for the period
3 April 1, 2016, through June 30, 2017: *Pro-*
4 *vided*, That such funds shall be for competitive
5 grants to national and regional intermediaries
6 for activities that prepare adult and young ex-
7 offenders and school dropouts for employment,
8 with a priority for projects serving high crime,
9 high-poverty areas and communities that have
10 recently experienced significant unrest;

11 (H) \$4,000,000 for the Workforce Data
12 Quality Initiative, under the authority of section
13 169 of the WIOA, which shall be available for
14 the period July 1, 2016 through June 30,
15 2017.

16 JOB CORPS

17 (INCLUDING TRANSFER OF FUNDS)

18 To carry out subtitle C of title I of the WIOA, includ-
19 ing Federal administrative expenses, the purchase and
20 hire of passenger motor vehicles, the construction, alter-
21 ation, and repairs of buildings and other facilities, and the
22 purchase of real property for training centers as author-
23 ized by the WIOA, \$1,683,155,000, plus reimbursements,
24 as follows:

1 (1) \$1,578,008,000 for Job Corps Operations,
2 which shall be available for the period July 1, 2016,
3 through June 30, 2017;

4 (2) \$74,000,000 for construction, rehabilitation
5 and acquisition of Job Corps Centers, which shall be
6 available for the period July 1, 2016, through June
7 30, 2019, and which may include the acquisition,
8 maintenance, and repair of major items of equip-
9 ment: *Provided*, That the Secretary may transfer up
10 to 15 percent of such funds to meet the operational
11 needs of such centers or to achieve administrative ef-
12 ficiencies: *Provided further*, That any funds trans-
13 ferred pursuant to the preceding proviso shall not be
14 available for obligation after June 30, 2017: *Pro-*
15 *vided further*, That the Committees on Appropria-
16 tions of the House of Representatives and the Sen-
17 ate are notified at least 15 days in advance of any
18 transfer; and

19 (3) \$31,147,000 for necessary expenses of Job
20 Corps, which shall be available for obligation for the
21 period October 1, 2015 through September 30,
22 2016:

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

1 COMMUNITY SERVICE EMPLOYMENT FOR OLDER
2 AMERICANS

3 To carry out title V of the Older Americans Act of
4 1965 (referred to in this Act as “OAA”), \$400,000,000,
5 which shall be available for the period July 1, 2016
6 through June 30, 2017, and may be recaptured and reobli-
7 gated in accordance with section 517(c) of the OAA.

8 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

9 For payments during fiscal year 2016 of trade ad-
10 justment benefit payments and allowances under part I
11 of subchapter B of chapter 2 of title II of the Trade Act
12 of 1974, and section 246 of that Act; and for training,
13 employment and case management services, allowances for
14 job search and relocation, and related State administrative
15 expenses under part II of subchapter B of chapter 2 of
16 title II of the Trade Act of 1974, and including benefit
17 payments, allowances, training, employment and case
18 management services, and related State administration
19 provided pursuant to section 231(a) and section 233(b)
20 of the Trade Adjustment Assistance Extension Act of
21 2011, \$664,200,000, together with such amounts as may
22 be necessary to be charged to the subsequent appropria-
23 tion for payments for any period subsequent to September
24 15, 2016.

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
2 SERVICE OPERATIONS

3 For authorized administrative expenses,
4 \$86,428,000, together with not to exceed \$3,413,133,000
5 which may be expended from the Employment Security
6 Administration Account in the Unemployment Trust Fund
7 (“the Trust Fund”), of which:

8 (1) \$2,705,550,000 from the Trust Fund is for
9 grants to States for the administration of State un-
10 employment insurance laws as authorized under title
11 III of the Social Security Act (including not less
12 than \$80,000,000 to conduct in-person reemploy-
13 ment and eligibility assessments and unemployment
14 insurance improper payment reviews, and to provide
15 reemployment services and referrals to training as
16 appropriate, and \$3,000,000 for continued support
17 of the Unemployment Insurance Integrity Center of
18 Excellence), the administration of unemployment in-
19 surance for Federal employees and for ex-service
20 members as authorized under 5 U.S.C. 8501–8523,
21 and the administration of trade readjustment allow-
22 ances, reemployment trade adjustment assistance,
23 and alternative trade adjustment assistance under
24 the Trade Act of 1974 and under sections 231(a)
25 and 233(b) of the Trade Adjustment Assistance Ex-

1 tension Act of 2011, and shall be available for obli-
2 gation by the States through December 31, 2016,
3 except that funds used for automation acquisitions
4 shall be available for Federal obligation through De-
5 cember 31, 2016, and for State obligation through
6 September 30, 2018, or, if the automation acquisi-
7 tion is being carried out through consortia of States,
8 for State obligation through September 30, 2021,
9 and for expenditure through September 30, 2022,
10 and funds for competitive grants awarded to States
11 for improved operations and to conduct in-person as-
12 sessments and reviews and provide reemployment
13 services and referrals shall be available for Federal
14 obligation through December 31, 2016, and for obli-
15 gation by the States through September 30, 2018,
16 and funds used for unemployment insurance work-
17 loads experienced by the States through September
18 30, 2016, shall be available for Federal obligation
19 through December 31, 2016;

20 (2) \$12,892,000 from the Trust Fund is for na-
21 tional activities necessary to support the administra-
22 tion of the Federal-State unemployment insurance
23 system;

24 (3) \$614,000,000 from the Trust Fund, to-
25 gether with \$20,775,000 from the General Fund of

1 the Treasury, is for grants to States in accordance
2 with section 6 of the Wagner-Peyser Act, and shall
3 be available for Federal obligation for the period
4 July 1, 2016 through June 30, 2017;

5 (4) \$19,000,000 from the Trust Fund is for na-
6 tional activities of the Employment Service, includ-
7 ing administration of the work opportunity tax cred-
8 it under section 51 of the Internal Revenue Code of
9 1986, and the provision of technical assistance and
10 staff training under the Wagner-Peyser Act;

11 (5) \$61,691,000 from the Trust Fund is for the
12 administration of foreign labor certifications and re-
13 lated activities under the Immigration and Nation-
14 ality Act and related laws, of which \$47,691,000
15 shall be available for the Federal administration of
16 such activities, and \$14,000,000 shall be available
17 for grants to States for the administration of such
18 activities; and

19 (6) \$65,653,000 from the General Fund is to
20 provide workforce information, national electronic
21 tools, and one-stop system building under the Wag-
22 ner-Peyser Act, including \$7,500,000 for grants re-
23 lating to occupational licensing, and shall be avail-
24 able for Federal obligation for the period July 1,
25 2016 through June 30, 2017:

1 *Provided*, That to the extent that the Average Weekly In-
2 sured Unemployment (“AWIU”) for fiscal year 2016 is
3 projected by the Department of Labor to exceed
4 2,957,000, an additional \$28,600,000 from the Trust
5 Fund shall be available for obligation for every 100,000
6 increase in the AWIU level (including a pro rata amount
7 for any increment less than 100,000) to carry out title
8 III of the Social Security Act: *Provided further*, That
9 funds appropriated in this Act that are allotted to a State
10 to carry out activities under title III of the Social Security
11 Act may be used by such State to assist other States in
12 carrying out activities under such title III if the other
13 States include areas that have suffered a major disaster
14 declared by the President under the Robert T. Stafford
15 Disaster Relief and Emergency Assistance Act: *Provided*
16 *further*, That the Secretary may use funds appropriated
17 for grants to States under title III of the Social Security
18 Act to make payments on behalf of States for the use of
19 the National Directory of New Hires under section
20 453(j)(8) of such Act: *Provided further*, That the Sec-
21 retary may use funds appropriated for grants to States
22 under title III of the Social Security Act to make pay-
23 ments on behalf of States to the entity operating the State
24 Information Data Exchange System: *Provided further*,
25 That funds appropriated in this Act which are used to es-

1 tablish a national one-stop career center system, or which
2 are used to support the national activities of the Federal-
3 State unemployment insurance, employment service, or
4 immigration programs, may be obligated in contracts,
5 grants, or agreements with States and non-State entities:
6 *Provided further*, That States awarded competitive grants
7 for improved operations under title III of the Social Secu-
8 rity Act, or awarded grants to support the national activi-
9 ties of the Federal-State unemployment insurance system,
10 may award subgrants to other States under such grants,
11 subject to the conditions applicable to the grants: *Provided*
12 *further*, That funds appropriated under this Act for activi-
13 ties authorized under title III of the Social Security Act
14 and the Wagner-Peyser Act may be used by States to fund
15 integrated Unemployment Insurance and Employment
16 Service automation efforts, notwithstanding cost allocation
17 principles prescribed under the Office of Management and
18 Budget Circular A-87: *Provided further*, That the Sec-
19 retary, at the request of a State participating in a consor-
20 tium with other States, may reallocate funds allotted to such
21 State under title III of the Social Security Act to other
22 States participating in the consortium in order to carry
23 out activities that benefit the administration of the unem-
24 ployment compensation law of the State making the re-
25 quest: *Provided further*, That the Secretary may collect

1 Social Security Act, and to the Black Lung Disability
2 Trust Fund as authorized by section 9501(e)(1) of the In-
3 ternal Revenue Code of 1986; and for nonrepayable ad-
4 vances to the revolving fund established by section 901(e)
5 of the Social Security Act, to the Unemployment Trust
6 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
7 Unemployment Benefits and Allowances” account, such
8 sums as may be necessary, which shall be available for
9 obligation through September 30, 2017.

10 PROGRAM ADMINISTRATION

11 For expenses of administering employment and train-
12 ing programs, \$97,733,000, together with not to exceed
13 \$46,284,000 which may be expended from the Employ-
14 ment Security Administration Account in the Unemploy-
15 ment Trust Fund.

16 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses for the Employee Benefits
19 Security Administration, \$168,930,000.

20 PENSION BENEFIT GUARANTY CORPORATION

21 PENSION BENEFIT GUARANTY CORPORATION FUND

22 The Pension Benefit Guaranty Corporation (“Cor-
23 poration”) is authorized to make such expenditures, in-
24 cluding financial assistance authorized by subtitle E of
25 title IV of the Employee Retirement Income Security Act

1 of 1974, within limits of funds and borrowing authority
2 available to the Corporation, and in accord with law, and
3 to make such contracts and commitments without regard
4 to fiscal year limitations, as provided by 31 U.S.C. 9104,
5 as may be necessary in carrying out the program, includ-
6 ing associated administrative expenses, through Sep-
7 tember 30, 2016, for the Corporation: *Provided*, That
8 none of the funds available to the Corporation for fiscal
9 year 2016 shall be available for obligations for administra-
10 tive expenses in excess of \$431,799,000: *Provided further*,
11 That to the extent that the number of new plan partici-
12 pants in plans terminated by the Corporation exceeds
13 100,000 in fiscal year 2016, an amount not to exceed an
14 additional \$9,200,000 shall be available through Sep-
15 tember 30, 2017, for obligation for administrative ex-
16 penses for every 20,000 additional terminated partici-
17 pants: *Provided further*, That obligations in excess of the
18 amounts provided in this paragraph may be incurred for
19 unforeseen and extraordinary pretermination expenses or
20 extraordinary multiemployer program related expenses
21 after approval by the Office of Management and Budget
22 and notification of the Committees on Appropriations of
23 the House of Representatives and the Senate.

1 WAGE AND HOUR DIVISION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Wage and Hour Divi-
4 sion, including reimbursement to State, Federal, and local
5 agencies and their employees for inspection services ren-
6 dered, \$210,000,000.

7 OFFICE OF LABOR-MANAGEMENT STANDARDS

8 SALARIES AND EXPENSES

9 For necessary expenses for the Office of Labor-Man-
10 agement Standards, \$36,000,000.

11 OFFICE OF FEDERAL CONTRACT COMPLIANCE

12 PROGRAMS

13 SALARIES AND EXPENSES

14 For necessary expenses for the Office of Federal Con-
15 tract Compliance Programs, \$96,000,000.

16 OFFICE OF WORKERS' COMPENSATION PROGRAMS

17 SALARIES AND EXPENSES

18 For necessary expenses for the Office of Workers'
19 Compensation Programs, \$107,500,000, together with
20 \$2,177,000 which may be expended from the Special Fund
21 in accordance with sections 39(c), 44(d), and 44(j) of the
22 Longshore and Harbor Workers' Compensation Act.

1 SPECIAL BENEFITS

2 (INCLUDING TRANSFER OF FUNDS)

3 For the payment of compensation, benefits, and ex-
4 penses (except administrative expenses) accruing during
5 the current or any prior fiscal year authorized by 5 U.S.C.
6 81; continuation of benefits as provided for under the
7 heading “Civilian War Benefits” in the Federal Security
8 Agency Appropriation Act, 1947; the Employees’ Com-
9 pensation Commission Appropriation Act, 1944; section
10 5(f) of the War Claims Act (50 U.S.C. App. 2004); obliga-
11 tions incurred under the War Hazards Compensation Act
12 (42 U.S.C. 1701 et seq.); and 50 percent of the additional
13 compensation and benefits required by section 10(h) of the
14 Longshore and Harbor Workers’ Compensation Act,
15 \$210,000,000, together with such amounts as may be nec-
16 essary to be charged to the subsequent year appropriation
17 for the payment of compensation and other benefits for
18 any period subsequent to August 15 of the current year,
19 for deposit into and to assume the attributes of the Em-
20 ployees’ Compensation Fund established under 5 U.S.C.
21 8147(a): *Provided*, That amounts appropriated may be
22 used under 5 U.S.C. 8104 by the Secretary to reimburse
23 an employer, who is not the employer at the time of injury,
24 for portions of the salary of a re-employed, disabled bene-
25 ficiary: *Provided further*, That balances of reimbursements

1 unobligated on September 30, 2015, shall remain available
2 until expended for the payment of compensation, benefits,
3 and expenses: *Provided further*, That in addition there
4 shall be transferred to this appropriation from the Postal
5 Service and from any other corporation or instrumentality
6 required under 5 U.S.C. 8147(c) to pay an amount for
7 its fair share of the cost of administration, such sums as
8 the Secretary determines to be the cost of administration
9 for employees of such fair share entities through Sep-
10 tember 30, 2016: *Provided further*, That of those funds
11 transferred to this account from the fair share entities to
12 pay the cost of administration of the Federal Employees'
13 Compensation Act, \$62,170,000 shall be made available
14 to the Secretary as follows—

15 (1) for enhancement and maintenance of auto-
16 mated data processing systems operations and tele-
17 communications systems, \$21,140,000;

18 (2) for automated workload processing oper-
19 ations, including document imaging, centralized mail
20 intake, and medical bill processing, \$22,968,000;

21 (3) for periodic roll disability management and
22 medical review, \$16,668,000;

23 (4) for program integrity, \$1,394,000; and

24 (5) the remaining funds shall be paid into the
25 Treasury as miscellaneous receipts:

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

7 SPECIAL BENEFITS FOR DISABLED COAL MINERS

8 For carrying out title IV of the Federal Mine Safety
9 and Health Act of 1977, as amended by Public Law 107-
10 275, \$69,302,000, to remain available until expended.

11 For making after July 31 of the current fiscal year,
12 benefit payments to individuals under title IV of such Act,
13 for costs incurred in the current fiscal year, such amounts
14 as may be necessary.

15 For making benefit payments under title IV for the
16 first quarter of fiscal year 2017, \$19,000,000, to remain
17 available until expended.

18 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

19 OCCUPATIONAL ILLNESS COMPENSATION FUND

20 For necessary expenses to administer the Energy
21 Employees Occupational Illness Compensation Program
22 Act, \$58,552,000, to remain available until expended: *Pro-*
23 *vided*, That the Secretary may require that any person fil-
24 ing a claim for benefits under the Act provide as part of

1 such claim such identifying information (including Social
2 Security account number) as may be prescribed.

3 BLACK LUNG DISABILITY TRUST FUND

4 (INCLUDING TRANSFER OF FUNDS)

5 Such sums as may be necessary from the Black Lung
6 Disability Trust Fund (the “Fund”), to remain available
7 until expended, for payment of all benefits authorized by
8 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
9 enue Code of 1986; and repayment of, and payment of
10 interest on advances, as authorized by section 9501(d)(4)
11 of that Act. In addition, the following amounts may be
12 expended from the Fund for fiscal year 2016 for expenses
13 of operation and administration of the Black Lung Bene-
14 fits program, as authorized by section 9501(d)(5): not to
15 exceed \$35,244,000 for transfer to the Office of Workers’
16 Compensation Programs, “Salaries and Expenses”; not to
17 exceed \$30,279,000 for transfer to Departmental Manage-
18 ment, “Salaries and Expenses”; not to exceed \$327,000
19 for transfer to Departmental Management, “Office of In-
20 spector General”; and not to exceed \$356,000 for pay-
21 ments into miscellaneous receipts for the expenses of the
22 Department of the Treasury.

1 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
2 SALARIES AND EXPENSES

3 For necessary expenses for the Occupational Safety
4 and Health Administration, \$524,476,000, including not
5 to exceed \$98,746,000 which shall be the maximum
6 amount available for grants to States under section 23(g)
7 of the Occupational Safety and Health Act (the “Act”),
8 which grants shall be no less than 50 percent of the costs
9 of State occupational safety and health programs required
10 to be incurred under plans approved by the Secretary
11 under section 18 of the Act; and, in addition, notwith-
12 standing 31 U.S.C. 3302, the Occupational Safety and
13 Health Administration may retain up to \$499,000 per fis-
14 cal year of training institute course tuition and fees, other-
15 wise authorized by law to be collected, and may utilize
16 such sums for occupational safety and health training and
17 education: *Provided*, That notwithstanding 31 U.S.C.
18 3302, the Secretary is authorized, during the fiscal year
19 ending September 30, 2016, to collect and retain fees for
20 services provided to Nationally Recognized Testing Lab-
21 oratories, and may utilize such sums, in accordance with
22 the provisions of 29 U.S.C. 9a, to administer national and
23 international laboratory recognition programs that ensure
24 the safety of equipment and products used by workers in
25 the workplace: *Provided further*, That none of the funds

1 appropriated under this paragraph shall be obligated or
2 expended to prescribe, issue, administer, or enforce any
3 standard, rule, regulation, or order under the Act which
4 is applicable to any person who is engaged in a farming
5 operation which does not maintain a temporary labor
6 camp and employs 10 or fewer employees: *Provided fur-*
7 *ther*, That no funds appropriated under this paragraph
8 shall be obligated or expended to administer or enforce
9 any standard, rule, regulation, or order under the Act with
10 respect to any employer of 10 or fewer employees who is
11 included within a category having a Days Away, Re-
12 stricted, or Transferred (“DART”) occupational injury
13 and illness rate, at the most precise industrial classifica-
14 tion code for which such data are published, less than the
15 national average rate as such rates are most recently pub-
16 lished by the Secretary, acting through the Bureau of
17 Labor Statistics, in accordance with section 24 of the Act,
18 except—

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

22 (2) to conduct an inspection or investigation in
23 response to an employee complaint, to issue a cita-
24 tion for violations found during such inspection, and
25 to assess a penalty for violations which are not cor-

1 rected within a reasonable abatement period and for
2 any willful violations found;

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

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

7 (5) to take any action authorized by the Act
8 with respect to a report of an employment accident
9 which is fatal to one or more employees or which re-
10 sults in hospitalization of two or more employees,
11 and to take any action pursuant to such investiga-
12 tion authorized by the Act; and

13 (6) to take any action authorized by the Act
14 with respect to complaints of discrimination against
15 employees for exercising rights under the Act:

16 *Provided further*, That the foregoing proviso shall not
17 apply to any person who is engaged in a farming operation
18 which does not maintain a temporary labor camp and em-
19 ploys 10 or fewer employees: *Provided further*, That
20 \$10,149,000 shall be available for Susan Harwood train-
21 ing grants: *Provided further*, That not less than
22 \$3,500,000 shall be available for Voluntary Protection
23 Programs.

1 MINE SAFETY AND HEALTH ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Mine Safety and
4 Health Administration, \$356,878,000, 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 \$8,229,975 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, \$515,494,000, together with not to exceed
21 \$63,700,000 which may be expended from the Employ-
22 ment Security Administration account in the Unemploy-
23 ment Trust Fund.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for Departmental Manage-
5 ment, including the hire of three passenger motor vehicles,
6 \$258,727,000, together with not to exceed \$293,000,
7 which may be expended from the Employment Security
8 Administration account in the Unemployment Trust
9 Fund: *Provided*, That funds available to the Bureau of
10 International Labor Affairs may be used to administer or
11 operate international labor activities, bilateral and multi-
12 lateral technical assistance, and microfinance programs,
13 by or through contracts, grants, subgrants and other ar-
14 rangements: *Provided further*, That \$7,236,000 shall be
15 used for program evaluation and shall be available for obli-
16 gation through September 30, 2017: *Provided further*,
17 That funds available for program evaluation may be trans-
18 ferred to any other appropriate account in the Department
19 for such purpose: *Provided further*, That the Committees
20 on Appropriations of the House of Representatives and the
21 Senate are notified at least 15 days in advance of any
22 transfer: *Provided further*, That the funds available to the
23 Women's Bureau may be used for grants to serve and pro-
24 mote the interests of women in the workforce.

1 VETERANS EMPLOYMENT AND TRAINING

2 Not to exceed \$231,872,000 may be derived from the
3 Employment Security Administration account in the Un-
4 employment Trust Fund to carry out the provisions of
5 chapters 41, 42, and 43 of title 38, United States Code,
6 of which:

7 (1) \$175,000,000 is for Jobs for Veterans State
8 grants under 38 U.S.C. 4102A(b)(5) to support dis-
9 abled veterans' outreach program specialists under
10 section 4103A of such title and local veterans' em-
11 ployment representatives under section 4104(b) of
12 such title, and for the expenses described in section
13 4102A(b)(5)(C), which shall be available for obliga-
14 tion by the States through December 31, 2016, and
15 not to exceed 3 percent for the necessary Federal ex-
16 penditures for data systems and contract support to
17 allow for the tracking of participant and perform-
18 ance information: *Provided*, That, in addition, such
19 funds may be used to support such specialists and
20 representatives in the provision of services to
21 transitioning members of the Armed Forces who
22 have participated in the Transition Assistance Pro-
23 gram and have been identified as in need of inten-
24 sive services, to members of the Armed Forces who
25 are wounded, ill, or injured and receiving treatment

1 in military treatment facilities or warrior transition
2 units, and to the spouses or other family caregivers
3 of such wounded, ill, or injured members;

4 (2) \$14,000,000 is for carrying out the Transi-
5 tion Assistance Program under 38 U.S.C. 4113 and
6 10 U.S.C. 1144;

7 (3) \$39,458,000 is for Federal administration
8 of chapters 41, 42, and 43 of title 38, United States
9 Code; and

10 (4) \$3,414,000 is for the National Veterans'
11 Employment and Training Services Institute under
12 38 U.S.C. 4109:

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

17 In addition, from the General Fund of the Treasury,
18 \$38,109,000 is for carrying out programs to assist home-
19 less veterans and veterans at risk of homelessness who are
20 transitioning from certain institutions under sections
21 2021, 2021A, and 2023 of title 38, United States Code:

22 *Provided*, That notwithstanding subsections (c)(3) and (d)
23 of section 2023, the Secretary may award grants through
24 September 30, 2016, to provide services under such sec-
25 tion: *Provided further*, That services provided under sec-

1 tion 2023 may include, in addition to services to the indi-
2 viduals described in subsection (e) of such section, services
3 to veterans recently released from incarceration who are
4 at risk of homelessness.

5 IT MODERNIZATION

6 For necessary expenses for Department of Labor cen-
7 tralized infrastructure technology investment activities re-
8 lated to support systems and modernization, \$12,898,000.

9 OFFICE OF INSPECTOR GENERAL

10 For salaries and expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$73,721,000, together with not to
13 exceed \$5,590,000 which may be expended from the Em-
14 ployment Security Administration account in the Unem-
15 ployment Trust Fund.

16 GENERAL PROVISIONS

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

22 (TRANSFER OF FUNDS)

23 SEC. 102. Not to exceed 1 percent of any discre-
24 tionary funds (pursuant to the Balanced Budget and
25 Emergency Deficit Control Act of 1985) which are appro-

1 priated for the current fiscal year for the Department of
2 Labor in this Act may be transferred between a program,
3 project, or activity, but no such program, project, or activ-
4 ity shall be increased by more than 3 percent by any such
5 transfer: *Provided*, That the transfer authority granted by
6 this section shall not be used to create any new program
7 or to fund any project or activity for which no funds are
8 provided in this Act: *Provided further*, That the Commit-
9 tees on Appropriations of the House of Representatives
10 and the Senate are notified at least 15 days in advance
11 of any transfer.

12 SEC. 103. In accordance with Executive Order
13 13126, none of the funds appropriated or otherwise made
14 available pursuant to this Act shall be obligated or ex-
15 pended for the procurement of goods mined, produced,
16 manufactured, or harvested or services rendered, in whole
17 or in part, by forced or indentured child labor in industries
18 and host countries already identified by the United States
19 Department of Labor prior to enactment of this Act.

20 SEC. 104. Except as otherwise provided in this sec-
21 tion, none of the funds made available to the Department
22 of Labor for grants under section 414(c) of the American
23 Competitiveness and Workforce Improvement Act of 1998
24 (29 U.S.C. 2916a) may be used for any purpose other
25 than competitive grants for training individuals who are

1 older than 16 years of age and are not currently enrolled
2 in school within a local educational agency in the occupa-
3 tions and industries for which employers are using H-1B
4 visas to hire foreign workers, and the related activities
5 necessary to support such training: *Provided*, That
6 \$13,000,000 of such funds shall be used in fiscal year
7 2016 to process permanent foreign labor certifications
8 under section 212(a)(5)(A) of the Immigration and Na-
9 tionality Act (8 U.S.C. 1182(a)(5)(A)): *Provided further*,
10 That the funding limitation under this section shall not
11 apply to funding provided pursuant to solicitations for
12 grant applications issued before January 15, 2014.

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

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

5 (INCLUDING TRANSFER OF FUNDS)

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

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 107. (a) The Secretary may reserve not more
16 than 0.5 percent from each appropriation made available
17 in this Act identified in subsection (b) in order to carry
18 out evaluations of any of the programs or activities that
19 are funded under such accounts. Any funds reserved under
20 this section shall be transferred to “Departmental Man-
21 agement” for use by the Office of the Chief Evaluation
22 Officer within the Department of Labor, and shall be
23 available for obligation through September 30, 2017: *Pro-*
24 *vided*, That such funds shall only be available if the Chief
25 Evaluation Officer of the Department of Labor submits

1 a plan to the Committees on Appropriations of the House
2 of Representatives and the Senate describing the evalua-
3 tions to be carried out 15 days in advance of any transfer.

4 (b) The accounts referred to in subsection (a) are:
5 “Training and Employment Services”, “Job Corps”,
6 “Community Service Employment for Older Americans”,
7 “State Unemployment Insurance and Employment Service
8 Operations”, “Employee Benefits Security Administra-
9 tion”, “Office of Workers’ Compensation Programs”,
10 “Wage and Hour Division”, “Office of Federal Contract
11 Compliance Programs”, “Office of Labor Management
12 Standards”, “Occupational Safety and Health Adminis-
13 tration”, “Mine Safety and Health Administration”, fund-
14 ing made available to the “Bureau of International Af-
15 fairs” and “Women’s Bureau” within the “Departmental
16 Management, Salaries and Expenses” account, and “Vet-
17 erans Employment and Training”.

18 SEC. 108. Section 7 of the Fair Labor Standards Act
19 of 1938 (29 U.S.C. 207) is amended by adding the fol-
20 lowing text to such section:

21 “(s)(1) The provisions of this section shall not apply
22 for a period of 2 years after the occurrence of a major
23 disaster, as defined herein, to any employee—

24 (A) employed to adjust or evaluate claims re-
25 sulting from or relating to such major disaster, by

1 an employer not engaged, directly or through an af-
2 filiate, in underwriting, selling, or marketing prop-
3 erty, casualty, or liability insurance policies or con-
4 tracts;

5 “(B) who receives on average weekly compensa-
6 tion of not less than \$591.00 per week or any min-
7 imum weekly amount established by the Secretary,
8 whichever is greater, over the number of weeks such
9 employee is engaged in any of the activities de-
10 scribed in subparagraph (C); and

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

12 “(i) interviewing insured individuals, indi-
13 viduals who suffered injuries or other damages
14 or losses arising from or relating to a disaster,
15 witnesses, or physicians;

16 “(ii) inspecting property damage or review-
17 ing factual information to prepare damage esti-
18 mates;

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

23 “(iv) negotiating settlements; or

24 “(v) making recommendations regarding
25 litigation.

1 “(2) Notwithstanding any other provision of section
2 18, in the event of a major disaster, this Act exclusively
3 shall govern the payment of overtime to all employees de-
4 scribed in paragraph (1) above, and shall supersede any
5 other Federal, State, or local law, regulation, or order.

6 “(3) The exemption in this subsection shall not affect
7 the exemption provided by section 13(a)(1).

8 “(4) For purposes of this subsection—

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

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

1 “(C) the term ‘affiliate’ means a company that,
2 by reason of ownership or control of percent or more
3 of the outstanding shares of any class of voting se-
4 curities of one or more companies, directly or indi-
5 rectly, controls, is controlled by, or is under common
6 control with, another company.”.

7 SEC. 109. Notwithstanding any other provision of
8 law, beginning October 1, 2015, the Secretary of Labor,
9 in consultation with the Secretary of Agriculture may se-
10 lect an entity to operate a Civilian Conservation Center
11 on a competitive basis in accordance with section 147 of
12 the WIOA, if the Secretary of Labor determines such Cen-
13 ter has had consistently low performance under the per-
14 formance accountability system in effect for the Job Corps
15 program prior to July 1, 2016, or with respect to expected
16 levels of performance established under section 159(c) of
17 such Act beginning July 1, 2016.

18 SEC. 110. None of the funds made available by this
19 Act may be used to finalize, implement, administer, or en-
20 force the proposed Definition of the Term “Fiduciary”;
21 Conflict of Interest Rule—Retirement Investment Advice
22 regulation published by the Department of Labor in the
23 Federal Register on April 20, 2015 (80 Fed. Reg. 21928
24 et seq.).

1 SEC. 111. The determination of prevailing wage for
2 the purposes of the H-2B program shall be the greater
3 of—(1) the actual wage level paid by the employer to other
4 employees with similar experience and qualifications for
5 such position in the same location; or (2) the prevailing
6 wage level for the occupational classification of the posi-
7 tion in the geographic area in which the H-2B non-
8 immigrant will be employed, based on the best information
9 available at the time of filing the petition. In the deter-
10 mination of prevailing wage for the purposes of the H-
11 2B program, the Secretary shall accept private wage sur-
12 veys even in instances where Occupational Employment
13 Statistics survey data are available unless the Secretary
14 determines that the methodology and data in the provided
15 survey are not statistically supported.

16 SEC. 112. None of the funds in this Act shall be used
17 to enforce the definition of corresponding employment
18 found in 20 CFR 655.5 or the three-fourths guarantee
19 rule definition found in 20 CFR 655.20, or any references
20 thereto. Further, for the purpose of regulating admission
21 of temporary workers under the H-2B program, the defi-
22 nition of temporary need shall be that provided in 8 CFR
23 214.2(h)(6)(ii)(B).

24 SEC. 113. None of the funds in this Act shall be used
25 to implement 20 CFR 655.70 and 20 CFR 655.71.

1 SEC. 114. (a) FLEXIBILITY WITH RESPECT TO THE
2 CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE
3 SEAFOOD INDUSTRY.—

4 (1) IN GENERAL.—Subject to paragraph (2), if
5 a petition for H-2B nonimmigrants filed by an em-
6 ployer in the seafood industry is granted, the em-
7 ployer may bring the nonimmigrants described in
8 the petition into the United States at any time dur-
9 ing the 120-day period beginning on the start date
10 for which the employer is seeking the services of the
11 nonimmigrants without filing another petition.

12 (2) REQUIREMENTS FOR CROSSINGS AFTER
13 90TH DAY.—An employer in the seafood industry
14 may not bring H-2B nonimmigrants into the United
15 States after the date that is 90 days after the start
16 date for which the employer is seeking the services
17 of the nonimmigrants unless the employer—

18 (A) completes a new assessment of the
19 local labor market by—

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

22 (ii) posting the job opportunity on the
23 appropriate Department of Labor Elec-
24 tronic Job Registry and at the employer's
25 place of employment; and

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

3 (i) applies for the job; and

4 (ii) will be available at the time and
5 place of need.

6 (3) EXEMPTION FROM RULES WITH RESPECT
7 TO STAGGERING.—The Secretary of Labor shall not
8 consider an employer in the seafood industry who
9 brings H-2B nonimmigrants into the United States
10 during the 120-day period specified in paragraph (1)
11 to be staggering the date of need in violation of sec-
12 tion 655.20(d) of title 20, Code of Federal Regula-
13 tions, or any other applicable provision of law.

14 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-
15 tion, the term “H-2B nonimmigrants” means aliens ad-
16 mitted to the United States pursuant to section
17 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
18 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

19 SEC. 115. (a) Subject to the requirement under sub-
20 section (b), none of the funds appropriated or otherwise
21 made available by this Act may be used to promulgate or
22 implement any rule, standard, or policy amending part
23 1910, 1915, or 1926 of title 29, Code of Federal Regula-
24 tions (as in effect on the day before the date of enactment
25 of this Act), related to occupational exposure to respirable

1 crystalline silica, including the proposed rulemaking by the
2 Occupational Safety and Health Administration of the De-
3 partment of Labor issued on September 12, 2013 (78 Fed.
4 Reg. 56274), until—

5 (1) a review is conducted after the date of en-
6 actment of this Act by a small business advocacy re-
7 view panel, pursuant to the Small Business Regu-
8 latory Enforcement Fairness Act of 1996 (5 U.S.C.
9 601 note), and the panel delivers a report on the re-
10 view to the Assistant Secretary of Labor for Occupa-
11 tional Safety and Health;

12 (2) the Secretary, acting through the Assistant
13 Secretary of Labor for Occupational Safety and
14 Health, commissions an independent study, to be
15 conducted by the National Academy of Sciences, ex-
16 amining—

17 (A) the epidemiological justification of the
18 Occupational Safety and Health Administration
19 for proposing to reduce the occupational expo-
20 sure limits to respirable crystalline silica, estab-
21 lished by such Administration and in effect on
22 the day before the date of enactment of this
23 Act, including consideration of the prevalence
24 or lack of disease and mortality associated with
25 such occupational exposure limits;

1 (B) the ability of sampling methods to col-
2 lect samples of respirable crystalline silica and
3 laboratories to measure such samples (in a
4 manner that meets the criteria for accuracy and
5 precision contained in the most recent publica-
6 tion of the NIOSH Manual of Analytical Meth-
7 ods, published by the National Institute for Oc-
8 cupational Safety and Health) to determine oc-
9 cupational exposures to respirable crystalline
10 silica that are less than or equal to the occupa-
11 tional exposure limits and action levels for res-
12 pirable crystalline silica proposed by the Occu-
13 pational Safety and Health Administration as
14 of the day before the date of enactment of this
15 Act;

16 (C) the ability of regulated industries to
17 comply with such occupational exposure limits
18 or action levels;

19 (D) the steady decline in silicosis related
20 mortality rates based on data maintained by the
21 Centers for Disease Control and Prevention;

22 (E) the ability of various types of personal
23 protective equipment to protect employees from
24 occupational exposure to respirable crystalline
25 silica; and

1 (F) the costs of the different types of such
2 personal protective equipment as compared to
3 the costs of engineering and work practice con-
4 trols related to such equipment; and

5 (3) the Secretary, acting through such Assist-
6 ant Secretary, submits to the Committee on Appro-
7 priations, and the Committee on Health, Education,
8 Labor, and Pensions, of the Senate, a report con-
9 taining the results of the independent study con-
10 ducted under paragraph (2).

11 (b) Notwithstanding the funding limitation under
12 subsection (a), from the funds appropriated to the Occu-
13 pational Safety and Health Administration for safety and
14 health standards, \$800,000 shall be made available to con-
15 duct the independent study under subsection (a)(2) and
16 submit the report under subsection (a)(3), which report
17 shall be submitted by not later than 1 year after the date
18 of enactment of this Act.

19 This title may be cited as the “Department of Labor
20 Appropriations Act, 2016”.

1 TITLE II
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 HEALTH RESOURCES AND SERVICES ADMINISTRATION
5 PRIMARY HEALTH CARE

6 For carrying out titles II and III of the Public Health
7 Services Act (referred to in this Act as the “PHS Act”) *with respect to primary health care and the Native Hawaiian Health Care Act of 1988, \$1,630,100,000 (in addition to the \$3,600,000,000 previously appropriated to the Community Health Center Fund for fiscal year 2016):*
8 *Provided, That \$1,491,522,000 is appropriated from the general fund, and \$138,478,000, to remain available until expended, is derived from available unobligated balances of amounts transferred from the Community Health Center Fund in prior fiscal years: Provided further, That no part of the unobligated balances from amounts appropriated in 42 U.S.C. 254b–2(b)(1) for prior fiscal years shall be available to the Secretary of Health and Human Services for obligation in fiscal year 2016 except as provided for in this Act: Provided further, That no more than \$100,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act: Provided further, That no more than \$99,893,000 shall be available until expended for carrying out the provisions of*

1 Public Law 104–73 and for expenses incurred by the De-
2 partment of Health and Human Services (referred to in
3 this Act as “HHS”) pertaining to administrative claims
4 made under such law: *Provided further*, That of funds pro-
5 vided for the Health Centers program, as defined by sec-
6 tion 330 of the PHS Act, by this Act or any other Act
7 for fiscal year 2016, not less than \$50,000,000 shall be
8 obligated in fiscal year 2016 to support new access points,
9 grants to expand medical services, behavioral health, oral
10 health, pharmacy, or vision services, and not less than
11 \$40,000,000 shall be obligated in fiscal year 2016 for con-
12 struction and capital improvement costs: *Provided further*,
13 That the time limitation in section 330(e)(3) of the PHS
14 Act shall not apply in fiscal year 2016.

15 HEALTH WORKFORCE

16 For carrying out titles III, VII, and VIII of the PHS
17 Act with respect to the health workforce, section 1128E
18 of the Social Security Act, and the Health Care Quality
19 Improvement Act of 1986, \$720,970,000: *Provided*, That
20 sections 747(c)(2), 751(j)(2), 762(k), and the proportional
21 funding amounts in paragraphs (1) through (4) of section
22 756(e) of the PHS Act shall not apply to funds made
23 available under this heading: *Provided further*, That for
24 any program operating under section 751 of the PHS Act
25 on or before January 1, 2009, the Secretary may hereafter

1 waive any of the requirements contained in sections
2 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full
3 project period of a grant under such section: *Provided fur-*
4 *ther*, That no funds shall be available for section 340G–
5 1 of the PHS Act: *Provided further*, That fees collected
6 for the disclosure of information under section 427(b) of
7 the Health Care Quality Improvement Act of 1986 and
8 sections 1128E(d)(2) and 1921 of the Social Security Act
9 shall be sufficient to recover the full costs of operating
10 the programs authorized by such sections and shall remain
11 available until expended for the National Practitioner
12 Data Bank: *Provided further*, That funds transferred to
13 this account to carry out section 846 and subpart 3 of
14 part D of title III of the PHS Act may be used to make
15 prior year adjustments to awards made under such sec-
16 tions: *Provided further*, That from amounts made available
17 under this heading for the Public Health Training Centers
18 Program, 50 percent of such amounts shall be transferred
19 and made available for the Preventive Medicine Residency
20 Program.

21 MATERNAL AND CHILD HEALTH

22 For carrying out titles III, XI, XII, and XIX of the
23 PHS Act with respect to maternal and child health, title
24 V of the Social Security Act, and section 712 of the Amer-
25 ican Jobs Creation Act of 2004, \$828,014,000: *Provided*,

1 That notwithstanding sections 502(a)(1) and 502(b)(1) of
2 the Social Security Act, not more than \$50,000,000 shall
3 be available for carrying out special projects of regional
4 and national significance pursuant to section 501(a)(2) of
5 such Act and \$10,276,000 shall be available for projects
6 described in subparagraphs (A) through (F) of section
7 501(a)(3) of such Act: *Provided further*, That notwith-
8 standing section 502(c) of the Social Security Act, not less
9 than \$555,000,000 shall be available for the State Block
10 Grant Awards.

11 RYAN WHITE HIV/AIDS PROGRAM

12 For carrying out title XXVI of the PHS Act with
13 respect to the Ryan White HIV/AIDS program,
14 \$2,293,781,000, of which \$1,970,881,000 shall remain
15 available to the Secretary through September 30, 2018,
16 for parts A and B of title XXVI of the PHS Act, and
17 of which not less than \$900,313,000 shall be for State
18 AIDS Drug Assistance Programs under the authority of
19 section 2616 or 311(c) of such Act.

20 HEALTH CARE SYSTEMS

21 For carrying out titles III and XII of the PHS Act
22 with respect to health care systems, and the Stem Cell
23 Therapeutic and Research Act of 2005, \$103,193,000, of
24 which \$122,000 shall be available until expended for facili-
25 ties renovations at the Gillis W. Long Hansen's Disease

1 Center: *Provided*, That the Secretary may collect a fee of
2 0.1 percent of each purchase of 340B drugs from entities
3 participating in the Drug Pricing Program pursuant to
4 section 340B of the PHS Act to pay for the operating
5 costs of such program: *Provided further*, That fees pursu-
6 ant to the 340B Drug Pricing Program shall be collected
7 by the Secretary based on sales data that shall be sub-
8 mitted by drug manufacturers and shall be credited to this
9 account, to remain available until expended.

10

RURAL HEALTH

11 For carrying out titles III and IV of the PHS Act
12 with respect to rural health, section 427(a) of the Federal
13 Coal Mine Health and Safety Act of 1969, and sections
14 711 and 1820 of the Social Security Act, \$150,571,000,
15 of which \$41,609,000 from general revenues, notwith-
16 standing section 1820(j) of the Social Security Act, shall
17 be available for carrying out the Medicare rural hospital
18 flexibility grants program: *Provided*, That of the funds
19 made available under this heading for Medicare rural hos-
20 pital flexibility grants, \$14,942,000 shall be available for
21 the Small Rural Hospital Improvement Grant Program
22 for quality improvement and adoption of health informa-
23 tion technology and up to \$1,000,000 shall be to carry
24 out section 1820(g)(6) of the Social Security Act, with
25 funds provided for grants under section 1820(g)(6) avail-

1 able for the purchase and implementation of telehealth
2 services, including pilots and demonstrations on the use
3 of electronic health records to coordinate rural veterans
4 care between rural providers and the Department of Vet-
5 erans Affairs electronic health record system: *Provided*
6 *further*, That notwithstanding section 338J(k) of the PHS
7 Act, \$9,511,000 shall be available for State Offices of
8 Rural Health.

9
10 FAMILY PLANNING

11 For carrying out the program under title X of the
12 PHS Act to provide for voluntary family planning
13 projects, \$257,832,000: *Provided*, That amounts provided
14 to said projects under such title shall not be expended for
15 abortions, that all pregnancy counseling shall be nondirec-
16 tive, and that such amounts shall not be expended for any
17 activity (including the publication or distribution of lit-
18 erature) that in any way tends to promote public support
19 or opposition to any legislative proposal or candidate for
20 public office.

21 PROGRAM MANAGEMENT

22 For program support in the Health Resources and
23 Services Administration, \$151,000,000: *Provided*, That
24 funds made available under this heading may be used to
25 supplement program support funding provided under the
headings “Primary Health Care”, “Health Workforce”,

1 “Maternal and Child Health”, “Ryan White HIV/AIDS
2 Program”, “Health Care Systems”, and “Rural Health”.

3 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

4 For payments from the Vaccine Injury Compensation
5 Program Trust Fund (the “Trust Fund”), such sums as
6 may be necessary for claims associated with vaccine-re-
7 lated injury or death with respect to vaccines administered
8 after September 30, 1988, pursuant to subtitle 2 of title
9 XXI of the PHS Act, to remain available until expended:
10 *Provided*, That for necessary administrative expenses, not
11 to exceed \$7,500,000 shall be available from the Trust
12 Fund to the Secretary.

13 CENTERS FOR DISEASE CONTROL AND PREVENTION

14 IMMUNIZATION AND RESPIRATORY DISEASES

15 For carrying out titles II, III, XVII, and XXI, and
16 section 2821 of the PHS Act, titles II and IV of the Immi-
17 gration and Nationality Act, and section 501 of the Ref-
18 ugee Education Assistance Act, with respect to immuniza-
19 tion and respiratory diseases, \$573,105,000.

20 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

21 DISEASES, AND TUBERCULOSIS PREVENTION

22 For carrying out titles II, III, XVII, and XXIII of
23 the PHS Act with respect to HIV/AIDS, viral hepatitis,
24 sexually transmitted diseases, and tuberculosis prevention,
25 \$1,090,609,000.

1 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

2 For carrying out titles II, III, and XVII, and section
3 2821 of the PHS Act, titles II and IV of the Immigration
4 and Nationality Act, and section 501 of the Refugee Edu-
5 cation Assistance Act, with respect to emerging and
6 zoonotic infectious diseases, \$388,590,000.

7 CHRONIC DISEASE PREVENTION AND HEALTH

8 PROMOTION

9 For carrying out titles II, III, XI, XV, XVII, and
10 XIX of the PHS Act with respect to chronic disease pre-
11 vention and health promotion, \$595,272,000: *Provided*,
12 That funds appropriated under this account may be avail-
13 able for making grants under section 1509 of the PHS
14 Act for not less than 21 States, tribes, or tribal organiza-
15 tions: *Provided further*, That of the funds available under
16 this heading, \$8,500,000 shall be available to continue and
17 expand community specific extension and outreach pro-
18 grams to combat obesity in counties with the highest levels
19 of obesity: *Provided further*, That the proportional funding
20 requirements under section 1503(a) of the PHS Act shall
21 not apply to funds made available under this Act.

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, \$132,781,000.

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, \$471,061,000.

10 ENVIRONMENTAL HEALTH

11 For carrying out titles II, III, and XVII of the PHS
12 Act with respect to environmental health, \$132,286,000.

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 \$187,947,000: *Provided*, That of the funds provided under
17 this heading, \$37,500,000 shall be available for an evi-
18 dence-based opioid drug overdose prevention program.

19 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
20 HEALTH

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

1 ty and Health Act, with respect to occupational safety and
2 health, \$305,887,000.

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, \$411,758,000, of which
14 \$128,421,000 for international HIV/AIDS shall remain
15 available through September 30, 2017: *Provided*, That
16 funds may be used for purchase and insurance of official
17 motor vehicles in foreign countries.

18 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to public health preparedness and re-
21 sponse, and for expenses necessary to support activities
22 related to countering potential biological, nuclear, radio-
23 logical, and chemical threats to civilian populations,
24 \$1,340,118,000, of which \$534,343,000 shall remain
25 available until expended for the Strategic National Stock-

1 pile: *Provided*, That in the event the Director of the CDC
2 activates the Emergency Operations Center, the Director
3 of the CDC may detail staff without reimbursement for
4 up to 120 days to support the work of the CDC Emer-
5 gency Operations Center, so long as the Director provides
6 a notice to the Committees on Appropriations of the
7 House of Representatives and the Senate within 15 days
8 of the use of this authority and a full report within 30
9 days after use of this authority which includes the number
10 of staff and funding level broken down by the originating
11 center and number of days detailed.

12 BUILDINGS AND FACILITIES

13 For acquisition of real property, equipment, construc-
14 tion, demolition, and renovation of facilities, \$10,000,000,
15 which shall remain available until September 30, 2020:
16 *Provided*, That funds previously set-aside by CDC for re-
17 pair and upgrade of the Lake Lynn Experimental Mine
18 and Laboratory shall be used to acquire a replacement
19 mine safety research facility: *Provided further*, That funds
20 made available by prior appropriations Acts for CDC for
21 construction and renovation of facilities may also be used,
22 in fiscal year 2016, for the construction of a replacement
23 freezer building in the Fort Collins, Colorado, area.

1 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
2 (INCLUDING TRANSFER OF FUNDS)

3 For carrying out titles II, III, XVII and XIX, and
4 section 2821 of the PHS Act and for cross-cutting activi-
5 ties and program support for activities funded in other
6 appropriations included in this Act for the Centers for
7 Disease Control and Prevention, \$107,892,000: *Provided*,
8 That paragraphs (1) through (3) of subsection (b) of sec-
9 tion 2821 of the PHS Act shall not apply to funds appro-
10 priated under this heading and in all other accounts of
11 the CDC: *Provided further*, That funds appropriated under
12 this heading and in all other accounts of CDC may be
13 used to support the hire, maintenance, and operation of
14 aircraft in direct support of activities throughout CDC
15 and to ensure the agency is prepared to address public
16 health preparedness emergencies: *Provided further*, That
17 employees of CDC or the Public Health Service, both civil-
18 ian and commissioned officers, detailed to States, munici-
19 palities, or other organizations under authority of section
20 214 of the PHS Act, or in overseas assignments, shall be
21 treated as non-Federal employees for reporting purposes
22 only and shall not be included within any personnel ceiling
23 applicable to the Agency, Service, or HHS during the pe-
24 riod of detail or assignment: *Provided further*, That CDC
25 may use up to \$10,000 from amounts appropriated to

1 CDC in this Act for official reception and representation
2 expenses when specifically approved by the Director of
3 CDC: *Provided further*, That in addition, such sums as
4 may be derived from authorized user fees, which shall be
5 credited to the appropriation charged with the cost there-
6 of: *Provided further*, That with respect to the previous pro-
7 viso, authorized user fees from the Vessel Sanitation Pro-
8 gram and the Respirator Certification Program shall be
9 available through September 30, 2017: *Provided further*,
10 That of the funds made available under this heading and
11 in all other accounts of CDC, up to \$1,000 per eligible
12 employee of CDC shall be made available until expended
13 for Individual Learning Accounts.

14 NATIONAL INSTITUTES OF HEALTH

15 NATIONAL CANCER INSTITUTE

16 For carrying out section 301 and title IV of the PHS
17 Act with respect to cancer, \$5,204,058,000, of which up
18 to \$16,000,000 may be used for facilities repairs and im-
19 provements at the National Cancer Institute—Frederick
20 Federally Funded Research and Development Center in
21 Frederick, Maryland.

22 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to cardiovascular, lung, and blood dis-
25 eases, and blood and blood products, \$3,135,519,000.

1 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
2 RESEARCH

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to dental and craniofacial diseases,
5 \$415,169,000.

6 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
7 KIDNEY DISEASES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to diabetes and digestive and kidney dis-
10 ease, \$1,825,162,000.

11 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
12 AND STROKE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to neurological disorders and stroke,
15 \$1,694,758,000.

16 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
17 DISEASES

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to allergy and infectious diseases,
20 \$4,710,342,000.

21 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to general medical sciences,
24 \$2,511,431,000, of which \$940,000,000 shall be from
25 funds available under section 241 of the PHS Act: *Pro-*

1 *vided*, That not less than \$300,000,000 is provided for
2 the Institutional Development Awards program.

3 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
4 CHILD HEALTH AND HUMAN DEVELOPMENT

5 For carrying out section 301 and title IV of the PHS
6 Act with respect to child health and human development,
7 \$1,345,355,000.

8 NATIONAL EYE INSTITUTE

9 For carrying out section 301 and title IV of the PHS
10 Act with respect to eye diseases and visual disorders,
11 \$709,549,000.

12 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
13 SCIENCES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to environmental health sciences,
16 \$695,900,000.

17 NATIONAL INSTITUTE ON AGING

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to aging, \$1,548,494,000.

20 NATIONAL INSTITUTE OF ARTHRITIS AND
21 MUSCULOSKELETAL AND SKIN DISEASES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to arthritis and musculoskeletal and skin
24 diseases, \$544,274,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to deafness and other communication dis-
5 orders, \$424,860,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to nursing research, \$147,508,000.

9 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
10 ALCOHOLISM

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to alcohol abuse and alcoholism,
13 \$469,355,000.

14 NATIONAL INSTITUTE ON DRUG ABUSE

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to drug abuse, \$1,069,086,000.

17 NATIONAL INSTITUTE OF MENTAL HEALTH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to mental health, \$1,520,260,000.

20 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to human genome research,
23 \$526,166,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to biomedical imaging and bioengineering
5 research, \$344,299,000.

6 NATIONAL CENTER FOR COMPLEMENTARY AND
7 INTEGRATIVE HEALTH

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to complementary and integrative health,
10 \$130,162,000.

11 NATIONAL INSTITUTE ON MINORITY HEALTH AND
12 HEALTH DISPARITIES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to minority health and health disparities
15 research, \$287,379,000.

16 JOHN E. FOGARTY INTERNATIONAL CENTER

17 For carrying out the activities of the John E. Fogarty
18 International Center (described in subpart 2 of part E of
19 title IV of the PHS Act), \$70,944,000.

20 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
21 SCIENCES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to translational sciences, \$699,319,000:
24 *Provided*, That up to \$25,835,000 shall be available to im-
25 plement section 480 of the PHS Act, relating to the Cures

1 Acceleration Network: *Provided further*, That at least
2 \$499,746,000 is provided to the Clinical and Translational
3 Sciences Awards program.

4 NATIONAL LIBRARY OF MEDICINE

5 For carrying out section 301 and title IV of the PHS
6 Act with respect to health information communications,
7 \$402,251,000: *Provided*, That of the amounts available for
8 improvement of information systems, \$4,000,000 shall be
9 available until September 30, 2017: *Provided further*, That
10 in fiscal year 2016, the National Library of Medicine may
11 enter into personal services contracts for the provision of
12 services in facilities owned, operated, or constructed under
13 the jurisdiction of the National Institutes of Health (re-
14 ferred to in this title as “NIH”).

15 OFFICE OF THE DIRECTOR

16 (INCLUDING TRANSFER OF FUNDS)

17 For carrying out the responsibilities of the Office of
18 the Director, NIH, \$860,937,000, of which up to
19 \$30,000,000 may be used to carry out section 212 of this
20 Act: *Provided*, That funding shall be available for the pur-
21 chase of not to exceed 29 passenger motor vehicles for re-
22 placement only: *Provided further*, That all funds credited
23 to the NIH Management Fund shall remain available for
24 one fiscal year after the fiscal year in which they are de-
25 posited: *Provided further*, That \$165,000,000 shall be for

1 longitudinal studies related to environmental influences on
2 child health and development as a follow-on to the Na-
3 tional Children's Study, and may be transferred to and
4 merged with the accounts for the various Institutes and
5 Centers to support activities related to this goal: *Provided*
6 *further*, That NIH shall submit a spend plan and research
7 strategy to the Committees on Appropriations of the
8 House of Representatives and the Senate not later than
9 90 days after the date of enactment of this Act: *Provided*
10 *further*, That \$544,077,000 shall be available for the Com-
11 mon Fund established under section 402A(c)(1) of the
12 PHS Act: *Provided further*, That of the funds provided,
13 \$10,000 shall be for official reception and representation
14 expenses when specifically approved by the Director of the
15 NIH: *Provided further*, That the Office of AIDS Research
16 within the Office of the Director of the NIH may spend
17 up to \$8,000,000 to make grants for construction or ren-
18 ovation of facilities as provided for in section
19 2354(a)(5)(B) of the PHS Act: *Provided further*, That
20 \$50,000,000 shall be used to carry out section 404I of
21 the PHS Act (42 U.S.C. 283k), relating to biomedical and
22 behavioral research facilities: Of the amount provided to
23 the NIH, the Director of NIH shall enter into an agree-
24 ment with the National Academy of Sciences, as part of
25 the studies conducted under section 489 of the PHSA, to

1 conduct a comprehensive study on policies affecting the
2 next generation of researchers in the United States: *Pro-*
3 *vided further*, That the Director may direct up to 1 per-
4 cent of the total made available in this or any other Act
5 to all NIH appropriations to activities that the Director
6 may so designate: *Provided further*, That no such appro-
7 priation shall be decreased by more than 1 percent by any
8 such transfers and that the Committees on Appropriations
9 of the House of Representatives and the Senate are noti-
10 fied at least 15 days in advance of any transfer.

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

19 BUILDINGS AND FACILITIES

20 For the study of, construction or demolition of, ren-
21 ovation of, and acquisition of equipment for, facilities of
22 or used by NIH, including the acquisition of real property,
23 \$128,863,000, to remain available through September 30,
24 2020.

1 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

2 ADMINISTRATION

3 MENTAL HEALTH

4 For carrying out titles III, V, and XIX of the PHS
5 Act with respect to mental health, and the Protection and
6 Advocacy for Individuals with Mental Illness Act,
7 \$1,021,301,000: *Provided*, That notwithstanding section
8 520A(f)(2) of the PHS Act, no funds appropriated for car-
9 rying out section 520A shall be available for carrying out
10 section 1971 of the PHS Act: *Provided further*, That in
11 addition to amounts provided herein, \$21,039,000 shall be
12 available under section 241 of the PHS Act to carry out
13 subpart I of part B of title XIX of the PHS Act to fund
14 section 1920(b) technical assistance, national data, data
15 collection and evaluation activities, and further that the
16 total available under this Act for section 1920(b) activities
17 shall not exceed 5 percent of the amounts appropriated
18 for subpart I of part B of title XIX: *Provided further*, That
19 section 520E(b)(2) of the PHS Act shall not apply to
20 funds appropriated in this Act for fiscal year 2016: *Pro-*
21 *vided further*, That of the amount appropriated under this
22 heading, \$45,887,000 shall be for the National Child
23 Traumatic Stress Initiative as described in section 582 of
24 the PHS Act: *Provided further*, That notwithstanding sec-
25 tion 565(b)(1) of the PHS Act, technical assistance may

1 of the amounts appropriated for subpart II of part B of
2 title XIX; and (2) \$2,000,000 to evaluate substance abuse
3 treatment programs: *Provided further*, That none of the
4 funds provided for section 1921 of the PHS Act shall be
5 subject to section 241 of such Act.

6 SUBSTANCE ABUSE PREVENTION

7 For carrying out titles III and V of the PHS Act
8 with respect to substance abuse prevention, \$182,731,000.

9 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

10 For program support and cross-cutting activities that
11 supplement activities funded under the headings “Mental
12 Health”, “Substance Abuse Treatment”, and “Substance
13 Abuse Prevention” in carrying out titles III, V, and XIX
14 of the PHS Act and the Protection and Advocacy for Indi-
15 viduals with Mental Illness Act in the Substance Abuse
16 and Mental Health Services Administration,
17 \$137,869,000: *Provided*, That in addition to amounts pro-
18 vided herein, \$31,428,000 shall be available under section
19 241 of the PHS Act to supplement funds available to
20 carry out national surveys on drug abuse and mental
21 health, to collect and analyze program data, and to con-
22 duct public awareness and technical assistance activities:
23 *Provided further*, That, in addition, fees may be collected
24 for the costs of publications, data, data tabulations, and
25 data analysis completed under title V of the PHS Act and

1 provided to a public or private entity upon request, which
2 shall be credited to this appropriation and shall remain
3 available until expended for such purposes: *Provided fur-*
4 *ther*, That amounts made available in this Act for carrying
5 out section 501(m) of the PHS Act shall remain available
6 through September 30, 2017: *Provided further*, That funds
7 made available under this heading may be used to supple-
8 ment program support funding provided under the head-
9 ings “Mental Health”, “Substance Abuse Treatment”,
10 and “Substance Abuse Prevention”.

11 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

12 HEALTHCARE RESEARCH AND QUALITY

13 For carrying out titles III and IX of the PHS Act,
14 part A of title XI of the Social Security Act, and section
15 1013 of the Medicare Prescription Drug, Improvement,
16 and Modernization Act of 2003, \$236,001,000: *Provided*,
17 That section 947(c) of the PHS Act shall not apply in
18 fiscal year 2016: *Provided further*, That in addition,
19 amounts received from Freedom of Information Act fees,
20 reimbursable and interagency agreements, and the sale of
21 data shall be credited to this appropriation and shall re-
22 main available until September 30, 2017.

1 CENTERS FOR MEDICARE AND MEDICAID SERVICES

2 GRANTS TO STATES FOR MEDICAID

3 For carrying out, except as otherwise provided, titles
4 XI and XIX of the Social Security Act, \$243,545,410,000,
5 to remain available until expended.

6 For making, after May 31, 2016, payments to States
7 under title XIX or in the case of section 1928 on behalf
8 of States under title XIX of the Social Security Act for
9 the last quarter of fiscal year 2016 for unanticipated costs
10 incurred for the current fiscal year, such sums as may be
11 necessary.

12 For making payments to States or in the case of sec-
13 tion 1928 on behalf of States under title XIX of the Social
14 Security Act for the first quarter of fiscal year 2017,
15 \$115,582,502,000, to remain available until expended.

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

21 PAYMENTS TO HEALTH CARE TRUST FUNDS

22 For payment to the Federal Hospital Insurance
23 Trust Fund and the Federal Supplementary Medical In-
24 surance Trust Fund, as provided under sections 217(g),
25 1844, and 1860D–16 of the Social Security Act, sections

1 103(c) and 111(d) of the Social Security Amendments of
2 1965, section 278(d)(3) of Public Law 97-248, and for
3 administrative expenses incurred pursuant to section
4 201(g) of the Social Security Act, \$283,171,800,000.

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

9 PROGRAM MANAGEMENT

10 For carrying out, except as otherwise provided, titles
11 XI, XVIII, XIX, and XXI of the Social Security Act, titles
12 XIII and XXVII of the PHS Act, the Clinical Laboratory
13 Improvement Amendments of 1988, and other responsibil-
14 ities of the Centers for Medicare and Medicaid Services,
15 not to exceed \$3,027,590,000, to be transferred from the
16 Federal Hospital Insurance Trust Fund and the Federal
17 Supplementary Medical Insurance Trust Fund, as author-
18 ized by section 201(g) of the Social Security Act; together
19 with all funds collected in accordance with section 353 of
20 the PHS Act and section 1857(e)(2) of the Social Security
21 Act, funds retained by the Secretary pursuant to section
22 302 of the Tax Relief and Health Care Act of 2006; and
23 such sums as may be collected from authorized user fees
24 and the sale of data, which shall be credited to this ac-
25 count and remain available until September 30, 2021: *Pro-*

1 *vided*, That all funds derived in accordance with 31 U.S.C.
2 9701 from organizations established under title XIII of
3 the PHS Act shall be credited to and available for carrying
4 out the purposes of this appropriation: *Provided further*,
5 That the Secretary is directed to collect fees in fiscal year
6 2016 from Medicare Advantage organizations pursuant to
7 section 1857(e)(2) of the Social Security Act and from eli-
8 gible organizations with risk-sharing contracts under sec-
9 tion 1876 of that Act pursuant to section 1876(k)(4)(D)
10 of that Act.

11 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

12 In addition to amounts otherwise available for pro-
13 gram integrity and program management, \$706,000,000,
14 to remain available through September 30, 2017, to be
15 transferred from the Federal Hospital Insurance Trust
16 Fund and the Federal Supplementary Medical Insurance
17 Trust Fund, as authorized by section 201(g) of the Social
18 Security Act, of which \$474,175,000 shall be for the Medi-
19 care Integrity Program at the Centers for Medicare and
20 Medicaid Services, including administrative costs, to con-
21 duct oversight activities for Medicare Advantage under
22 Part C and the Medicare Prescription Drug Program
23 under Part D of the Social Security Act and for activities
24 described in section 1893(b) of such Act, of which
25 \$77,275,000 shall be for the Department of Health and

1 Human Services Office of Inspector General to carry out
2 fraud and abuse activities authorized by section
3 1817(k)(3) of such Act, of which \$77,275,000 shall be for
4 the Medicaid and Children’s Health Insurance Program
5 (“CHIP”) program integrity activities, and of which
6 \$77,275,000 shall be for the Department of Justice to
7 carry out fraud and abuse activities authorized by section
8 1817(k)(3) of such Act: *Provided*, That the report re-
9 quired by section 1817(k)(5) of the Social Security Act
10 for fiscal year 2016 shall include measures of the oper-
11 ational efficiency and impact on fraud, waste, and abuse
12 in the Medicare, Medicaid, and CHIP programs for the
13 funds provided by this appropriation: *Provided further*,
14 That of the amount provided under this heading,
15 \$311,000,000 is provided to meet the terms of section
16 251(b)(2)(C)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985, as amended, and
18 \$395,000,000 is additional new budget authority specified
19 for purposes of section 251(b)(2)(C) of such Act.

20 ADMINISTRATION FOR CHILDREN AND FAMILIES

21 PAYMENTS TO STATES FOR CHILD SUPPORT

22 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

23 For carrying out, except as otherwise provided, titles
24 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
25 and the Act of July 5, 1960, \$2,944,906,000, to remain

1 available until expended; and for such purposes for the
2 first quarter of fiscal year 2017, \$1,300,000,000, to re-
3 main available until expended.

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

10 LOW INCOME HOME ENERGY ASSISTANCE

11 For making payments under subsections (b) and (d)
12 of section 2602 of the Low Income Home Energy Assist-
13 ance Act of 1981, \$3,390,304,000: *Provided*, That all but
14 \$491,000,000 of this amount shall be allocated as though
15 the total appropriation for such payments for fiscal year
16 2016 was less than \$1,975,000,000: *Provided further*,
17 That notwithstanding section 2609A(a), of the amounts
18 appropriated under section 2602(b), not more than
19 \$2,988,000 of such amounts may be reserved by the Sec-
20 retary for technical assistance, training, and monitoring
21 of program activities for compliance with internal controls,
22 policies and procedures and may, in addition to the au-
23 thorities provided in section 2609A(a)(1), use such funds
24 through contracts with private entities that do not qualify
25 as nonprofit organizations.

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”), section 203
10 of the Trafficking Victims Protection Reauthorization Act
11 of 2005, and the Torture Victims Relief Act of 1998,
12 \$1,405,367,000, of which \$1,378,877,000 shall remain
13 available through September 30, 2018 for carrying out
14 such sections 414, 501, 462, and 235: *Provided*, That
15 amounts available under this heading to carry out such
16 section 203 and the TVPA shall also be available for re-
17 search and evaluation with respect to activities under
18 those authorities: *Provided further*, That the limitation in
19 section 205 of this Act regarding transfers increasing any
20 appropriation shall apply to transfers to appropriations
21 under this heading by substituting “10 percent” for “3
22 percent”.

1 PAYMENTS TO STATES FOR THE CHILD CARE AND
2 DEVELOPMENT BLOCK GRANT

3 For carrying out the Child Care and Development
4 Block Grant Act of 2014 (“CCDBG Act”),
5 \$2,585,000,000 shall be used to supplement, not supplant
6 State general revenue funds for child care assistance for
7 low-income families: *Provided*, That, in addition to the
8 amounts required to be reserved by the States under sec-
9 tion 658G of the CCDBG Act, \$119,098,000 shall be for
10 activities that improve the quality of infant and toddler
11 care: *Provided further*, That technical assistance under
12 section 658I(a)(3) of such Act may be provided directly,
13 or through the use of contracts, grants, cooperative agree-
14 ments, or interagency agreements: *Provided further*, That
15 the reservation of funds specified in paragraphs (4) and
16 (5) of section 658O(a) of such Act shall also be applied
17 to funds appropriated in this or any other Act, including
18 section 418 of the Social Security Act (42 U.S.C. 618),
19 to carry out such section 418.

20 SOCIAL SERVICES BLOCK GRANT

21 For making grants to States pursuant to section
22 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
23 *vided*, That notwithstanding subparagraph (B) of section
24 404(d)(2) of such Act, the applicable percent specified
25 under such subparagraph for a State to carry out State

1 programs pursuant to title XX–A of such Act shall be 10
2 percent.

3 CHILDREN AND FAMILIES SERVICES PROGRAMS

4 For carrying out, except as otherwise provided, the
5 Runaway and Homeless Youth Act, the Head Start Act,
6 the Child Abuse Prevention and Treatment Act, sections
7 303 and 313 of the Family Violence Prevention and Serv-
8 ices Act, the Native American Programs Act of 1974, title
9 II of the Child Abuse Prevention and Treatment and
10 Adoption Reform Act of 1978 (adoption opportunities),
11 part B–1 of title IV and sections 413, 429, 473A, 477(i),
12 1110, 1114A, and 1115 of the Social Security Act; for
13 making payments under the Community Services Block
14 Grant Act (“CSBG Act”), sections 473B and 477(i) of
15 the Social Security Act, and the Assets for Independence
16 Act; for necessary administrative expenses to carry out ti-
17 tles I, IV, V, X, XI, XIV, XVI, and XX of the Social Secu-
18 rity Act, the Act of July 5, 1960, the Low Income Home
19 Energy Assistance Act of 1981, title IV of the Immigra-
20 tion and Nationality Act, and section 501 of the Refugee
21 Education Assistance Act of 1980; and for the administra-
22 tion of prior year obligations made by the Administration
23 for Children and Families under the Developmental Dis-
24 abilities Assistance and Bill of Rights Act and the Help
25 America Vote Act of 2002, \$10,388,620,000, of which

1 \$37,943,000, to remain available through September 30,
2 2017, shall be for grants to States for adoption and legal
3 guardianship incentive payments, as defined by section
4 473A of the Social Security Act and may be made for
5 adoptions completed before September 30, 2015: *Provided*,
6 That \$8,698,095,000 shall be for making payments under
7 the Head Start Act: *Provided further*, That of the amount
8 in the previous proviso, \$8,073,095,000 shall be available
9 for payments under section 640 of the Head Start Act:
10 *Provided further*, That of the amount provided for making
11 payments under the Head Start Act, \$25,000,000 shall
12 be available for allocation by the Secretary to supplement
13 activities described in paragraphs (7)(B) and (9) of sec-
14 tion 641(c) of such Act under the Designation Renewal
15 System, established under the authority of sections
16 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Pro-*
17 *vided further*, That notwithstanding such section 640, of
18 the amount provided for making payments under the
19 Head Start Act, and in addition to funds otherwise avail-
20 able under such section 640 for such purposes,
21 \$600,000,000 shall be available for Early Head Start pro-
22 grams as described in section 645A of such Act, for con-
23 version of Head Start services to Early Head Start serv-
24 ices as described in section 645(a)(5)(A) of such Act, for
25 discretionary grants for high quality infant and toddler

1 care through Early Head Start-Child Care Partnerships,
2 to entities defined as eligible under section 645A(d) of
3 such Act, for training and technical assistance for such
4 activities, and for up to \$14,000,000 in Federal costs of
5 administration and evaluation, and, notwithstanding sec-
6 tion 645A(c)(2) of such Act, these funds are available to
7 serve children under age 4: *Provided further*, That funds
8 described in the preceding two provisos shall not be in-
9 cluded in the calculation of “base grant” in subsequent
10 fiscal years, as such term is used in section 640(a)(7)(A)
11 of such Act: *Provided further*, That \$674,000,000 shall be
12 for making payments under the CSBG Act: *Provided fur-*
13 *ther*, That not more than \$350,000 shall be reserved under
14 section 674(b)(3) of the CSBG Act, all of which shall be
15 solely for carrying out section 678(b)(2) of such Act: *Pro-*
16 *vided further*, That section 303(a)(2)(A)(i) of the Family
17 Violence Prevention and Services Act shall not apply to
18 amounts provided herein: *Provided further*, That
19 \$1,864,000 shall be for a human services case manage-
20 ment system for federally declared disasters, to include a
21 comprehensive national case management contract and
22 Federal costs of administering the system: *Provided fur-*
23 *ther*, That up to \$2,000,000 shall be for improving the
24 Public Assistance Reporting Information System, includ-

1 ing grants to States to support data collection for a study
2 of the system's effectiveness.

3 PROMOTING SAFE AND STABLE FAMILIES

4 For carrying out, except as otherwise provided, sec-
5 tion 436 of the Social Security Act, \$345,000,000 and,
6 for carrying out, except as otherwise provided, section 437
7 of such Act, \$59,765,000.

8 PAYMENTS FOR FOSTER CARE AND PERMANENCY

9 For carrying out, except as otherwise provided, title
10 IV-E of the Social Security Act, \$5,298,000,000.

11 For carrying out, except as otherwise provided, title
12 IV-E of the Social Security Act, for the first quarter of
13 fiscal year 2017, \$2,300,000,000.

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

19 ADMINISTRATION FOR COMMUNITY LIVING

20 AGING AND DISABILITY SERVICES PROGRAMS

21 (INCLUDING TRANSFER OF FUNDS)

22 For carrying out, to the extent not otherwise pro-
23 vided, the OAA, titles III and XXIX of the PHS Act, sec-
24 tion 119 of the Medicare Improvements for Patients and
25 Providers Act of 2008, title XX-B of the Social Security

1 Act, the Developmental Disabilities Assistance and Bill of
2 Rights Act, parts 2 and 5 of subtitle D of title II of the
3 Help America Vote Act of 2002, the Assistive Technology
4 Act of 1998, titles II and VII (and section 14 with respect
5 to such titles) of the Rehabilitation Act of 1973, and for
6 Department-wide coordination of policy and program ac-
7 tivities that assist individuals with disabilities,
8 \$1,831,089,000, together with \$30,000,000 to be trans-
9 ferred from the Federal Hospital Insurance Trust Fund
10 and the Federal Supplementary Medical Insurance Trust
11 Fund to carry out section 4360 of the Omnibus Budget
12 Reconciliation Act of 1990: *Provided*, That amounts ap-
13 propriated under this heading may be used for grants to
14 States under section 361 of the OAA only for disease pre-
15 vention and health promotion programs and activities
16 which have been demonstrated through rigorous evalua-
17 tion to be evidence-based and effective: *Provided further*,
18 That notwithstanding any other provision of this Act,
19 funds made available under this heading to carry out sec-
20 tion 311 of the OAA may be transferred to the Secretary
21 of Agriculture in accordance with such section.

22 OFFICE OF THE SECRETARY

23 GENERAL DEPARTMENTAL MANAGEMENT

24 For necessary expenses, not otherwise provided, for
25 general departmental management, including hire of six

1 passenger motor vehicles, and for carrying out titles III,
2 XVII, XXI, and section 229 of the PHS Act, the United
3 States-Mexico Border Health Commission Act, and re-
4 search studies under section 1110 of the Social Security
5 Act, \$301,500,000, together with \$46,762,000 from the
6 amounts available under section 241 of the PHS Act to
7 carry out national health or human services research and
8 evaluation activities: *Provided*, That of the funds made
9 available under this heading, \$20,000,000 shall be for
10 making competitive contracts and grants to public and pri-
11 vate entities to fund medically accurate and age appro-
12 priate programs that reduce teen pregnancy and for the
13 Federal costs associated with administering and evalu-
14 ating such contracts and grants, of which not more than
15 10 percent of the available funds shall be for training and
16 technical assistance, evaluation, outreach, and additional
17 program support activities, and of the remaining amount
18 75 percent shall be for replicating programs that have
19 been proven effective through rigorous evaluation to re-
20 duce teenage pregnancy, behavioral risk factors underlying
21 teenage pregnancy, or other associated risk factors, and
22 25 percent shall be available for research and demonstra-
23 tion grants to develop, replicate, refine, and test additional
24 models and innovative strategies for preventing teenage
25 pregnancy: *Provided further*, That of the funds made avail-

1 able under this heading, \$1,750,000 is for strengthening
2 the Department's acquisition workforce capacity and capa-
3 bilities: *Provided further*, That with respect to the previous
4 proviso, such funds shall be available for training, recruit-
5 ing, retaining, and hiring members of the acquisition
6 workforce as defined by 41 U.S.C. 1703, for information
7 technology in support of acquisition workforce effective-
8 ness and for management solutions to improve acquisition
9 management: *Provided further*, That of the funds made
10 available under this heading, \$20,000,000 shall be for
11 making competitive grants to provide abstinence education
12 (as defined by section 510(b)(2)(A)–(H) of the Social Se-
13 curity Act) to adolescents, and for Federal costs of admin-
14 istering the grant: *Provided further*, That grants made
15 under the authority of section 510(b)(2)(A)–(H) of the
16 Social Security Act shall be made only to public and pri-
17 vate entities that agree that, with respect to an adolescent
18 to whom the entities provide abstinence education under
19 such grant, the entities will not provide to that adolescent
20 any other education regarding sexual conduct, except that,
21 in the case of an entity expressly required by law to pro-
22 vide health information or services the adolescent shall not
23 be precluded from seeking health information or services
24 from the entity in a different setting than the setting in
25 which abstinence education was provided: *Provided fur-*

1 *ther*, That funds provided in this Act for embryo adoption
2 activities may be used to provide to individuals adopting
3 embryos, through grants and other mechanisms, medical
4 and administrative services deemed necessary for such
5 adoptions: *Provided further*, That such services shall be
6 provided consistent with 42 CFR 59.5(a)(4).

7 OFFICE OF MEDICARE HEARINGS AND APPEALS

8 For expenses necessary for the Office of Medicare
9 Hearings and Appeals, \$97,381,000, to be transferred in
10 appropriate part from the Federal Hospital Insurance
11 Trust Fund and the Federal Supplementary Medical In-
12 surance Trust Fund.

13 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
14 INFORMATION TECHNOLOGY

15 For expenses necessary for the Office of the National
16 Coordinator for Health Information Technology, including
17 grants, contracts, and cooperative agreements for the de-
18 velopment and advancement of interoperable health infor-
19 mation technology, \$60,367,000.

20 OFFICE OF INSPECTOR GENERAL

21 For expenses necessary for the Office of Inspector
22 General, including the hire of passenger motor vehicles for
23 investigations, in carrying out the provisions of the Inspec-
24 tor General Act of 1978, \$71,000,000: *Provided*, That of
25 such amount, necessary sums shall be available for pro-

1 viding protective services to the Secretary and inves-
2 tigating non-payment of child support cases for which non-
3 payment is a Federal offense under 18 U.S.C. 228.

4 OFFICE FOR CIVIL RIGHTS

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

7 RETIREMENT PAY AND MEDICAL BENEFITS FOR

8 COMMISSIONED OFFICERS

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

16 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

17 FUND

18 For expenses necessary to support activities related
19 to countering potential biological, nuclear, radiological,
20 chemical, and cybersecurity threats to civilian populations,
21 and for other public health emergencies, \$900,362,000, of
22 which \$473,000,000 shall remain available through Sep-
23 tember 30, 2017, for expenses necessary to support ad-
24 vanced research and development pursuant to section
25 319L of the PHS Act and other administrative expenses

1 of the Biomedical Advanced Research and Development
2 Authority: *Provided*, That funds provided under this head-
3 ing for the purpose of acquisition of security counter-
4 measures shall be in addition to any other funds available
5 for such purpose: *Provided further*, That products pur-
6 chased with funds provided under this heading may, at
7 the discretion of the Secretary, be deposited in the Stra-
8 tegic National Stockpile pursuant to section 319F–2 of
9 the PHS Act: *Provided further*, That \$5,000,000 of the
10 amounts made available to support emergency operations
11 shall remain available through September 30, 2018.

12 For expenses necessary for procuring security coun-
13 termeasures (as defined in section 319F–2(c)(1)(B) of the
14 PHS Act), \$255,000,000, to remain available until ex-
15 pended.

16 For an additional amount for expenses necessary to
17 prepare for or respond to an influenza pandemic,
18 \$71,915,000; of which \$39,906,000 shall be available until
19 expended, for activities including the development and
20 purchase of vaccine, antivirals, necessary medical supplies,
21 diagnostics, and other surveillance tools: *Provided*, That
22 notwithstanding section 496(b) of the PHS Act, funds
23 may be used for the construction or renovation of privately
24 owned facilities for the production of pandemic influenza
25 vaccines and other biologics, if the Secretary finds such

1 or contracts) and the implementation and effectiveness of
2 programs funded in this title.

3 (TRANSFER OF FUNDS)

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

17 SEC. 206. In lieu of the timeframe specified in section
18 338E(c)(2) of the PHS Act, terminations described in
19 such section may occur up to 60 days after the execution
20 of a contract awarded in fiscal year 2016 under section
21 338B of such Act.

22 SEC. 207. None of the funds appropriated in this Act
23 may be made available to any entity under title X of the
24 PHS Act unless the applicant for the award certifies to
25 the Secretary that it encourages family participation in

1 the decision of minors to seek family planning services and
2 that it provides counseling to minors on how to resist at-
3 tempts to coerce minors into engaging in sexual activities.

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

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

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

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

11 SEC. 212. In order for HHS to carry out inter-
12 national health activities, including HIV/AIDS and other
13 infectious disease, chronic and environmental disease, and
14 other health activities abroad during fiscal year 2016:

15 (1) The Secretary may exercise authority equiv-
16 alent to that available to the Secretary of State in
17 section 2(c) of the State Department Basic Authori-
18 ties Act of 1956. The Secretary shall consult with
19 the Secretary of State and relevant Chief of Mission
20 to ensure that the authority provided in this section
21 is exercised in a manner consistent with section 207
22 of the Foreign Service Act of 1980 and other appli-
23 cable statutes administered by the Department of
24 State.

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

22 (3) The Secretary is authorized to provide to
23 personnel appointed or assigned by the Secretary to
24 serve abroad, allowances and benefits similar to
25 those provided under chapter 9 of title I of the For-

1 eign Service Act of 1980, and 22 U.S.C. 4081
2 through 4086 and subject to such regulations pre-
3 scribed by the Secretary. The Secretary is further
4 authorized to provide locality-based comparability
5 payments (stated as a percentage) up to the amount
6 of the locality-based comparability payment (stated
7 as a percentage) that would be payable to such per-
8 sonnel under section 5304 of title 5, United States
9 Code if such personnel’s official duty station were in
10 the District of Columbia. Leaves of absence for per-
11 sonnel under this subsection shall be on the same
12 basis as that provided under subchapter I of chapter
13 63 of title 5, United States Code, or section 903 of
14 the Foreign Service Act of 1980, to individuals serv-
15 ing in the Foreign Service.

16 SEC. 213. Funds which are available for Individual
17 Learning Accounts for employees of CDC and the Agency
18 for Toxic Substances and Disease Registry (“ATSDR”)
19 may be transferred to appropriate accounts of CDC, to
20 be available only for Individual Learning Accounts: *Pro-*
21 *vided*, That such funds may be used for any individual
22 full-time equivalent employee while such employee is em-
23 ployed either by CDC or ATSDR.

1 (TRANSFER OF FUNDS)

2 SEC. 214. The Director of the NIH, jointly with the
3 Director of the Office of AIDS Research, may transfer up
4 to 3 percent among institutes and centers from the total
5 amounts identified by these two Directors as funding for
6 research pertaining to the human immunodeficiency virus:
7 *Provided*, That the Committees on Appropriations of the
8 House of Representatives and the Senate are notified at
9 least 15 days in advance of any transfer.

10 (TRANSFER OF FUNDS)

11 SEC. 215. Of the amounts made available in this Act
12 for NIH, the amount for research related to the human
13 immunodeficiency virus, as jointly determined by the Di-
14 rector of NIH and the Director of the Office of AIDS Re-
15 search, shall be made available to the “Office of AIDS
16 Research” account. The Director of the Office of AIDS
17 Research shall transfer from such account amounts nec-
18 essary to carry out section 2353(d)(3) of the PHS Act.

19 SEC. 216. (a) AUTHORITY.—Notwithstanding any
20 other provision of law, the Director of NIH (“Director”)
21 may use funds available under section 402(b)(7) or
22 402(b)(12) of the PHS Act to enter into transactions
23 (other than contracts, cooperative agreements, or grants)
24 to carry out research identified pursuant to such section

1 402(b)(7) (pertaining to the Common Fund) or research
2 and activities described in such section 402(b)(12).

3 (b) PEER REVIEW.—In entering into transactions
4 under subsection (a), the Director may utilize such peer
5 review procedures (including consultation with appropriate
6 scientific experts) as the Director determines to be appro-
7 priate to obtain assessments of scientific and technical
8 merit. Such procedures shall apply to such transactions
9 in lieu of the peer review and advisory council review pro-
10 cedures that would otherwise be required under sections
11 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
12 and 494 of the PHS Act.

13 SEC. 217. Not to exceed \$45,000,000 of funds appro-
14 priated by this Act to the institutes and centers of the
15 National Institutes of Health may be used for alteration,
16 repair, or improvement of facilities, as necessary for the
17 proper and efficient conduct of the activities authorized
18 herein, at not to exceed \$3,500,000 per project.

19 (TRANSFER OF FUNDS)

20 SEC. 218. Of the amounts made available for NIH,
21 1 percent of the amount made available for National Re-
22 search Service Awards (“NRSA”) shall be made available
23 to the Administrator of the Health Resources and Services
24 Administration to make NRSA awards for research in pri-
25 mary medical care to individuals affiliated with entities

1 who have received grants or contracts under sections 736,
2 739, or 747 of the PHS Act, and 1 percent of the amount
3 made available for NRSA shall be made available to the
4 Director of the Agency for Healthcare Research and Qual-
5 ity to make NRSA awards for health service research.

6 SEC. 219. Section 461(b)(1) of the Public Health
7 Service Act (42 U.S.C. 285k(b)(1)) is amended—

8 (1) in subparagraph (B), by striking “and be-
9 havioral research” and all that follows through the
10 period and inserting “or behavioral research and are
11 located in a State that is at or below the median of
12 all States with respect to the aggregate NIH fund-
13 ing received by entities in that State.”; and

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

15 “(D) Entities that are designated as Pri-
16 marily Undergraduate Institutions and that are
17 not eligible for funding under the Individuals
18 with Disabilities Education Act, but that have
19 been eligible for participation in the National
20 Science Foundation Experimental Program to
21 Stimulate Competitive Research (EPSCoR) pro-
22 gram for the past 2 consecutive years, may
23 apply to an entity that currently holds an IDeA
24 Networks of Biomedical Research Excellence
25 award for inclusion in their Network.”.

1 SEC. 220. Public Law 110–161, division G, title II,
2 section 223 is amended by inserting, after “shall be avail-
3 able” and before “until expended”, “to the Office of the
4 Director, National Institutes of Health”; striking, after
5 “may be available for” and before “, subject to approval”,
6 “such purposes, for capital acquisition necessary to the op-
7 eration of the Department, including facilities infrastruc-
8 ture and information technology infrastructure”, and in-
9 serting “all necessary expenses related to carrying out sec-
10 tion 301 and title IV of the Public Health Service Act”.

11 SEC. 221. In addition to amounts provided herein,
12 payments made for research organisms or substances, au-
13 thorized under section 301(a) of the PHS Act, shall be
14 retained and credited to the appropriations accounts of the
15 Institutes and Centers of the NIH making the substance
16 or organism available under section 301(a). Amounts cred-
17 ited to the account under this authority shall be available
18 for obligation through September 30, 2017.

19 SEC. 222. (a) The Biomedical Advanced Research
20 and Development Authority (“BARDA”) may enter into
21 a contract, for more than one but no more than 10 pro-
22 gram years, for purchase of research services or of security
23 countermeasures, as that term is defined in section 319F–
24 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
25 if—

1 (1) funds are available and obligated—

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

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

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

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

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

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

18 SEC. 223. (a) The Secretary shall establish a publicly
19 accessible Web site to provide information regarding the
20 uses of funds made available under section 4002 of the
21 Patient Protection and Affordable Care Act of 2010
22 (“ACA”).

23 (b) With respect to funds provided under section
24 4002 of the ACA, the Secretary shall include on the Web

1 site established under subsection (a) at a minimum the
2 following information:

3 (1) In the case of each transfer of funds under
4 section 4002(c), a statement indicating the program
5 or activity receiving funds, the operating division or
6 office that will administer the funds, and the
7 planned uses of the funds, to be posted not later
8 than the day after the transfer is made.

9 (2) Identification (along with a link to the full
10 text) of each funding opportunity announcement, re-
11 quest for proposals, or other announcement or solici-
12 tation of proposals for grants, cooperative agree-
13 ments, or contracts intended to be awarded using
14 such funds, to be posted not later than the day after
15 the announcement or solicitation is issued.

16 (3) Identification of each grant, cooperative
17 agreement, or contract with a value of \$25,000 or
18 more awarded using such funds, including the pur-
19 pose of the award and the identity of the recipient,
20 to be posted not later than 5 days after the award
21 is made.

22 (4) A report detailing the uses of all funds
23 transferred under section 4002(c) during the fiscal
24 year, to be posted not later than 90 days after the
25 end of the fiscal year.

1 the heading “Prevention and Public Health Fund” in the
2 report accompanying this Act.

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

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

8 SEC. 225. (a) The Secretary shall publish in the fiscal
9 year 2017 budget justification and on Departmental Web
10 sites information concerning the employment of full-time
11 equivalent Federal employees or contractors for the pur-
12 poses of implementing, administering, enforcing, or other-
13 wise carrying out the provisions of the ACA, and the
14 amendments made by that Act, in the proposed fiscal year
15 and each fiscal year since the enactment of the ACA.

16 (b) With respect to employees or contractors sup-
17 ported by all funds appropriated for purposes of carrying
18 out the ACA (and the amendments made by that Act),
19 the Secretary shall include, at a minimum, the following
20 information:

21 (1) For each such fiscal year, the section of
22 such Act under which such funds were appropriated,
23 a statement indicating the program, project, or ac-
24 tivity receiving such funds, the Federal operating di-
25 vision or office that administers such program, and

1 the amount of funding received in discretionary or
2 mandatory appropriations.

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

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

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

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

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

18 SEC. 226. The Secretary shall publish, as part of the
19 fiscal year 2017 budget of the President submitted under
20 section 1105(a) of title 31, United States Code, informa-
21 tion that details the uses of all funds used by the Centers
22 for Medicare and Medicaid Services specifically for Health
23 Insurance Exchanges for each fiscal year since the enact-
24 ment of the ACA and the proposed uses for such funds
25 for fiscal year 2017. Such information shall include, for

1 each such fiscal year, the amount of funds used for each
2 activity specified under the heading “Health Insurance
3 Exchange Transparency” in the report accompanying this
4 Act.

5 SEC. 227. The Secretary shall provide to the Commit-
6 tees on Appropriations of the House of Representatives
7 and the Senate detailed, monthly enrollment figures from
8 the Exchanges established under the Patient Protection
9 and Affordable Care Act of 2010 pertaining to enrollments
10 during the open enrollment period: *Provided*, That the
11 Committees on Appropriations of the House of Represent-
12 atives and the Senate must be notified and provided with
13 the enrollment figures at least 2 business days in advance
14 of any public release of the information.

15 SEC. 228. None of the funds made available by this
16 Act from the Federal Hospital Insurance Trust Fund or
17 the Federal Supplemental Medical Insurance Trust Fund,
18 or transferred from other accounts funded by this Act to
19 the “Centers for Medicare and Medicaid Services—Pro-
20 gram Management” account, may be used for payments
21 under section 1342(b)(1) of Public Law 111–148 (relating
22 to risk corridors).

23 SEC. 229. None of the funds made available by this
24 Act from the Federal Hospital Insurance Trust Fund or
25 the Federal Supplemental Medical Insurance Trust Fund,

1 \$15,455,802,000, of which \$4,575,641,000 shall become
2 available on July 1, 2016, and shall remain available
3 through September 30, 2017, and of which
4 \$10,841,177,000 shall become available on October 1,
5 2016, and shall remain available through September 30,
6 2017, for academic year 2016–2017: *Provided*, That
7 \$6,459,401,000 shall be for basic grants under section
8 1124 of the ESEA: *Provided further*, That up to
9 \$3,984,000 of these funds shall be available to the Sec-
10 retary of Education (referred to in this title as “Sec-
11 retary”) on October 1, 2015, to obtain annually updated
12 local educational agency-level census poverty data from
13 the Bureau of the Census: *Provided further*, That
14 \$1,362,301,000 shall be for concentration grants under
15 section 1124A of the ESEA: *Provided further*, That
16 \$3,369,050,000 shall be for targeted grants under section
17 1125 of the ESEA: *Provided further*, That
18 \$3,369,050,000 shall be for education finance incentive
19 grants under section 1125A of the ESEA: *Provided fur-*
20 *ther*, That funds available under sections 1124, 1124A,
21 1125 and 1125A of the ESEA may be used to provide
22 homeless children and youths with services not ordinarily
23 provided to other students under those sections, including
24 supporting the liaison designated pursuant to section
25 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assist-

1 ance Act, and providing transportation pursuant to section
2 722(g)(1)(J)(iii) of such Act: *Provided further*, That
3 \$450,000,000 shall be available for school improvement
4 grants under section 1003(g) of the ESEA, which shall
5 be allocated by the Secretary through the formula de-
6 scribed in section 1003(g)(2) and shall be used consistent
7 with the requirements of section 1003(g), except that
8 State and local educational agencies may use such funds
9 to serve any school eligible to receive assistance under part
10 A of title I that has not made adequate yearly progress
11 for at least 2 years or is in the State's lowest quintile of
12 performance based on proficiency rates and, in the case
13 of secondary schools, priority shall be given to those
14 schools with graduation rates below 60 percent: *Provided*
15 *further*, That notwithstanding section 1003(g)(5)(C) of
16 the ESEA, the Secretary may permit a State educational
17 agency to establish an award period of up to 5 years for
18 each participating local educational agency: *Provided fur-*
19 *ther*, That funds available for school improvement grants
20 for fiscal year 2014 and thereafter may be used by a local
21 educational agency to implement a whole-school reform
22 strategy for a school using an evidence-based strategy that
23 ensures whole-school reform is undertaken in partnership
24 with a strategy developer offering a whole-school reform
25 program that is based on at least a moderate level of evi-

1 dence that the program will have a statistically significant
2 effect on student outcomes, including at least one well-
3 designed and well-implemented experimental or quasi-ex-
4 perimental study: *Provided further*, That funds available
5 for school improvement grants may be used by a local edu-
6 cational agency to implement an alternative State-deter-
7 mined school improvement strategy that has been estab-
8 lished by a State educational agency with the approval of
9 the Secretary: *Provided further*, That a local educational
10 agency that is determined to be eligible for services under
11 subpart 1 or 2 of part B of title VI of the ESEA may
12 modify not more than one element of a school improve-
13 ment grant model: *Provided further*, That notwithstanding
14 section 1003(g)(5)(A), each State educational agency may
15 establish a maximum subgrant size of not more than
16 \$2,000,000 for each participating school applicable to
17 such funds: *Provided further*, That the Secretary may re-
18 serve up to 5 percent of the funds available for section
19 1003(g) of the ESEA to carry out activities to build State
20 and local educational agency capacity to implement effec-
21 tively the school improvement grants program: *Provided*
22 *further*, That \$35,000,000 shall be for carrying out section
23 418A of the HEA.

IMPACT AID

1
2 For carrying out programs of financial assistance to
3 federally affected schools authorized by title VIII of the
4 ESEA, \$1,288,603,000, of which \$1,151,233,000 shall be
5 for basic support payments under section 8003(b),
6 \$48,316,000 shall be for payments for children with dis-
7 abilities under section 8003(d), \$17,406,000 shall be for
8 construction under section 8007(b) and be available for
9 obligation through September 30, 2017, \$66,813,000 shall
10 be for Federal property payments under section 8002, and
11 \$4,835,000, to remain available until expended, shall be
12 for facilities maintenance under section 8008: *Provided*,
13 That for purposes of computing the amount of a payment
14 for an eligible local educational agency under section
15 8003(a) for school year 2015–2016, children enrolled in
16 a school of such agency that would otherwise be eligible
17 for payment under section 8003(a)(1)(B) of such Act, but
18 due to the deployment of both parents or legal guardians,
19 or a parent or legal guardian having sole custody of such
20 children, or due to the death of a military parent or legal
21 guardian while on active duty (so long as such children
22 reside on Federal property as described in section
23 8003(a)(1)(B)), are no longer eligible under such section,
24 shall be considered as eligible students under such section,
25 provided such students remain in average daily attendance

1 at a school in the same local educational agency they at-
2 tended prior to their change in eligibility status.

3 SCHOOL IMPROVEMENT PROGRAMS

4 For carrying out school improvement activities au-
5 thorized by parts A and B of title II, part B of title IV,
6 parts A and B of title VI, and parts B and C of title VII
7 of the ESEA; the McKinney-Vento Homeless Assistance
8 Act; section 203 of the Educational Technical Assistance
9 Act of 2002; the Compact of Free Association Amend-
10 ments Act of 2003; and the Civil Rights Act of 1964,
11 \$4,134,746,000, of which \$2,326,181,000 shall become
12 available on July 1, 2016, and remain available through
13 September 30, 2017, and of which \$1,681,441,000 shall
14 become available on October 1, 2016, and shall remain
15 available through September 30, 2017, for academic year
16 2016–2017: *Provided*, That funds made available to carry
17 out part B of title VII of the ESEA may be used for con-
18 struction, renovation, and modernization of any elemen-
19 tary school, secondary school, or structure related to an
20 elementary school or secondary school, run by the Depart-
21 ment of Education of the State of Hawaii, that serves a
22 predominantly Native Hawaiian student body: *Provided*
23 *further*, That funds made available to carry out part C
24 of title VII of the ESEA shall be awarded on a competitive
25 basis, and also may be used for construction: *Provided fur-*

1 *ther*, That \$40,000,000 shall be available to carry out sec-
2 tion 203 of the Educational Technical Assistance Act of
3 2002 and the Secretary shall make such arrangements as
4 determined to be necessary to ensure that the Bureau of
5 Indian Education has access to services provided under
6 this section: *Provided further*, That \$16,699,000 shall be
7 available to carry out the Supplemental Education Grants
8 program for the Federated States of Micronesia and the
9 Republic of the Marshall Islands: *Provided further*, That
10 the Secretary may reserve up to 5 percent of the amount
11 referred to in the previous proviso to provide technical as-
12 sistance in the implementation of these grants: *Provided*
13 *further*, That up to 5.0 percent of the funds for subpart
14 1 of part A of title II of the ESEA shall be reserved by
15 the Secretary for competitive awards for teacher or prin-
16 cipal recruitment and training or professional enhance-
17 ment activities, including for civic education instruction,
18 to national not-for-profit organizations, of which up to 8
19 percent may only be used for research, dissemination, eval-
20 uation, and technical assistance for competitive awards
21 carried out under this proviso: *Provided further*, That
22 \$141,299,000 shall be to carry out part B of title II of
23 the ESEA.

1 INDIAN EDUCATION

2 For expenses necessary to carry out, to the extent
3 not otherwise provided, title VII, part A of the ESEA,
4 \$123,939,000.

5 INNOVATION AND IMPROVEMENT

6 For carrying out activities authorized by part G of
7 title I, part D of title II, parts B, C, and D of title V
8 of the ESEA, \$694,616,000: *Provided*, That
9 \$225,000,000 of the funds for subpart 1 of part D of title
10 V of the ESEA shall be for competitive grants to local
11 educational agencies, including charter schools that are
12 local educational agencies, or States, or partnerships of:
13 (1) a local educational agency, a State, or both; and (2)
14 at least one nonprofit organization to develop and imple-
15 ment performance-based compensation systems for teach-
16 ers, principals, and other personnel in high-need schools:
17 *Provided further*, That such performance-based compensa-
18 tion systems must consider gains in student academic
19 achievement as well as classroom evaluations conducted
20 multiple times during each school year among other fac-
21 tors and provide educators with incentives to take on addi-
22 tional responsibilities and leadership roles: *Provided fur-*
23 *ther*, That recipients of such grants shall demonstrate that
24 such performance-based compensation systems are devel-
25 oped with the input of teachers and school leaders in the

1 schools and local educational agencies to be served by the
2 grant: *Provided further*, That recipients of such grants
3 may use such funds to develop or improve systems and
4 tools (which may be developed and used for the entire local
5 educational agency or only for schools served under the
6 grant) that would enhance the quality and success of the
7 compensation system, such as high-quality teacher evalua-
8 tions and tools to measure growth in student achievement:
9 *Provided further*, That applications for such grants shall
10 include a plan to sustain financially the activities con-
11 ducted and systems developed under the grant once the
12 grant period has expired: *Provided further*, That up to 5
13 percent of such funds for competitive grants shall be avail-
14 able for technical assistance, training, peer review of appli-
15 cations, program outreach, and evaluation activities: *Pro-*
16 *vided further*, That of the funds available for part B of
17 title V of the ESEA, the Secretary shall use up to
18 \$9,000,000 to carry out activities under section 5205(b)
19 and shall use not less than \$13,000,000 for subpart 2:
20 *Provided further*, That of the funds available for subpart
21 1 of part B of title V of the ESEA, and notwithstanding
22 section 5205(a), the Secretary shall reserve up to
23 \$85,000,000 to make multiple awards to nonprofit charter
24 management organizations and other entities that are not
25 for-profit entities for the replication and expansion of suc-

1 cessful charter school models and shall reserve not less
2 than \$11,000,000 to carry out the activities described in
3 section 5205(a), including improving quality and oversight
4 of charter schools and providing technical assistance and
5 grants to authorized public chartering agencies in order
6 to increase the number of high-performing charter schools:
7 *Provided further*, That funds available for part B of title
8 V of the ESEA may be used for grants that support pre-
9 school education in charter schools: *Provided further*, That
10 each application submitted pursuant to section 5203(a)
11 shall describe a plan to monitor and hold accountable au-
12 thorized public chartering agencies through such activities
13 as providing technical assistance or establishing a profes-
14 sional development program, which may include evalua-
15 tion, planning, training, and systems development for staff
16 of authorized public chartering agencies to improve the ca-
17 pacity of such agencies in the State to authorize, monitor,
18 and hold accountable charter schools: *Provided further*,
19 That each application submitted pursuant to section
20 5203(a) shall contain assurances that State law, regula-
21 tions, or other policies require that: (1) each authorized
22 charter school in the State operate under a legally binding
23 charter or performance contract between itself and the
24 school's authorized public chartering agency that describes
25 the rights and responsibilities of the school and the public

1 chartering agency; conduct annual, timely, and inde-
2 pendent audits of the school's financial statements that
3 are filed with the school's authorized public chartering
4 agency; and demonstrate improved student academic
5 achievement; and (2) authorized public chartering agen-
6 cies use increases in student academic achievement for all
7 groups of students described in section 1111(b)(2)(C)(v)
8 of the ESEA as one of the most important factors when
9 determining to renew or revoke a school's charter.

10 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

11 For carrying out activities authorized by part A of
12 title IV and subparts 1 and 2 of part D of title V of the
13 ESEA, \$120,314,000: *Provided*, That \$60,000,000 shall
14 be available for subpart 2 of part A of title IV, of which
15 up to \$5,000,000, to remain available until expended, shall
16 be for the Project School Emergency Response to Violence
17 ("Project SERV") program to provide education-related
18 services to local educational agencies and institutions of
19 higher education in which the learning environment has
20 been disrupted due to a violent or traumatic crisis: *Pro-*
21 *vided further*, That \$37,000,000 shall be available through
22 December 31, 2016 for Promise Neighborhoods.

23 ENGLISH LANGUAGE ACQUISITION

24 For carrying out part A of title III of the ESEA,
25 \$712,021,000, which shall become available on July 1,

1 2016, and shall remain available through September 30,
2 2017, except that 6.5 percent of such amount shall be
3 available on October 1, 2015, and shall remain available
4 through September 30, 2017, to carry out activities under
5 section 3111(c)(1)(C): *Provided*, That the Secretary shall
6 use estimates of the American Community Survey child
7 counts for the most recent 3-year period available to cal-
8 culate allocations under such part.

9 SPECIAL EDUCATION

10 For carrying out the Individuals with Disabilities
11 Education Act (IDEA) and the Special Olympics Sport
12 and Empowerment Act of 2004, \$12,636,817,000, of
13 which \$3,131,259,000 shall become available on July 1,
14 2016, and shall remain available through September 30,
15 2017, and of which \$9,283,383,000 shall become available
16 on October 1, 2016, and shall remain available through
17 September 30, 2017, for academic year 2016–2017: *Pro-*
18 *vided*, That the amount for section 611(b)(2) of the IDEA
19 shall be equal to the lesser of the amount available for
20 that activity during fiscal year 2015, increased by the
21 amount of inflation as specified in section 619(d)(2)(B)
22 of the IDEA, or the percent change in the funds appro-
23 priated under section 611(i) of the IDEA, but not less
24 than the amount for that activity during fiscal year 2015:
25 *Provided further*, That the Secretary shall, without regard

1 to section 611(d) of the IDEA, distribute to all other
2 States (as that term is defined in section 611(g)(2)), sub-
3 ject to the third proviso, any amount by which a State's
4 allocation under section 611(d), from funds appropriated
5 under this heading, is reduced under section
6 612(a)(18)(B), according to the following: 85 percent on
7 the basis of the States' relative populations of children
8 aged 3 through 21 who are of the same age as children
9 with disabilities for whom the State ensures the avail-
10 ability of a free appropriate public education under this
11 part, and 15 percent to States on the basis of the States'
12 relative populations of those children who are living in pov-
13 erty: *Provided further*, That the Secretary may not dis-
14 tribute any funds under the previous proviso to any State
15 whose reduction in allocation from funds appropriated
16 under this heading made funds available for such a dis-
17 tribution: *Provided further*, That the States shall allocate
18 such funds distributed under the second proviso to local
19 educational agencies in accordance with section 611(f):
20 *Provided further*, That the amount by which a State's allo-
21 cation under section 611(d) of the IDEA is reduced under
22 section 612(a)(18)(B) and the amounts distributed to
23 States under the previous provisos in fiscal year 2012 or
24 any subsequent year shall not be considered in calculating
25 the awards under section 611(d) for fiscal year 2013 or

1 for any subsequent fiscal years: *Provided further*, That,
2 notwithstanding the provision in section 612(a)(18)(B) re-
3 garding the fiscal year in which a State's allocation under
4 section 611(d) is reduced for failure to comply with the
5 requirement of section 612(a)(18)(A), the Secretary may
6 apply the reduction specified in section 612(a)(18)(B) over
7 a period of consecutive fiscal years, not to exceed five,
8 until the entire reduction is applied: *Provided further*,
9 That the Secretary may, in any fiscal year in which a
10 State's allocation under section 611 is reduced in accord-
11 ance with section 612(a)(18)(B), reduce the amount a
12 State may reserve under section 611(e)(1) by an amount
13 that bears the same relation to the maximum amount de-
14 scribed in that paragraph as the reduction under section
15 612(a)(18)(B) bears to the total allocation the State
16 would have received in that fiscal year under section
17 611(d) in the absence of the reduction: *Provided further*,
18 That the Secretary shall either reduce the allocation of
19 funds under section 611 for any fiscal year following the
20 fiscal year for which the State fails to comply with the
21 requirement of section 612(a)(18)(A) as authorized by
22 section 612(a)(18)(B), or seek to recover funds under sec-
23 tion 452 of the General Education Provisions Act (20
24 U.S.C. 1234a): *Provided further*, That the funds reserved
25 under 611(c) of the IDEA may be used to provide tech-

1 nical assistance to States to improve the capacity of the
2 States to meet the data collection requirements of sections
3 616 and 618 and to administer and carry out other serv-
4 ices and activities to improve data collection, coordination,
5 quality, and use under parts B and C of the IDEA: *Pro-*
6 *vided further*, That the level of effort a local educational
7 agency must meet under section 613(a)(2)(A)(iii) of the
8 IDEA, in the year after it fails to maintain effort is the
9 level of effort that would have been required in the absence
10 of that failure and not the LEA's reduced level of expendi-
11 tures: *Provided further*, That the Secretary may use funds
12 made available for the State Personnel Development
13 Grants program under part D, subpart 1 of IDEA to
14 evaluate program performance under such subpart.

15 REHABILITATION SERVICES AND DISABILITY RESEARCH

16 For carrying out, to the extent not otherwise pro-
17 vided, the Rehabilitation Act of 1973 and the Helen Keller
18 National Center Act, \$3,487,864,000, of which
19 \$3,391,770,000 shall be for grants for vocational rehabili-
20 tation services under title I of the Rehabilitation Act: *Pro-*
21 *vided*, That the Secretary may use amounts provided in
22 this Act that remain available subsequent to the reallocot-
23 ment of funds to States pursuant to section 110(b) of the
24 Rehabilitation Act for innovative activities aimed at im-
25 proving the outcomes of individuals with disabilities as de-

1 fined in section 7(20)(B) of the Rehabilitation Act, includ-
2 ing activities aimed at improving the education and post-
3 school outcomes of children receiving Supplemental Secu-
4 rity Income (“SSI”) and their families that may result
5 in long-term improvement in the SSI child recipient’s eco-
6 nomic status and self-sufficiency: *Provided further*, That
7 States may award subgrants for a portion of the funds
8 to other public and private, nonprofit entities: *Provided*
9 *further*, That any funds made available subsequent to real-
10 lotment for innovative activities aimed at improving the
11 outcomes of individuals with disabilities shall remain avail-
12 able until September 30, 2017.

13 SPECIAL INSTITUTIONS FOR PERSONS WITH
14 DISABILITIES

15 AMERICAN PRINTING HOUSE FOR THE BLIND

16 For carrying out the Act of March 3, 1879,
17 \$24,931,000.

18 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

19 For the National Technical Institute for the Deaf
20 under titles I and II of the Education of the Deaf Act
21 of 1986, \$69,016,000: *Provided*, That from the total
22 amount available, the Institute may at its discretion use
23 funds for the endowment program as authorized under
24 section 207 of such Act.

GALLAUDET UNIVERSITY

1
2 For the Kendall Demonstration Elementary School,
3 the Model Secondary School for the Deaf, and the partial
4 support of Gallaudet University under titles I and II of
5 the Education of the Deaf Act of 1986, \$120,275,000:
6 *Provided*, That from the total amount available, the Uni-
7 versity may at its discretion use funds for the endowment
8 program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

9
10 For carrying out, to the extent not otherwise pro-
11 vided, the Carl D. Perkins Career and Technical Edu-
12 cation Act of 2006 and the Adult Education and Family
13 Literacy Act (“AEFLA”), \$1,669,731,000, of which
14 \$878,731,000 shall become available on July 1, 2016, and
15 shall remain available through September 30, 2017, and
16 of which \$791,000,000 shall become available on October
17 1, 2016, and shall remain available through September 30,
18 2017: *Provided*, That of the amounts made available for
19 AEFLA, \$7,712,000 shall be for national leadership ac-
20 tivities under section 242.

STUDENT FINANCIAL ASSISTANCE

21
22 For carrying out subparts 1, 3, and 10 of part A,
23 and part C of title IV of the HEA, \$24,129,352,000,
24 which shall remain available through September 30, 2017.

1 The maximum Pell Grant for which a student shall
2 be eligible during award year 2016–2017 shall be \$4,860.

3 STUDENT AID ADMINISTRATION

4 For Federal administrative expenses to carry out part
5 D of title I, and subparts 1, 3, 9, and 10 of part A, and
6 parts B, C, D, and E of title IV of the HEA, and subpart
7 1 of part A of title VII of the Public Health Service Act,
8 \$1,361,700,000, to remain available through September
9 30, 2017: *Provided*, That the Secretary shall, no later than
10 December 31, 2015, allocate no less than 50 percent of
11 new student loan borrower accounts among eligible not-
12 for-profit student loan servicers, excluding those eligible
13 as title IV additional servicers.

14 HIGHER EDUCATION

15 For carrying out, to the extent not otherwise pro-
16 vided, titles II, III, IV, V, VI, and VII of the HEA, the
17 Mutual Educational and Cultural Exchange Act of 1961,
18 and section 117 of the Carl D. Perkins Career and Tech-
19 nical Education Act of 2006, \$1,783,510,000: *Provided*,
20 That notwithstanding any other provision of law, funds
21 made available in this Act to carry out title VI of the HEA
22 and section 102(b)(6) of the Mutual Educational and Cul-
23 tural Exchange Act of 1961 may be used to support visits
24 and study in foreign countries by individuals who are par-
25 ticipating in advanced foreign language training and inter-

1 national studies in areas that are vital to United States
2 national security and who plan to apply their language
3 skills and knowledge of these countries in the fields of gov-
4 ernment, the professions, or international development:
5 *Provided further*, That of the funds referred to in the pre-
6 ceding proviso up to 1 percent may be used for program
7 evaluation, national outreach, and information dissemina-
8 tion activities: *Provided further*, That up to 1.5 percent
9 of the funds made available under chapter 2 of subpart
10 2 of part A of title IV of the HEA may be used for evalua-
11 tion.

12 HOWARD UNIVERSITY

13 For partial support of Howard University,
14 \$219,500,000, of which not less than \$3,350,000 shall be
15 for a matching endowment grant pursuant to the Howard
16 University Endowment Act and shall remain available
17 until expended.

18 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS

19 PROGRAM

20 For Federal administrative expenses to carry out ac-
21 tivities related to existing facility loans pursuant to section
22 121 of the HEA, \$435,000.

1 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
2 CAPITAL FINANCING PROGRAM ACCOUNT

3 For the cost of guaranteed loans, \$19,096,000, as au-
4 thorized pursuant to part D of title III of the HEA, which
5 shall remain available through September 30, 2017: *Pro-*
6 *vided*, That such costs, including the cost of modifying
7 such loans, shall be as defined in section 502 of the Con-
8 gressional Budget Act of 1974: *Provided further*, That
9 these funds are available to subsidize total loan principal,
10 any part of which is to be guaranteed, not to exceed
11 \$303,593,000: *Provided further*, That these funds may be
12 used to support loans to public and private Historically
13 Black Colleges and Universities without regard to the limi-
14 tations within section 344(a) of the HEA.

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

19 INSTITUTE OF EDUCATION SCIENCES

20 For carrying out activities authorized by the Edu-
21 cation Sciences Reform Act of 2002, the National Assess-
22 ment of Educational Progress Authorization Act, section
23 208 of the Educational Technical Assistance Act of 2002,
24 and section 664 of the Individuals with Disabilities Edu-
25 cation Act, \$562,978,000, which shall remain available

1 through September 30, 2017: *Provided*, That funds avail-
2 able to carry out section 208 of the Educational Technical
3 Assistance Act may be used to link Statewide elementary
4 and secondary data systems with early childhood, postsec-
5 ondary, and workforce data systems, or to further develop
6 such systems: *Provided further*, That up to \$6,000,000 of
7 the funds available to carry out section 208 of the Edu-
8 cational Technical Assistance Act may be used for awards
9 to public or private organizations or agencies to support
10 activities to improve data coordination, quality, and use
11 at the local, State, and national levels: *Provided further*,
12 That \$137,235,000 shall be for carrying out activities au-
13 thorized by the National Assessment of Educational
14 Progress Authorization Act.

15 DEPARTMENTAL MANAGEMENT

16 PROGRAM ADMINISTRATION

17 For carrying out, to the extent not otherwise pro-
18 vided, the Department of Education Organization Act, in-
19 cluding rental of conference rooms in the District of Co-
20 lumbia and hire of three passenger motor vehicles,
21 \$391,326,000, of which up to \$1,000,000, to remain avail-
22 able until expended, shall be for relocation of, and renova-
23 tion of buildings occupied by, Department staff.

1 OFFICE FOR CIVIL RIGHTS

2 For expenses necessary for the Office for Civil
3 Rights, as authorized by section 203 of the Department
4 of Education Organization Act, \$100,000,000.

5 OFFICE OF INSPECTOR GENERAL

6 For expenses necessary for the Office of Inspector
7 General, as authorized by section 212 of the Department
8 of Education Organization Act, \$57,791,000.

9 GENERAL PROVISIONS

10 SEC. 301. No funds appropriated in this Act may be
11 used for the transportation of students or teachers (or for
12 the purchase of equipment for such transportation) in
13 order to overcome racial imbalance in any school or school
14 system, or for the transportation of students or teachers
15 (or for the purchase of equipment for such transportation)
16 in order to carry out a plan of racial desegregation of any
17 school or school system.

18 SEC. 302. None of the funds contained in this Act
19 shall be used to require, directly or indirectly, the trans-
20 portation of any student to a school other than the school
21 which is nearest the student's home, except for a student
22 requiring special education, to the school offering such
23 special education, in order to comply with title VI of the
24 Civil Rights Act of 1964. For the purpose of this section
25 an indirect requirement of transportation of students in-

1 SEC. 305. The Outlying Areas may consolidate funds
2 received under this Act, pursuant to 48 U.S.C. 1469a,
3 under part A of title V of the ESEA.

4 SEC. 306. Section 105(f)(1)(B)(ix) of the Compact
5 of Free Association Amendments Act of 2003 (48 U.S.C.
6 1921d(f)(1)(B)(ix)) shall be applied by substituting
7 “2016” for “2009”.

8 SEC. 307. The Secretary, in consultation with the Di-
9 rector of the Institute of Education Sciences, may reserve
10 funds under section 9601 of the ESEA (subject to the lim-
11 itations in subsections (b) and (c) of that section) in order
12 to carry out activities authorized under paragraphs (1)
13 and (2) of subsection (a) of that section with respect to
14 any ESEA program funded in this Act and without re-
15 spect to the source of funds for those activities: *Provided*,
16 That high-quality evaluations of ESEA programs shall be
17 prioritized, before using funds for any other evaluation ac-
18 tivities: *Provided further*, That any funds reserved under
19 this section shall be available from July 1, 2016 through
20 September 30, 2017: *Provided further*, That not later than
21 10 days prior to the initial obligation of funds reserved
22 under this section, the Secretary, in consultation with the
23 Director, shall submit an evaluation plan to the Senate
24 Committees on Appropriations and Health, Education,
25 Labor, and Pensions and the House Committees on Ap-

1 (1) implement, administer, or enforce sections
2 600.10(c), 600.20(d), 668.6 and 668.7 of title 34,
3 Code of Federal Regulations (relating to gainful em-
4 ployment) as added or amended by the final regula-
5 tions published by the Department of Education on
6 October 31, 2014 (79 Fed. Reg. 64889 et seq.), or
7 promulgate any new regulation with respect to the
8 definition or application of the term “gainful em-
9 ployment” in the Higher Education Act of 1965;

10 (2) implement, administer, or enforce sections
11 600.4(a)(3), 600.5(a)(4), 600.6(a)(3), 600.9, or
12 668.43(b) of title 34, Code of Federal Regulations
13 (relating to state authorization), as added or amend-
14 ed by the final regulations published by the Depart-
15 ment of Education in the Federal Register on Octo-
16 ber 29, 2010 (75 Fed. Reg. 66832 et seq.) or pro-
17 mulgate any new regulation with respect to the
18 State authorization for institutions of higher edu-
19 cation to operate within a State;

20 (3) implement, administer, or enforce the defi-
21 nition of the term “credit hour” in section 600.2 of
22 title 34, Code of Federal Regulations, as added by
23 the final regulations published by the Department of
24 Education in the Federal Register on October 29,
25 2010 (75 Fed. Reg. 66946) and clauses (i)(A), (ii),

1 and (iii) of subsection (k)(2) of section 668.8 of
2 such title, as amended by such final regulations (75
3 Fed. Reg. 66949 et seq.), or promulgate any new
4 regulation with respect to the definition of the term
5 “credit hour” for any purpose under the Higher
6 Education Act;

7 (4) carry out, develop, refine, promulgate, pub-
8 lish, implement, administer, or enforce a postsec-
9 ondary institution ratings system or any other per-
10 formance system to rate institutions of higher edu-
11 cation (as defined in section 102 of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1002); or

13 (5) promulgate, implement, administer, or en-
14 force the proposed rule establishing a teacher prepa-
15 ration program accountability system as published
16 by the Department of Education in the Federal Reg-
17 ister on December 3, 2014 (79 Fed. Reg. 71819 et
18 seq.), or any new regulation with respect to a teach-
19 er preparation program accountability system:

20 *Provided*, That this section shall no longer apply upon en-
21 actment of a law that extends by not less than 2 fiscal
22 years the authorization or duration of one or more pro-
23 grams under the Higher Education Act of 1965.

1 SEC. 311. None of the funds in this Act may be used
2 to (including as a condition of any waiver provided under
3 section 9401 of the ESEA)—

4 (1) mandate, direct, or control a State, local
5 educational agency, or school's curriculum, program
6 of instruction, instructional content, specific aca-
7 demic standards or assessments;

8 (2) incentivize a State, local educational agency,
9 or school to adopt any specific instructional content,
10 academic standards, academic assessments, cur-
11 riculum, or program of instruction, including by pro-
12 viding any priority, preference, or special consider-
13 ation during the application process for any grant,
14 contract, or cooperative agreement that is based on
15 the adoption of any specific instructional content,
16 academic standards, academic assessments, cur-
17 riculum, or program of instruction; or

18 (3) make financial support available in a man-
19 ner that is conditioned upon a State, local edu-
20 cational agency, or school's adoption of any specific
21 instructional content, academic standards, academic
22 assessments, curriculum, or program of instruction
23 (such as the Common Core State Standards devel-
24 oped under the Common Core State Standards Ini-
25 tiative, any other standards common to a significant

1 number of States, or any specific assessment, in-
2 structional content, or curriculum aligned to such
3 standards).

4 SEC. 312. CAREER PATHWAYS PROGRAMS.—

5 (1) Subsection (d) of section 484 of the HEA
6 is amended by replacing (d)(2) with the following:

7 “(2) ELIGIBLE CAREER PATHWAY PROGRAM.—

8 In this subsection, the term ‘eligible career pathway
9 program’ means a program that combines rigorous
10 and high-quality education, training, and other serv-
11 ices that—

12 “(A) aligns with the skill needs of indus-
13 tries in the economy of the State or regional
14 economy involved;

15 “(B) prepares an individual to be success-
16 ful in any of a full range of secondary or post-
17 secondary education options, including appren-
18 ticeships registered under the Act of August 16,
19 1937 (commonly known as the ‘National Ap-
20 prenticeship Act’; 50 Stat. 664, chapter 663; 29
21 U.S.C. 50 et seq.) (referred to individually in
22 this Act as an ‘apprenticeship’, except in sec-
23 tion 171);

1 “(C) includes counseling to support an in-
2 dividual in achieving the individual’s education
3 and career goals;

4 “(D) includes, as appropriate, education
5 offered concurrently with and in the same con-
6 text as workforce preparation activities and
7 training for a specific occupation or occupa-
8 tional cluster;

9 “(E) organizes education, training, and
10 other services to meet the particular needs of
11 an individual in a manner that accelerates the
12 educational and career advancement of the indi-
13 vidual to the extent practicable;

14 “(F) enables an individual to attain a sec-
15 ondary school diploma or its recognized equiva-
16 lent, and at least 1 recognized postsecondary
17 credential; and

18 “(G) helps an individual enter or advance
19 within a specific occupation or occupational
20 cluster.”.

21 (2) Subsection (b) of section 401 of the HEA
22 is amended by striking the addition to (b)(2)(A)(ii)
23 made by subsection 309(b) of division G of Public
24 Law 113–235.

1 This title may be cited as the “Department of Edu-
2 cation Appropriations Act, 2016”.

3 TITLE IV

4 RELATED AGENCIES

5 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

6 BLIND OR SEVERELY DISABLED

7 SALARIES AND EXPENSES

8 For expenses necessary for the Committee for Pur-
9 chase From People Who Are Blind or Severely Disabled
10 established by Public Law 92–28, \$5,362,000.

11 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

12 OPERATING EXPENSES

13 For necessary expenses for the Corporation for Na-
14 tional and Community Service (referred to in this title as
15 “CNCS”) to carry out the Domestic Volunteer Service Act
16 of 1973 (referred to in this title as “1973 Act”) and the
17 National and Community Service Act of 1990 (referred
18 to in this title as “1990 Act”), \$614,075,000, notwith-
19 standing sections 198B(b)(3), 198S(g), 501(a)(6),
20 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: *Pro-*
21 *vided*, That of the amounts provided under this heading:
22 (1) up to 1 percent of program grant funds may be used
23 to defray the costs of conducting grant application re-
24 views, including the use of outside peer reviewers and elec-
25 tronic management of the grants cycle; (2) \$16,038,000

1 shall be available to provide assistance to State commis-
2 sions on national and community service, under section
3 126(a) of the 1990 Act and notwithstanding section
4 501(a)(5)(B) of the 1990 Act; (3) \$30,000,000 shall be
5 available to carry out subtitle E of the 1990 Act; and (4)
6 \$3,800,000 shall be available for expenses authorized
7 under section 501(a)(4)(F) of the 1990 Act, which, not-
8 withstanding the provisions of section 198P shall be
9 awarded by CNCS on a competitive basis: *Provided fur-*
10 *ther*, That for the purposes of carrying out the 1990 Act,
11 satisfying the requirements in section 122(c)(1)(D) may
12 include a determination of need by the local community.

13 PAYMENT TO THE NATIONAL SERVICE TRUST

14 (INCLUDING TRANSFER OF FUNDS)

15 For payment to the National Service Trust estab-
16 lished under subtitle D of title I of the 1990 Act,
17 \$145,000,000, to remain available until expended: *Pro-*
18 *vided*, That CNCS may transfer additional funds from the
19 amount provided within “Operating Expenses” allocated
20 to grants under subtitle C of title I of the 1990 Act to
21 the National Service Trust upon determination that such
22 transfer is necessary to support the activities of national
23 service participants and after notice is transmitted to the
24 Committees on Appropriations of the House of Represent-
25 atives and the Senate: *Provided further*, That amounts ap-

1 appropriated for or transferred to the National Service Trust
2 may be invested under section 145(b) of the 1990 Act
3 without regard to the requirement to apportion funds
4 under 31 U.S.C. 1513(b).

5 SALARIES AND EXPENSES

6 For necessary expenses of administration as provided
7 under section 501(a)(5) of the 1990 Act and under section
8 504(a) of the 1973 Act, including payment of salaries, au-
9 thorized travel, hire of passenger motor vehicles, the rental
10 of conference rooms in the District of Columbia, the em-
11 ployment of experts and consultants authorized under 5
12 U.S.C. 3109, and not to exceed \$2,500 for official recep-
13 tion and representation expenses, \$80,000,000.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General in carrying out the Inspector General Act of 1978,
17 \$5,250,000.

18 ADMINISTRATIVE PROVISIONS

19 SEC. 401. CNCS shall make any significant changes
20 to program requirements, service delivery or policy only
21 through public notice and comment rulemaking. For fiscal
22 year 2016, during any grant selection process, an officer
23 or employee of CNCS shall not knowingly disclose any cov-
24 ered grant selection information regarding such selection,
25 directly or indirectly, to any person other than an officer

1 or employee of CNCS that is authorized by CNCS to re-
2 ceive such information.

3 SEC. 402. AmeriCorps programs receiving grants
4 under the National Service Trust program shall meet an
5 overall minimum share requirement of 24 percent for the
6 first 3 years that they receive AmeriCorps funding, and
7 thereafter shall meet the overall minimum share require-
8 ment as provided in section 2521.60 of title 45, Code of
9 Federal Regulations, without regard to the operating costs
10 match requirement in section 121(e) or the member sup-
11 port Federal share limitations in section 140 of the 1990
12 Act, and subject to partial waiver consistent with section
13 2521.70 of title 45, Code of Federal Regulations.

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

20 SEC. 404. In addition to the requirements in section
21 146(a) of the 1990 Act, use of an educational award for
22 the purpose described in section 148(a)(4) shall be limited
23 to individuals who are veterans as defined under section
24 101 of the Act.

1 SEC. 405. For the purpose of carrying out section
2 189D of the 1990 Act—

3 (1) entities described in paragraph (a) of such
4 section shall be considered “qualified entities” under
5 section 3 of the National Child Protection Act of
6 1993 (“NCPA”); and

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

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

15 CORPORATION FOR PUBLIC BROADCASTING

16 For payment to the Corporation for Public Broad-
17 casting (“CPB”), as authorized by the Communications
18 Act of 1934, an amount which shall be available within
19 limitations specified by that Act, for the fiscal year 2018,
20 \$445,000,000: *Provided*, That none of the funds made
21 available to CPB by this Act shall be used to pay for re-
22 ceptions, parties, or similar forms of entertainment for
23 Government officials or employees: *Provided further*, That
24 none of the funds made available to CPB by this Act shall
25 be available or used to aid or support any program or ac-

1 tivity from which any person is excluded, or is denied ben-
2 efits, or is discriminated against, on the basis of race,
3 color, national origin, religion, or sex: *Provided further*,
4 That none of the funds made available to CPB by this
5 Act shall be used to apply any political test or qualification
6 in selecting, appointing, promoting, or taking any other
7 personnel action with respect to officers, agents, and em-
8 ployees of CPB: *Provided further*, That none of the funds
9 made available to CPB by this Act shall be used to support
10 the Television Future Fund or any similar purpose: *Pro-*
11 *vided further*, That notwithstanding any other provision
12 of law, from amounts appropriated under the Consolidated
13 Appropriations Act, 2014 (Public Law 113–76) for the
14 Corporation for Public Broadcasting for fiscal year 2016,
15 not to exceed \$40,000,000 may be available for allocation
16 to provide funding for the first phase of the multi-year
17 project to replace and upgrade the public television inter-
18 connection system without altering the percentages of
19 funds made available for allocation pursuant to subclause
20 (II) of section 396(k)(3)(A)(i) of the Communications Act
21 of 1934 (47 U.S.C. 396(k)(3)(A)(i)) from the total of such
22 amounts and without altering the percentages of funds
23 made available for allocation pursuant to subclause (I),
24 subclause (III) and subclause (IV) of that section of that
25 Act from any remaining amounts.

1 FEDERAL MEDIATION AND CONCILIATION SERVICE

2 SALARIES AND EXPENSES

3 For expenses necessary for the Federal Mediation
4 and Conciliation Service (“Service”) to carry out the func-
5 tions vested in it by the Labor-Management Relations Act,
6 1947, including hire of passenger motor vehicles; for ex-
7 penses necessary for the Labor-Management Cooperation
8 Act of 1978; and for expenses necessary for the Service
9 to carry out the functions vested in it by the Civil Service
10 Reform Act, \$47,823,000, including up to \$400,000 to re-
11 main available through September 30, 2017, for activities
12 authorized by the Labor-Management Cooperation Act of
13 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,
14 fees charged, up to full-cost recovery, for special training
15 activities and other conflict resolution services and tech-
16 nical assistance, including those provided to foreign gov-
17 ernments and international organizations, and for arbitra-
18 tion services shall be credited to and merged with this ac-
19 count, and shall remain available until expended: *Provided*
20 *further*, That fees for arbitration services shall be available
21 only for education, training, and professional development
22 of the agency workforce: *Provided further*, That the Direc-
23 tor of the Service is authorized to accept and use on behalf
24 of the United States gifts of services and real, personal,

1 or other property in the aid of any projects or functions
2 within the Director's jurisdiction.

3 FEDERAL MINE SAFETY AND HEALTH REVIEW

4 COMMISSION

5 SALARIES AND EXPENSES

6 For expenses necessary for the Federal Mine Safety
7 and Health Review Commission, \$15,950,000.

8 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

9 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

10 AND ADMINISTRATION

11 For carrying out the Museum and Library Services
12 Act of 1996 and the National Museum of African Amer-
13 ican History and Culture Act, \$227,860,000.

14 MEDICAID AND CHIP PAYMENT AND ACCESS

15 COMMISSION

16 SALARIES AND EXPENSES

17 For expenses necessary to carry out section 1900 of
18 the Social Security Act, \$7,250,000.

19 MEDICARE PAYMENT ADVISORY COMMISSION

20 SALARIES AND EXPENSES

21 For expenses necessary to carry out section 1805 of
22 the Social Security Act, \$11,100,000, to be transferred to
23 this appropriation from the Federal Hospital Insurance
24 Trust Fund and the Federal Supplementary Medical In-
25 surance Trust Fund.

1 NATIONAL COUNCIL ON DISABILITY

2 SALARIES AND EXPENSES

3 For expenses necessary for the National Council on
4 Disability as authorized by title IV of the Rehabilitation
5 Act of 1973, \$3,075,000.

6 NATIONAL LABOR RELATIONS BOARD

7 SALARIES AND EXPENSES

8 For expenses necessary for the National Labor Rela-
9 tions Board to carry out the functions vested in it by the
10 Labor-Management Relations Act, 1947, and other laws,
11 \$246,802,000: *Provided*, That no part of this appropria-
12 tion shall be available to organize or assist in organizing
13 agricultural laborers or used in connection with investiga-
14 tions, hearings, directives, or orders concerning bargaining
15 units composed of agricultural laborers as referred to in
16 section 2(3) of the Act of July 5, 1935, and as amended
17 by the Labor-Management Relations Act, 1947, and as de-
18 fined in section 3(f) of the Act of June 25, 1938, and
19 including in said definition employees engaged in the
20 maintenance and operation of ditches, canals, reservoirs,
21 and waterways when maintained or operated on a mutual,
22 nonprofit basis and at least 95 percent of the water stored
23 or supplied thereby is used for farming purposes.

1 ADMINISTRATIVE PROVISION

2 SEC. 406. None of the funds provided by this Act
3 or previous Acts making appropriations for the National
4 Labor Relations Board may be used to issue any new ad-
5 ministrative directive or regulation that would provide em-
6 ployees any means of voting through any electronic means
7 in an election to determine a representative for the pur-
8 poses of collective bargaining.

9 SEC. 407. None of the funds made available by this
10 Act may be used to implement or enforce any rule amend-
11 ing parts 101, 102, and 103 of title 29, Code of Federal
12 Regulations (relating to the filing and processing of peti-
13 tions pursuant to the representation of employees for the
14 purposes of collective bargaining with their employer), in-
15 cluding the final rule published by the National Labor Re-
16 lations Board in the Federal Register on December 15,
17 2014 (79 Fed. Reg. 74308).

18 SEC. 408. None of the funds in this or any other Act
19 making appropriations for the National Labor Relations
20 Board or any other Federal Agencies shall be used to in-
21 vestigate, issue, enforce or litigate any administrative di-
22 rective, regulation, representation issue or unfair labor
23 practice proceeding or any other administrative complaint,
24 charge, claim or proceeding that would change the inter-
25 pretation or application of a standard to determine wheth-

1 er entities are “joint employers” in effect as of January
2 1, 2014. As established in *TLI, Inc.* 271 NLRB 798
3 (1984) enforced 772 F.2d 894 (3d Cir. 1985), *Airborne*
4 *Express*, 338 NLRB 597 (2002), and *The Southland Cor-*
5 *poration dba Speedee 7-Eleven*, 170 NLRB 1332 (1968),
6 a “joint employer” under the National Labor Relations
7 Act as of January 1, 2014 is defined as two or more sepa-
8 rate and independent business entities where one entity
9 directly and immediately controls the essential terms and
10 conditions of employment of the other entity’s employees,
11 including hiring, firing, discipline, supervision and direc-
12 tion.

13 SEC. 409. None of the funds in this Act may be used
14 to implement, create, apply or enforce through prosecu-
15 tion, adjudication, rulemaking, or the issuing of any inter-
16 pretation, opinion, certification, decision or policy, any
17 standard for initial bargaining unit determinations that
18 conflicts with the standard articulated in the majority
19 opinion in *Wheeling Island Gaming Inc. and United Food*
20 *and Commercial Workers International Union, Local 23,*
21 *355 NLRB 127 (August 27, 2010)* (including but not lim-
22 ited to the majority opinion in footnote 2), except for unit
23 determinations currently governed by NLRB rule section
24 103.30 for employers currently covered by such rules. Fur-
25 ther, no funds in this Act shall be used to implement, cre-

1 ate, apply or enforce through prosecution, adjudication,
 2 rulemaking, or the issuing of any interpretation, opinion,
 3 certification, decision or policy, any standard for initial
 4 bargaining unit determinations that utilize the over-
 5 whelming community of interest test except in accretion
 6 cases.

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, \$12,600,000.

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, \$11,100,000.

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, \$29,000,000, which shall include
 22 amounts becoming available in fiscal year 2016 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, 2017, 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, \$111,225,000, 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.

5 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

6 For expenses necessary for the Office of Inspector
7 General for audit, investigatory and review activities, as
8 authorized by the Inspector General Act of 1978, not more
9 than \$8,437,000, to be derived from the railroad retire-
10 ment accounts and railroad unemployment insurance ac-
11 count.

12 SOCIAL SECURITY ADMINISTRATION

13 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

14 For payment to the Federal Old-Age and Survivors
15 Insurance Trust Fund and the Federal Disability Insur-
16 ance Trust Fund, as provided under sections 201(m),
17 217(g), 228(g), and 1131(b)(2) of the Social Security Act,
18 \$20,400,000.

19 SUPPLEMENTAL SECURITY INCOME PROGRAM

20 For carrying out titles XI and XVI of the Social Se-
21 curity Act, section 401 of Public Law 92–603, section 212
22 of Public Law 93–66, as amended, and section 405 of
23 Public Law 95–216, including payment to the Social Secu-
24 rity trust funds for administrative expenses incurred pur-
25 suant to section 201(g)(1) of the Social Security Act,

1 \$46,110,777,000, to remain available until expended: *Pro-*
2 *vided*, That any portion of the funds provided to a State
3 in the current fiscal year and not obligated by the State
4 during that year shall be returned to the Treasury: *Pro-*
5 *vided further*, That not more than \$101,000,000 shall be
6 available for research and demonstrations under sections
7 1110, 1115, and 1144 of the Social Security Act, and re-
8 main available through September 30, 2018.

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

13 For making benefit payments under title XVI of the
14 Social Security Act for the first quarter of fiscal year
15 2017, \$14,500,000,000, to remain available until ex-
16 pended.

17 LIMITATION ON ADMINISTRATIVE EXPENSES

18 For necessary expenses, including the hire of two pas-
19 senger motor vehicles, and not to exceed \$20,000 for offi-
20 cial reception and representation expenses, not more than
21 \$10,044,945,000 may be expended, as authorized by sec-
22 tion 201(g)(1) of the Social Security Act, from any one
23 or all of the trust funds referred to in such section: *Pro-*
24 *vided*, That not less than \$2,300,000 shall be for the So-
25 cial Security Advisory Board: *Provided further*, That

1 \$11,900,000 may be used for necessary expenses for the
2 planning and design of the renovation and modernization
3 of SSA facilities, to remain available until expended: *Pro-*
4 *vided further*, That unobligated balances of funds provided
5 under this paragraph at the end of fiscal year 2016 not
6 needed for fiscal year 2016 shall remain available until
7 expended to invest in the Social Security Administration
8 information technology and telecommunications hardware
9 and software infrastructure, including related equipment
10 and non-payroll administrative expenses associated solely
11 with this information technology and telecommunications
12 infrastructure: *Provided further*, That the Commissioner
13 of Social Security shall notify the Committees on Appro-
14 priations of the House of Representatives and the Senate
15 prior to making unobligated balances available under the
16 authority in the previous proviso: *Provided further*, That
17 reimbursement to the trust funds under this heading for
18 expenditures for official time for employees of the Social
19 Security Administration pursuant to 5 U.S.C. 7131, and
20 for facilities or support services for labor organizations
21 pursuant to policies, regulations, or procedures referred
22 to in section 7135(b) of such title shall be made by the
23 Secretary of the Treasury, with interest, from amounts in
24 the general fund not otherwise appropriated, as soon as
25 possible after such expenditures are made.

1 In addition, for the costs associated with continuing
2 disability reviews under titles II and XVI of the Social
3 Security Act and for the cost associated with conducting
4 redeterminations of eligibility under title XVI of the Social
5 Security Act, \$1,439,000,000 may be expended, as au-
6 thorized by section 201(g)(1) of the Social Security Act,
7 from any one or all of the trust funds referred to therein:
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 \$1,166,000,000 is additional new
12 budget authority specified for purposes of section
13 251(b)(2)(B) of such Act: *Provided further*, That the Com-
14 missioner shall provide to the Congress (at the conclusion
15 of the fiscal year) a report on the obligation and expendi-
16 ture of these funds, similar to the reports that were re-
17 quired by section 103(d)(2) of Public Law 104–121 for
18 fiscal years 1996 through 2002.

19 In addition, \$136,000,000 to be derived from admin-
20 istration fees in excess of \$5.00 per supplementary pay-
21 ment collected pursuant to section 1616(d) of the Social
22 Security Act or section 212(b)(3) of Public Law 93–66,
23 which shall remain available until expended. To the extent
24 that the amounts collected pursuant to such sections in
25 fiscal year 2016 exceed \$136,000,000, the amounts shall

1 be available in fiscal year 2017 only to the extent provided
2 in advance in appropriations Acts.

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

7 OFFICE OF INSPECTOR GENERAL

8 (INCLUDING TRANSFER OF FUNDS)

9 For expenses necessary for the Office of Inspector
10 General in carrying out the provisions of the Inspector
11 General Act of 1978, \$28,829,000, together with not to
12 exceed \$74,521,000, to be transferred and expended as
13 authorized by section 201(g)(1) of the Social Security Act
14 from the Federal Old-Age and Survivors Insurance Trust
15 Fund and the Federal Disability Insurance Trust Fund.

16 In addition, an amount not to exceed 3 percent of
17 the total provided in this appropriation may be transferred
18 from the “Limitation on Administrative Expenses”, Social
19 Security Administration, to be merged with this account,
20 to be available for the time and purposes for which this
21 account is available: *Provided*, That notice of such trans-
22 fers shall be transmitted promptly to the Committees on
23 Appropriations of the House of Representatives and the
24 Senate at least 15 days in advance of any transfer.

TITLE V

GENERAL PROVISIONS

(TRANSFER OF FUNDS)

1 SEC. 501. The Secretaries of Labor, Health and
2 Human Services, and Education are authorized to transfer
3 unexpended balances of prior appropriations to accounts
4 corresponding to current appropriations provided in this
5 Act. Such transferred balances shall be used for the same
6 purpose, and for the same periods of time, for which they
7 were originally appropriated.

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

11 SEC. 503. (a) No part of any appropriation contained
12 in this Act or transferred pursuant to section 4002 of
13 Public Law 111–148 shall be used, other than for normal
14 and recognized executive-legislative relationships, for pub-
15 licity or propaganda purposes, for the preparation, dis-
16 tribution, or use of any kit, pamphlet, booklet, publication,
17 electronic communication, radio, television, or video pres-
18 entation designed to support or defeat the enactment of
19 legislation before the Congress or any State or local legis-
20 lature or legislative body, except in presentation to the
21 Congress or any State or local legislature itself, or de-
22 signed to support or defeat any proposed or pending regu-

1 lation, administrative action, or order issued by the execu-
2 tive branch of any State or local government, except in
3 presentation to the executive branch of any State or local
4 government itself.

5 (b) No part of any appropriation contained in this
6 Act or transferred pursuant to section 4002 of Public Law
7 111–148 shall be used to pay the salary or expenses of
8 any grant or contract recipient, or agent acting for such
9 recipient, related to any activity designed to influence the
10 enactment of legislation, appropriations, regulation, ad-
11 ministrative action, or Executive order proposed or pend-
12 ing before the Congress or any State government, State
13 legislature or local legislature or legislative body, other
14 than for normal and recognized executive-legislative rela-
15 tionships or participation by an agency or officer of a
16 State, local or tribal government in policymaking and ad-
17 ministrative processes within the executive branch of that
18 government.

19 (c) The prohibitions in subsections (a) and (b) shall
20 include any activity to advocate or promote any proposed,
21 pending or future Federal, State or local tax increase, or
22 any proposed, pending, or future requirement or restric-
23 tion on any legal consumer product, including its sale or
24 marketing, including but not limited to the advocacy or
25 promotion of gun control.

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

15 SEC. 505. When issuing statements, press releases,
16 requests for proposals, bid solicitations and other docu-
17 ments describing projects or programs funded in whole or
18 in part with Federal money, all grantees receiving Federal
19 funds included in this Act, including but not limited to
20 State and local governments and recipients of Federal re-
21 search grants, shall clearly state—

22 (1) the percentage of the total costs of the pro-
23 gram or project which will be financed with Federal
24 money;

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

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

6 SEC. 506. (a) None of the funds appropriated in this
7 Act, and none of the funds in any trust fund to which
8 funds are appropriated in this Act, shall be expended for
9 any abortion.

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

14 (c) The term “health benefits coverage” means the
15 package of services covered by a managed care provider
16 or organization pursuant to a contract or other arrange-
17 ment.

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

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

22 (2) in the case where a woman suffers from a
23 physical disorder, physical injury, or physical illness,
24 including a life-endangering physical condition
25 caused by or arising from the pregnancy itself, that

1 would, as certified by a physician, place the woman
2 in danger of death unless an abortion is performed.

3 (b) Nothing in the preceding section shall be con-
4 strued as prohibiting the expenditure by a State, locality,
5 entity, or private person of State, local, or private funds
6 (other than a State's or locality's contribution of Medicaid
7 matching funds).

8 (c) Nothing in the preceding section shall be con-
9 strued as restricting the ability of any managed care pro-
10 vider from offering abortion coverage or the ability of a
11 State or locality to contract separately with such a pro-
12 vider for such coverage with State funds (other than a
13 State's or locality's contribution of Medicaid matching
14 funds).

15 (d)(1) None of the funds made available in this Act
16 may be made available to a Federal agency or program,
17 or to a State or local government, if such agency, program,
18 or government subjects any institutional or individual
19 health care entity to discrimination on the basis that the
20 health care entity does not provide, pay for, provide cov-
21 erage of, or refer for abortions.

22 (2) In this subsection, the term "health care entity"
23 includes an individual physician or other health care pro-
24 fessional, a hospital, a provider-sponsored organization, a
25 health maintenance organization, a health insurance plan,

1 or any other kind of health care facility, organization, or
2 plan.

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

5 (1) the creation of a human embryo or embryos
6 for research purposes; or

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

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

19 SEC. 509. (a) None of the funds made available in
20 this Act may be used for any activity that promotes the
21 legalization of any drug or other substance included in
22 schedule I of the schedules of controlled substances estab-
23 lished under section 202 of the Controlled Substances Act
24 except for normal and recognized executive-congressional
25 communications.

1 (b) The limitation in subsection (a) shall not apply
2 when there is significant medical evidence of a therapeutic
3 advantage to the use of such drug or other substance or
4 that federally sponsored clinical trials are being conducted
5 to determine therapeutic advantage.

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

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

17 (1) such entity is otherwise a contractor with
18 the United States and is subject to the requirement
19 in 38 U.S.C. 4212(d) regarding submission of an
20 annual report to the Secretary of Labor concerning
21 employment of certain veterans; and

22 (2) such entity has not submitted a report as
23 required by that section for the most recent year for
24 which such requirement was applicable to such enti-
25 ty.

1 SEC. 512. None of the funds made available in this
2 Act may be transferred to any department, agency, or in-
3 strumentality of the United States Government, except
4 pursuant to a transfer made by, or transfer authority pro-
5 vided in, this Act or any other appropriation Act.

6 SEC. 513. None of the funds made available by this
7 Act to carry out the Library Services and Technology Act
8 may be made available to any library covered by para-
9 graph (1) of section 224(f) of such Act, as amended by
10 the Children’s Internet Protection Act, unless such library
11 has made the certifications required by paragraph (4) of
12 such section.

13 SEC. 514. (a) None of the funds provided under this
14 Act, or provided under previous appropriations Acts to the
15 agencies funded by this Act that remain available for obli-
16 gation or expenditure in fiscal year 2016, or provided from
17 any accounts in the Treasury of the United States derived
18 by the collection of fees available to the agencies funded
19 by this Act, shall be available for obligation or expenditure
20 through a reprogramming of funds that—

- 21 (1) creates new programs;
- 22 (2) eliminates a program, project, or activity;
- 23 (3) increases funds or personnel by any means
24 for any project or activity for which funds have been
25 denied or restricted;

1 (4) relocates an office or employees;

2 (5) reorganizes or renames offices;

3 (6) reorganizes programs or activities; or

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

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

12 (b) None of the funds provided under this Act, or
13 provided under previous appropriations Acts to the agen-
14 cies funded by this Act that remain available for obligation
15 or expenditure in fiscal year 2016, or provided from any
16 accounts in the Treasury of the United States derived by
17 the collection of fees available to the agencies funded by
18 this Act, shall be available for obligation or expenditure
19 through a reprogramming of funds in excess of \$500,000
20 or 10 percent, whichever is less, that—

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

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

1 (3) results from any general savings from a re-
2 duction in personnel which would result in a change
3 in existing programs, activities, or projects as ap-
4 proved by Congress;
5 unless the Committees on Appropriations of the House of
6 Representatives and the Senate are consulted 15 days in
7 advance of such reprogramming or of an announcement
8 of intent relating to such reprogramming, whichever oc-
9 curs earlier, and are notified in writing 10 days in advance
10 of such reprogramming.

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

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

21 SEC. 516. Within 45 days of enactment of this Act,
22 each department and related agency funded through this
23 Act shall submit an operating plan that details at the pro-
24 gram, project, and activity level any funding allocations
25 for fiscal year 2016 that are different than those specified

1 in this Act, the accompanying detailed table in the report
2 accompanying this Act, or the fiscal year 2016 budget re-
3 quest.

4 SEC. 517. The Secretaries of Labor, Health and
5 Human Services, and Education shall each prepare and
6 submit to the Committees on Appropriations of the House
7 of Representatives and the Senate a report on the number
8 and amount of contracts, grants, and cooperative agree-
9 ments exceeding \$500,000 in value and awarded by the
10 Department on a non-competitive basis during each quar-
11 ter of fiscal year 2016, but not to include grants awarded
12 on a formula basis or directed by law. Such report shall
13 include the name of the contractor or grantee, the amount
14 of funding, the governmental purpose, including a jus-
15 tification for issuing the award on a non-competitive basis.
16 Such report shall be transmitted to the Committees within
17 30 days after the end of the quarter for which the report
18 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. Notwithstanding any other provision of
15 this Act, no funds appropriated in this Act shall be used
16 to purchase sterile needles or syringes for the hypodermic
17 injection of any illegal drug: *Provided*, That such limita-
18 tion does not apply to the use of funds for elements of
19 a program other than making such purchases if the rel-
20 evant State or local health department, in consultation
21 with the Centers for Disease Control and Prevention, de-
22 termines that the State or local jurisdiction, as applicable,
23 is experiencing, or is at risk for, a significant increase in
24 hepatitis infections or an HIV outbreak due to injection

1 drug use, and such program is operating in accordance
2 with State and local law.

3 SEC. 521. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

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

11 SEC. 522. None of the funds made available under
12 this or any other Act, or any prior Appropriations Act,
13 may be provided to the Association of Community Organi-
14 zations for Reform Now (“ACORN”), or any of its affili-
15 ates, subsidiaries, allied organizations, or successors.

16 SEC. 523. For purposes of carrying out Executive
17 Order 13589, Office of Management and Budget Memo-
18 randum M–12–12 dated May 11, 2012, and requirements
19 contained in the annual appropriations bills relating to
20 conference attendance and expenditures:

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

23 (2) attendance at and support for scientific con-
24 ferences shall be tabulated separately from and not
25 included in agency totals.

1 SEC. 524. Federal agencies funded under this Act
2 shall clearly state within the text, audio, or video used for
3 advertising or educational purposes, including emails or
4 Internet postings, that the communication is printed, pub-
5 lished, or produced and disseminated at U.S. taxpayer ex-
6 pense. The funds used by a Federal agency to carry out
7 this requirement shall be derived from amounts made
8 available to the agency for advertising or other commu-
9 nications regarding the programs and activities of the
10 agency.

11 SEC. 525. (a) Federal agencies may use Federal dis-
12 cretionary funds that are made available in this Act to
13 carry out up to 10 Performance Partnership Pilots. Such
14 Pilots shall—

15 (1) be designed to improve outcomes for discon-
16 nected youth;

17 (2) include communities that have recently ex-
18 perienced civil unrest; and

19 (3) involve Federal programs targeted on dis-
20 connected youth, or designed to prevent youth from
21 disconnecting from school or work, that provide edu-
22 cation, training, employment, and other related so-
23 cial services. Such Pilots shall be governed by the
24 provisions of section 526 of division H of Public
25 Law 113–76, except that in carrying out such Pilots

1 section 526 shall be applied by substituting “FISCAL
2 YEAR 2016” for “FISCAL YEAR 2014” in the title
3 of subsection (b) and by substituting “September
4 30, 2020” for “September 30, 2018” each place it
5 appears.

6 (b) In addition, Federal agencies may use Federal
7 discretionary funds that are made available in this Act to
8 participate in Performance Partnership Pilots that are
9 being carried out pursuant to the authority provided by
10 section 526 of division H of Public Law 113–76, and sec-
11 tion 524 of division G of Public Law 113–235: *Provided*,
12 That new pilots that are being carried out with discre-
13 tionary funds made available in division G of Public Law
14 113–25 shall include communities that have recently expe-
15 rienced civil unrest.

16 SEC. 526. Not later than 30 days after the end of
17 each calendar quarter, beginning with the first quarter of
18 fiscal year 2013, the Departments of Labor, Health and
19 Human Services and Education and the Social Security
20 Administration shall provide the Committees on Appro-
21 priations of the House of Representatives and Senate a
22 quarterly report on the status of balances of appropria-
23 tions: *Provided*, That for balances that are unobligated
24 and uncommitted, committed, and obligated but unex-
25 pended, the quarterly reports shall separately identify the

1 amounts attributable to each source year of appropriation
2 (beginning with fiscal year 2012, or, to the extent feasible,
3 earlier fiscal years) from which balances were derived.

4 SEC. 527. Section 2812(d)(2) of the Public Health
5 Service Act (42 U.S.C. 300hh–11(d)(2)) is amended—

6 (1) by redesignating the three sentences as sub-
7 paragraphs (A), (B), and (C), respectively, and in-
8 denting accordingly;

9 (2) in subparagraph (A), as so redesignated, by
10 striking “An” and inserting “IN GENERAL.—An”;

11 (3) in subparagraph (B), as so redesignated, by
12 striking “With” and inserting “APPLICATION TO
13 TRAINING PROGRAMS.—With”;

14 (4) in subparagraph (C), as so redesignated, by
15 striking “In” and inserting “RESPONSIBILITY OF
16 LABOR SECRETARY.—In”; and

17 (5) by adding at the end the following new sub-
18 paragraphs:

19 “(D) COMPUTATION OF PAY.—In the event
20 of an injury to such an intermittent disaster re-
21 sponse appointee, the position of the employee
22 shall be deemed to be ‘one which would have af-
23 farded employment for substantially a whole
24 year’, for purposes of section 8114(d)(2) of
25 such title.

1 (RESCISSION)

2 SEC. 532. Of any available amounts appropriated
3 under section 108 of Public Law 111–3, as amended,
4 \$3,970,478,000 are hereby rescinded.

5 (RESCISSION)

6 SEC. 533. Of the unobligated balances available from
7 the Community Health Center Fund in prior fiscal years,
8 \$190,000,000 are hereby rescinded.

9 This division may be cited as the “Departments of
10 Labor, Health and Human Services, and Education, and
11 Related Agencies Appropriations Act, 2016”.

Calendar No. 251

114TH CONGRESS
1ST Session
S. 2132

A BILL

Making appropriations for financial services and general government, Department of the Interior, environment, and Departments of Labor, Health and Human Services, and Education, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

OCTOBER 6, 2015

Read the second time and placed on the calendar