

**Calendar No. 509**114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 3040****[Report No. 114-274]**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

JUNE 9, 2016

Mr. BLUNT, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2017, 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,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       Departments of Labor, Health and Human Services, and

1 Education, and related agencies for the fiscal year ending  
2 September 30, 2017, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF LABOR

5 EMPLOYMENT AND TRAINING ADMINISTRATION

6 TRAINING AND EMPLOYMENT SERVICES

7 For necessary expenses of the Workforce Innovation  
8 and Opportunity Act (referred to in this Act as “WIOA”),  
9 the Second Chance Act of 2007, and the National Appren-  
10 ticeship Act, \$3,268,367,000, plus reimbursements, shall  
11 be available. Of the amounts provided:

12 (1) for grants to States for adult employment  
13 and training activities, youth activities, and dis-  
14 located worker employment and training activities,  
15 \$2,636,000,000 as follows:

16 (A) \$782,000,000 for adult employment  
17 and training activities, of which \$70,000,000  
18 shall be available for the period July 1, 2017  
19 through June 30, 2018, and of which  
20 \$712,000,000 shall be available for the period  
21 October 1, 2017 through June 30, 2018;

22 (B) \$838,000,000 for youth activities,  
23 which shall be available for the period April 1,  
24 2017 through June 30, 2018; and

1 (C) \$1,016,000,000 for dislocated worker  
2 employment and training activities, of which  
3 \$156,000,000 shall be available for the period  
4 July 1, 2017 through June 30, 2018, and of  
5 which \$860,000,000 shall be available for the  
6 period October 1, 2017 through June 30, 2018:

7 *Provided*, That pursuant to section 128(a)(1) of the  
8 WIOA, the amount available to the Governor for  
9 statewide workforce investment activities shall not  
10 exceed 15 percent of the amount allotted to the  
11 State from each of the appropriations under the pre-  
12 ceding subparagraphs: *Provided further*, That the  
13 funds available for allotment to outlying areas to  
14 carry out subtitle B of title I of the WIOA shall not  
15 be subject to the requirements of section  
16 127(b)(1)(B)(ii) of such Act; and

17 (2) for national programs, \$632,367,000 as fol-  
18 lows:

19 (A) \$220,859,000 for the dislocated work-  
20 ers assistance national reserve, of which  
21 \$20,859,000 shall be available for the period  
22 July 1, 2017 through September 30, 2018, and  
23 of which \$200,000,000 shall be available for the  
24 period October 1, 2017 through September 30,  
25 2018: *Provided*, That funds provided to carry

1 out section 132(a)(2)(A) of the WIOA may be  
2 used to provide assistance to a State for state-  
3 wide or local use in order to address cases  
4 where there have been worker dislocations  
5 across multiple sectors or across multiple local  
6 areas and such workers remain dislocated; co-  
7 ordinate the State workforce development plan  
8 with emerging economic development needs; and  
9 train such eligible dislocated workers: *Provided*  
10 *further*, That funds provided to carry out sec-  
11 tions 168(b) and 169(c) of the WIOA may be  
12 used for technical assistance and demonstration  
13 projects, respectively, that provide assistance to  
14 new entrants in the workforce and incumbent  
15 workers: *Provided further*, That notwithstanding  
16 section 168(b) of the WIOA, of the funds pro-  
17 vided under this subparagraph, the Secretary of  
18 Labor (referred to in this title as “Secretary”)  
19 may reserve not more than 10 percent of such  
20 funds to provide technical assistance and carry  
21 out additional activities related to the transition  
22 to the WIOA: *Provided further*, That, of the  
23 funds provided under this subparagraph,  
24 \$19,000,000 shall be made available for appli-  
25 cations submitted in accordance with section

1 170 of the WIOA for training and employment  
2 assistance for workers dislocated from coal  
3 mines and coal-fired power plants;

4 (B) \$48,500,000 for Native American pro-  
5 grams under section 166 of the WIOA, which  
6 shall be available for the period July 1, 2017  
7 through June 30, 2018;

8 (C) \$81,896,000 for migrant and seasonal  
9 farmworker programs under section 167 of the  
10 WIOA, including \$75,885,000 for formula  
11 grants (of which not less than 70 percent shall  
12 be for employment and training services),  
13 \$5,517,000 for migrant and seasonal housing  
14 (of which not less than 70 percent shall be for  
15 permanent housing), and \$494,000 for other  
16 discretionary purposes, which shall be available  
17 for the period July 1, 2017 through June 30,  
18 2018: *Provided*, That notwithstanding any  
19 other provision of law or related regulation, the  
20 Department of Labor shall take no action lim-  
21 iting the number or proportion of eligible par-  
22 ticipants receiving related assistance services or  
23 discouraging grantees from providing such serv-  
24 ices;

1 (D) \$84,534,000 for YouthBuild activities  
2 as described in section 171 of the WIOA, which  
3 shall be available for the period April 1, 2017  
4 through June 30, 2018;

5 (E) \$2,500,000 for technical assistance ac-  
6 tivities under section 168 of the WIOA, which  
7 shall be available for the period July 1, 2017  
8 through June 30, 2018;

9 (F) \$88,078,000 for ex-offender activities,  
10 under the authority of section 169 of the WIOA  
11 and section 212 of the Second Chance Act of  
12 2007, which shall be available for the period  
13 April 1, 2017 through June 30, 2018: *Provided,*  
14 That of this amount, \$20,000,000 shall be for  
15 competitive grants to national and regional  
16 intermediaries for activities that prepare young  
17 ex-offenders and school dropouts for employ-  
18 ment, with a priority for projects serving high-  
19 crime, high-poverty areas;

20 (G) \$6,000,000 for the Workforce Data  
21 Quality Initiative, under the authority of section  
22 169 of the WIOA, which shall be available for  
23 the period July 1, 2017 through June 30,  
24 2018; and

1 (H) \$100,000,000 to expand opportunities  
2 relating to apprenticeship programs registered  
3 under the National Apprenticeship Act, to be  
4 available to the Secretary to carry out activities  
5 through grants, cooperative agreements, con-  
6 tracts and other arrangements, with States and  
7 other appropriate entities, which shall be avail-  
8 able for the period April 1, 2017 through June  
9 30, 2018.

10 JOB CORPS

11 (INCLUDING TRANSFER OF FUNDS)

12 To carry out subtitle C of title I of the WIOA, includ-  
13 ing Federal administrative expenses, the purchase and  
14 hire of passenger motor vehicles, the construction, alter-  
15 ation, and repairs of buildings and other facilities, and the  
16 purchase of real property for training centers as author-  
17 ized by the WIOA, \$1,709,955,000, plus reimbursements,  
18 as follows:

19 (1) \$1,591,625,000 for Job Corps Operations,  
20 which shall be available for the period July 1, 2017  
21 through June 30, 2018;

22 (2) \$86,000,000 for construction, rehabilitation  
23 and acquisition of Job Corps Centers, which shall be  
24 available for the period July 1, 2017 through June  
25 30, 2020, and which may include the acquisition,

1 maintenance, and repair of major items of equip-  
2 ment: *Provided*, That the Secretary may transfer up  
3 to 15 percent of such funds to meet the operational  
4 needs of such centers or to achieve administrative ef-  
5 ficiencies: *Provided further*, That any funds trans-  
6 ferred pursuant to the preceding proviso shall not be  
7 available for obligation after June 30, 2018: *Pro-*  
8 *vided further*, That the Committees on Appropria-  
9 tions of the House of Representatives and the Sen-  
10 ate are notified at least 15 days in advance of any  
11 transfer; and

12 (3) \$32,330,000 for necessary expenses of Job  
13 Corps, which shall be available for obligation for the  
14 period October 1, 2016 through September 30,  
15 2017:

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

19 COMMUNITY SERVICE EMPLOYMENT FOR OLDER  
20 AMERICANS

21 To carry out title V of the Older Americans Act of  
22 1965 (referred to in this Act as “OAA”), \$400,000,000,  
23 which shall be available for the period April 1, 2017  
24 through June 30, 2018, and may be recaptured and reobli-  
25 gated in accordance with section 517(c) of the OAA.

## 1 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

2 For payments during fiscal year 2017 of trade ad-  
3 justment benefit payments and allowances under part I  
4 of subchapter B of chapter 2 of title II of the Trade Act  
5 of 1974, and section 246 of that Act; and for training,  
6 employment and case management services, allowances for  
7 job search and relocation, and related State administrative  
8 expenses under part II of subchapter B of chapter 2 of  
9 title II of the Trade Act of 1974, and including benefit  
10 payments, allowances, training, employment and case  
11 management services, and related State administration  
12 provided pursuant to section 231(a) of the Trade Adjust-  
13 ment Assistance Extension Act of 2011 and section 405(a)  
14 of the Trade Preferences Extension Act of 2015,  
15 \$849,000,000 together with such amounts as may be nec-  
16 essary to be charged to the subsequent appropriation for  
17 payments for any period subsequent to September 15,  
18 2017: *Provided*, That notwithstanding section 502 of this  
19 Act, any part of the appropriation provided under this  
20 heading may remain available for obligation beyond the  
21 current fiscal year pursuant to the authorities of section  
22 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT  
2 SERVICE OPERATIONS

3 For authorized administrative expenses,  
4 \$91,566,000, together with not to exceed \$3,444,394,000  
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) \$2,697,019,000 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 \$115,000,000 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, for claimants of unemployment insur-  
17 ance for ex-service members under 5 U.S.C. 8521 et.  
18 seq. and for claimants of regular unemployment  
19 compensation, including those who are profiled as  
20 most likely to exhaust their benefits in each State,  
21 and \$6,000,000 for continued support of the Unem-  
22 ployment Insurance Integrity Center of Excellence),  
23 the administration of unemployment insurance for  
24 Federal employees and for ex-service members as  
25 authorized under 5 U.S.C. 8501–8523, and the ad-

1       ministration of trade readjustment allowances, reem-  
2       ployment trade adjustment assistance, and alter-  
3       native trade adjustment assistance under the Trade  
4       Act of 1974 and under section 231(a) of the Trade  
5       Adjustment Assistance Extension Act of 2011 and  
6       section 405(a) of the Trade Preferences Extension  
7       Act of 2015, and shall be available for obligation by  
8       the States through December 31, 2017, except that  
9       funds used for automation shall be available for  
10      Federal obligation through December 31, 2017, and  
11      for State obligation through September 30, 2019, or,  
12      if the automation is being carried out through con-  
13      sortia of States, for State obligation through Sep-  
14      tember 30, 2022, and for expenditure through Sep-  
15      tember 30, 2023, and funds for competitive grants  
16      awarded to States for improved operations and to  
17      conduct in-person reemployment and eligibility as-  
18      sessments and unemployment insurance improper  
19      payment reviews and provide reemployment services  
20      and referrals to training, as appropriate, shall be  
21      available for Federal obligation through December  
22      31, 2017, and for obligation by the States through  
23      September 30, 2019, and funds for the Unemploy-  
24      ment Insurance Integrity Center of Excellence shall  
25      be available for obligation by the State through Sep-

1       tember 30, 2018, and funds used for unemployment  
2       insurance workloads experienced by the States  
3       through September 30, 2017 shall be available for  
4       Federal obligation through December 31, 2017;

5               (2) \$15,247,000 from the Trust Fund is for na-  
6       tional activities necessary to support the administra-  
7       tion of the Federal-State unemployment insurance  
8       system;

9               (3) \$650,000,000 from the Trust Fund, to-  
10       gether with \$21,413,000 from the General Fund of  
11       the Treasury, is for grants to States in accordance  
12       with section 6 of the Wagner-Peyser Act, and shall  
13       be available for Federal obligation for the period  
14       July 1, 2017 through June 30, 2018;

15              (4) \$19,818,000 from the Trust Fund is for na-  
16       tional activities of the Employment Service, includ-  
17       ing administration of the work opportunity tax cred-  
18       it under section 51 of the Internal Revenue Code of  
19       1986, and the provision of technical assistance and  
20       staff training under the Wagner-Peyser Act;

21              (5) \$62,310,000 from the Trust Fund is for the  
22       administration of foreign labor certifications and re-  
23       lated activities under the Immigration and Nation-  
24       ality Act and related laws, of which \$48,028,000  
25       shall be available for the Federal administration of

1 such activities, and \$14,282,000 shall be available  
2 for grants to States for the administration of such  
3 activities; and

4 (6) \$70,153,000 from the General Fund is to  
5 provide workforce information, national electronic  
6 tools, and one-stop system building under the Wag-  
7 ner-Peyser Act and shall be available for Federal ob-  
8 ligation for the period July 1, 2017 through June  
9 30, 2018:

10 *Provided*, That to the extent that the Average Weekly In-  
11 sured Unemployment (“AWIU”) for fiscal year 2017 is  
12 projected by the Department of Labor to exceed  
13 2,453,000, an additional \$28,600,000 from the Trust  
14 Fund shall be available for obligation for every 100,000  
15 increase in the AWIU level (including a pro rata amount  
16 for any increment less than 100,000) to carry out title  
17 III of the Social Security Act: *Provided further*, That  
18 funds appropriated in this Act that are allotted to a State  
19 to carry out activities under title III of the Social Security  
20 Act may be used by such State to assist other States in  
21 carrying out activities under such title III if the other  
22 States include areas that have suffered a major disaster  
23 declared by the President under the Robert T. Stafford  
24 Disaster Relief and Emergency Assistance Act: *Provided*  
25 *further*, That the Secretary may use funds appropriated

1 for grants to States under title III of the Social Security  
2 Act to make payments on behalf of States for the use of  
3 the National Directory of New Hires under section  
4 453(j)(8) of such Act: *Provided further*, That the Sec-  
5 retary may use funds appropriated for grants to States  
6 under title III of the Social Security Act to make pay-  
7 ments on behalf of States to the entity operating the State  
8 Information Data Exchange System: *Provided further*,  
9 That funds appropriated in this Act which are used to es-  
10 tablish a national one-stop career center system, or which  
11 are used to support the national activities of the Federal-  
12 State unemployment insurance, employment service, or  
13 immigration programs, may be obligated in contracts,  
14 grants, or agreements with States and non-State entities:  
15 *Provided further*, That States awarded competitive grants  
16 for improved operations under title III of the Social Secu-  
17 rity Act, or awarded grants to support the national activi-  
18 ties of the Federal-State unemployment insurance system,  
19 may award subgrants to other States and non-State enti-  
20 ties under such grants, subject to the conditions applicable  
21 to the grants: *Provided further*, That funds appropriated  
22 under this Act for activities authorized under title III of  
23 the Social Security Act and the Wagner-Peyser Act may  
24 be used by States to fund integrated Unemployment In-  
25 surance and Employment Service automation efforts, not-

1 withstanding cost allocation principles prescribed under  
2 the Office of Management and Budget publication entitled  
3 Administrative Requirements, Cost Principles, and Audit  
4 Requirements for Federal Awards: *Provided further*, That  
5 the Secretary, at the request of a State participating in  
6 a consortium with other States, may reallocate funds allotted  
7 to such State under title III of the Social Security Act  
8 to other States participating in the consortium in order  
9 to carry out activities that benefit the administration of  
10 the unemployment compensation law of the State making  
11 the request: *Provided further*, That the Secretary may col-  
12 lect fees for the costs associated with additional data col-  
13 lection, analyses, and reporting services relating to the  
14 National Agricultural Workers Survey requested by State  
15 and local governments, public and private institutions of  
16 higher education, and nonprofit organizations and may  
17 utilize such sums, in accordance with the provisions of 29  
18 U.S.C. 9a, for the National Agricultural Workers Survey  
19 infrastructure, methodology, and data to meet the infor-  
20 mation collection and reporting needs of such entities,  
21 which shall be credited to this appropriation and shall re-  
22 main available until September 30, 2018, for such pur-  
23 poses.



1 PENSION BENEFIT GUARANTY CORPORATION

2 PENSION BENEFIT GUARANTY CORPORATION FUND

3 The Pension Benefit Guaranty Corporation (“Cor-  
4 poration”) is authorized to make such expenditures, in-  
5 cluding financial assistance authorized by subtitle E of  
6 title IV of the Employee Retirement Income Security Act  
7 of 1974, within limits of funds and borrowing authority  
8 available to the Corporation, and in accord with law, and  
9 to make such contracts and commitments without regard  
10 to fiscal year limitations, as provided by 31 U.S.C. 9104,  
11 as may be necessary in carrying out the program, includ-  
12 ing associated administrative expenses, through Sep-  
13 tember 30, 2017, for the Corporation: *Provided*, That  
14 none of the funds available to the Corporation for fiscal  
15 year 2017 shall be available for obligations for administra-  
16 tive expenses in excess of \$421,006,000: *Provided further*,  
17 That an amount not to exceed an additional \$98,500,000  
18 shall be available through September 30, 2021, for costs  
19 associated with the acquisition, occupancy, and related  
20 costs of headquarters space: *Provided further*, That to the  
21 extent that the number of new plan participants in plans  
22 terminated by the Corporation exceeds 100,000 in fiscal  
23 year 2017, an amount not to exceed an additional  
24 \$9,200,000 shall be available through September 30,  
25 2018, for obligation for administrative expenses for every

1 20,000 additional terminated participants: *Provided fur-*  
2 *ther*, That obligations in excess of the amounts provided  
3 in this paragraph may be incurred for unforeseen and ex-  
4 traordinary pretermination expenses or extraordinary mul-  
5 tiemployer program related expenses after approval by the  
6 Office of Management and Budget and notification of the  
7 Committees on Appropriations of the House of Represent-  
8 atives and the Senate.

9                                   WAGE AND HOUR DIVISION

10                                   SALARIES AND EXPENSES

11           For necessary expenses for the Wage and Hour Divi-  
12 sion, including reimbursement to State, Federal, and local  
13 agencies and their employees for inspection services ren-  
14 dered, \$227,500,000.

15                                   OFFICE OF LABOR-MANAGEMENT STANDARDS

16                                   SALARIES AND EXPENSES

17           For necessary expenses for the Office of Labor-Man-  
18 agement Standards, \$35,529,000.

19                                   OFFICE OF FEDERAL CONTRACT COMPLIANCE

20                                   PROGRAMS

21                                   SALARIES AND EXPENSES

22           For necessary expenses for the Office of Federal Con-  
23 tract Compliance Programs, \$104,476,000.

## 1 OFFICE OF WORKERS' COMPENSATION PROGRAMS

## 2 SALARIES AND EXPENSES

3 For necessary expenses for the Office of Workers'  
4 Compensation Programs, \$115,424,000, together with  
5 \$2,177,000 which may be expended from the Special Fund  
6 in accordance with sections 39(c), 44(d), and 44(j) of the  
7 Longshore and Harbor Workers' Compensation Act.

## 8 SPECIAL BENEFITS

## 9 (INCLUDING TRANSFER OF FUNDS)

10 For the payment of compensation, benefits, and ex-  
11 penses (except administrative expenses) accruing during  
12 the current or any prior fiscal year authorized by 5 U.S.C.  
13 81; continuation of benefits as provided for under the  
14 heading "Civilian War Benefits" in the Federal Security  
15 Agency Appropriation Act, 1947; the Employees' Com-  
16 pensation Commission Appropriation Act, 1944; section  
17 5(f) of the War Claims Act (50 U.S.C. App. 2004); obliga-  
18 tions incurred under the War Hazards Compensation Act  
19 (42 U.S.C. 1701 et seq.); and 50 percent of the additional  
20 compensation and benefits required by section 10(h) of the  
21 Longshore and Harbor Workers' Compensation Act,  
22 \$220,000,000, together with such amounts as may be nec-  
23 essary to be charged to the subsequent year appropriation  
24 for the payment of compensation and other benefits for  
25 any period subsequent to August 15 of the current year,

1 for deposit into and to assume the attributes of the Em-  
2 ployees' Compensation Fund established under 5 U.S.C.  
3 8147(a): *Provided*, That amounts appropriated may be  
4 used under 5 U.S.C. 8104 by the Secretary to reimburse  
5 an employer, who is not the employer at the time of injury,  
6 for portions of the salary of a re-employed, disabled bene-  
7 ficiary: *Provided further*, That balances of reimbursements  
8 unobligated on September 30, 2016, shall remain available  
9 until expended for the payment of compensation, benefits,  
10 and expenses: *Provided further*, That in addition there  
11 shall be transferred to this appropriation from the Postal  
12 Service and from any other corporation or instrumentality  
13 required under 5 U.S.C. 8147(c) to pay an amount for  
14 its fair share of the cost of administration, such sums as  
15 the Secretary determines to be the cost of administration  
16 for employees of such fair share entities through Sep-  
17 tember 30, 2017: *Provided further*, That of those funds  
18 transferred to this account from the fair share entities to  
19 pay the cost of administration of the Federal Employees'  
20 Compensation Act, \$63,975,000 shall be made available  
21 to the Secretary as follows:

- 22           (1) For enhancement and maintenance of auto-  
23           mated data processing systems operations and tele-  
24           communications systems, \$22,740,000;

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

4           (3) For periodic roll disability management and  
5           medical review, \$16,866,000;

6           (4) For program integrity, \$1,401,000; and

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

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

15           SPECIAL BENEFITS FOR DISABLED COAL MINERS

16           For carrying out title IV of the Federal Mine Safety  
17 and Health Act of 1977, as amended by Public Law 107-  
18 275, \$61,319,000, to remain available until expended.

19           For making after July 31 of the current fiscal year,  
20 benefit payments to individuals under title IV of such Act,  
21 for costs incurred in the current fiscal year, such amounts  
22 as may be necessary.

23           For making benefit payments under title IV for the  
24 first quarter of fiscal year 2018, \$16,000,000, to remain  
25 available until expended.

1 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

2 OCCUPATIONAL ILLNESS COMPENSATION FUND

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

10 BLACK LUNG DISABILITY TRUST FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 Such sums as may be necessary from the Black Lung  
13 Disability Trust Fund (the “Fund”), to remain available  
14 until expended, for payment of all benefits authorized by  
15 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-  
16 enue Code of 1986; and repayment of, and payment of  
17 interest on advances, as authorized by section 9501(d)(4)  
18 of that Act. In addition, the following amounts may be  
19 expended from the Fund for fiscal year 2017 for expenses  
20 of operation and administration of the Black Lung Bene-  
21 fits program, as authorized by section 9501(d)(5): not to  
22 exceed \$38,246,000 for transfer to the Office of Workers’  
23 Compensation Programs, “Salaries and Expenses”; not to  
24 exceed \$30,594,000 for transfer to Departmental Manage-  
25 ment, “Salaries and Expenses”; not to exceed \$330,000

1 for transfer to Departmental Management, “Office of In-  
2 spector General”; and not to exceed \$356,000 for pay-  
3 ments into miscellaneous receipts for the expenses of the  
4 Department of the Treasury.

5 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION  
6 SALARIES AND EXPENSES

7 For necessary expenses for the Occupational Safety  
8 and Health Administration, \$552,787,000, including not  
9 to exceed \$100,850,000 which shall be the maximum  
10 amount available for grants to States under section 23(g)  
11 of the Occupational Safety and Health Act (the “Act”),  
12 which grants shall be no less than 50 percent of the costs  
13 of State occupational safety and health programs required  
14 to be incurred under plans approved by the Secretary  
15 under section 18 of the Act; and, in addition, notwith-  
16 standing 31 U.S.C. 3302, the Occupational Safety and  
17 Health Administration may retain up to \$499,000 per fis-  
18 cal year of training institute course tuition and fees, other-  
19 wise authorized by law to be collected, and may utilize  
20 such sums for occupational safety and health training and  
21 education: *Provided*, That notwithstanding 31 U.S.C.  
22 3302, the Secretary is authorized, during the fiscal year  
23 ending September 30, 2017, to collect and retain fees for  
24 services provided to Nationally Recognized Testing Lab-  
25 oratories, and may utilize such sums, in accordance with

1 the provisions of 29 U.S.C. 9a, to administer national and  
2 international laboratory recognition programs that ensure  
3 the safety of equipment and products used by workers in  
4 the workplace: *Provided further*, That none of the funds  
5 appropriated under this paragraph shall be obligated or  
6 expended to prescribe, issue, administer, or enforce any  
7 standard, rule, regulation, or order under the Act which  
8 is applicable to any person who is engaged in a farming  
9 operation which does not maintain a temporary labor  
10 camp and employs 10 or fewer employees: *Provided fur-*  
11 *ther*, That no funds appropriated under this paragraph  
12 shall be obligated or expended to administer or enforce  
13 any standard, rule, regulation, or order under the Act with  
14 respect to any employer of 10 or fewer employees who is  
15 included within a category having a Days Away, Re-  
16 stricted, or Transferred (“DART”) occupational injury  
17 and illness rate, at the most precise industrial classifica-  
18 tion code for which such data are published, less than the  
19 national average rate as such rates are most recently pub-  
20 lished by the Secretary, acting through the Bureau of  
21 Labor Statistics, in accordance with section 24 of the Act,  
22 except—

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

1           (2) to conduct an inspection or investigation in  
2           response to an employee complaint, to issue a cita-  
3           tion for violations found during such inspection, and  
4           to assess a penalty for violations which are not cor-  
5           rected within a reasonable abatement period and for  
6           any willful violations found;

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

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

11          (5) to take any action authorized by the Act  
12          with respect to a report of an employment accident  
13          which is fatal to one or more employees or which re-  
14          sults in hospitalization of two or more employees,  
15          and to take any action pursuant to such investiga-  
16          tion authorized by the Act; and

17          (6) to take any action authorized by the Act  
18          with respect to complaints of discrimination against  
19          employees for exercising rights under the Act:

20 *Provided further*, That the foregoing proviso shall not  
21 apply to any person who is engaged in a farming operation  
22 which does not maintain a temporary labor camp and em-  
23 ploys 10 or fewer employees: *Provided further*, That  
24 \$10,537,000 shall be available for Susan Harwood train-

1 ing grants: *Provided further*, That not less than  
2 \$3,500,000 shall be for Voluntary Protection Programs.

3 MINE SAFETY AND HEALTH ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses for the Mine Safety and  
6 Health Administration, \$375,887,000, including purchase  
7 and bestowal of certificates and trophies in connection  
8 with mine rescue and first-aid work, and the hire of pas-  
9 senger motor vehicles, including up to \$2,000,000 for  
10 mine rescue and recovery activities and not less than  
11 \$8,441,000 for State assistance grants: *Provided*, That  
12 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000  
13 may be collected by the National Mine Health and Safety  
14 Academy for room, board, tuition, and the sale of training  
15 materials, otherwise authorized by law to be collected, to  
16 be available for mine safety and health education and  
17 training activities: *Provided further*, That notwithstanding  
18 31 U.S.C. 3302, the Mine Safety and Health Administra-  
19 tion is authorized to collect and retain up to \$2,499,000  
20 from fees collected for the approval and certification of  
21 equipment, materials, and explosives for use in mines, and  
22 may utilize such sums for such activities: *Provided further*,  
23 That the Secretary is authorized to accept lands, build-  
24 ings, equipment, and other contributions from public and  
25 private sources and to prosecute projects in cooperation

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

17 BUREAU OF LABOR STATISTICS

18 SALARIES AND EXPENSES

19 For necessary expenses for the Bureau of Labor Sta-  
20 tistics, including advances or reimbursements to State,  
21 Federal, and local agencies and their employees for serv-  
22 ices rendered, \$544,000,000, together with not to exceed  
23 \$65,000,000 which may be expended from the Employ-  
24 ment Security Administration account in the Unemploy-  
25 ment Trust Fund.

## 1 OFFICE OF DISABILITY EMPLOYMENT POLICY

## 2 SALARIES AND EXPENSES

3 For necessary expenses for the Office of Disability  
4 Employment Policy to provide leadership, develop policy  
5 and initiatives, and award grants furthering the objective  
6 of eliminating barriers to the training and employment of  
7 people with disabilities, \$38,203,000.

## 8 DEPARTMENTAL MANAGEMENT

## 9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses for Departmental Manage-  
12 ment, including the hire of three passenger motor vehicles,  
13 \$338,878,000, together with not to exceed \$308,000,  
14 which may be expended from the Employment Security  
15 Administration account in the Unemployment Trust  
16 Fund: *Provided*, That \$61,825,000 for the Bureau of  
17 International Labor Affairs shall be available for obliga-  
18 tion through December 31, 2017: *Provided further*, That  
19 funds available to the Bureau of International Labor Af-  
20 fairs may be used to administer or operate international  
21 labor activities, bilateral and multilateral technical assist-  
22 ance, and microfinance programs, by or through contracts,  
23 grants, subgrants and other arrangements: *Provided fur-*  
24 *ther*, That not more than \$54,825,000 shall be for pro-  
25 grams to combat exploitative child labor internationally

1 and not less than \$7,000,000 shall be used to implement  
2 model programs that address worker rights issues through  
3 technical assistance in countries with which the United  
4 States has free trade agreements or trade preference pro-  
5 grams: *Provided further*, That \$8,040,000 shall be used  
6 for program evaluation and shall be available for obliga-  
7 tion through September 30, 2018: *Provided further*, That  
8 funds available for program evaluation may be used to ad-  
9 minister grants for the purpose of evaluation: *Provided*  
10 *further*, That grants made for the purpose of evaluation  
11 shall be awarded through fair and open competition: *Pro-*  
12 *vided further*, That funds available for program evaluation  
13 may be transferred to any other appropriate account in  
14 the Department for such purpose: *Provided further*, That  
15 the Committees on Appropriations of the House of Rep-  
16 resentatives and the Senate are notified at least 15 days  
17 in advance of any transfer: *Provided further*, That the  
18 funds available to the Women’s Bureau may be used for  
19 grants to serve and promote the interests of women in the  
20 workforce.

21 VETERANS EMPLOYMENT AND TRAINING

22 Not to exceed \$234,041,000 may be derived from the  
23 Employment Security Administration account in the Un-  
24 employment Trust Fund to carry out the provisions of

1 chapters 41, 42, and 43 of title 38, United States Code,  
2 of which:

3 (1) \$175,000,000 is for Jobs for Veterans State  
4 grants under 38 U.S.C. 4102A(b)(5) to support dis-  
5 abled veterans' outreach program specialists under  
6 section 4103A of such title and local veterans' em-  
7 ployment representatives under section 4104(b) of  
8 such title, and for the expenses described in section  
9 4102A(b)(5)(C), which shall be available for obliga-  
10 tion by the States through December 31, 2017, and  
11 not to exceed 3 percent for the necessary Federal ex-  
12 penditures for data systems and contract support to  
13 allow for the tracking of participant and perform-  
14 ance information: *Provided*, That, in addition, such  
15 funds may be used to support such specialists and  
16 representatives in the provision of services to  
17 transitioning members of the Armed Forces who  
18 have participated in the Transition Assistance Pro-  
19 gram and have been identified as in need of inten-  
20 sive services, to members of the Armed Forces who  
21 are wounded, ill, or injured and receiving treatment  
22 in military treatment facilities or warrior transition  
23 units, and to the spouses or other family caregivers  
24 of such wounded, ill, or injured members;

1           (2) \$14,600,000 is for carrying out the Transi-  
2           tion Assistance Program under 38 U.S.C. 4113 and  
3           10 U.S.C. 1144;

4           (3) \$41,027,000 is for Federal administration  
5           of chapters 41, 42, and 43 of title 38, United States  
6           Code; and

7           (4) \$3,414,000 is for the National Veterans'  
8           Employment and Training Services Institute under  
9           38 U.S.C. 4109:

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

14           In addition, from the General Fund of the Treasury,  
15 \$40,500,000 is for carrying out programs to assist home-  
16 less veterans and veterans at risk of homelessness who are  
17 transitioning from certain institutions under sections  
18 2021, 2021A, and 2023 of title 38, United States Code:

19 *Provided*, That notwithstanding subsections (c)(3) and (d)  
20 of section 2023, the Secretary may award grants through  
21 September 30, 2017, to provide services under such sec-  
22 tion: *Provided further*, That services provided under sec-  
23 tion 2023 may include, in addition to services to the indi-  
24 viduals described in subsection (e) of such section, services

1 to veterans recently released from incarceration who are  
2 at risk of homelessness.

3 IT MODERNIZATION

4 For necessary expenses for Department of Labor cen-  
5 tralized infrastructure technology investment activities re-  
6 lated to support systems and modernization, \$18,778,000,  
7 which shall be available through September 30, 2018.

8 OFFICE OF INSPECTOR GENERAL

9 For salaries and expenses of the Office of Inspector  
10 General in carrying out the provisions of the Inspector  
11 General Act of 1978, \$82,061,000, together with not to  
12 exceed \$5,660,000 which may be expended from the Em-  
13 ployment Security Administration account in the Unem-  
14 ployment Trust Fund.

15 GENERAL PROVISIONS

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

21 (TRANSFER OF FUNDS)

22 SEC. 102. Not to exceed 1 percent of any discre-  
23 tionary funds (pursuant to the Balanced Budget and  
24 Emergency Deficit Control Act of 1985) which are appro-  
25 priated for the current fiscal year for the Department of

1 Labor in this Act may be transferred between a program,  
2 project, or activity, but no such program, project, or activ-  
3 ity shall be increased by more than 3 percent by any such  
4 transfer: *Provided*, That the transfer authority granted by  
5 this section shall not be used to create any new program  
6 or to fund any project or activity for which no funds are  
7 provided in this Act: *Provided further*, That the Commit-  
8 tees on Appropriations of the House of Representatives  
9 and the Senate are notified at least 15 days in advance  
10 of any transfer.

11 SEC. 103. In accordance with Executive Order  
12 13126, none of the funds appropriated or otherwise made  
13 available pursuant to this Act shall be obligated or ex-  
14 pended for the procurement of goods mined, produced,  
15 manufactured, or harvested or services rendered, in whole  
16 or in part, by forced or indentured child labor in industries  
17 and host countries already identified by the United States  
18 Department of Labor prior to enactment of this Act.

19 SEC. 104. Except as otherwise provided in this sec-  
20 tion, none of the funds made available to the Department  
21 of Labor for grants under section 414(c) of the American  
22 Competitiveness and Workforce Improvement Act of 1998  
23 (29 U.S.C. 2916a) may be used for any purpose other  
24 than competitive grants for training individuals who are  
25 older than 16 years of age and are not currently enrolled

1 in school within a local educational agency in the occupa-  
2 tions and industries for which employers are using H-1B  
3 visas to hire foreign workers, and the related activities  
4 necessary to support such training: *Provided*, That up to  
5 \$20,000,000 of such funds shall be available for obligation  
6 through September 30, 2018 by the Employment and  
7 Training Administration of the Department of Labor to  
8 process foreign labor certifications, including wage deter-  
9 minations and associated tasks and grants to States, on  
10 behalf of nonimmigrants described in section  
11 101(a)(15)(H)(ii) of such Act, to the extent necessary to  
12 eliminate backlogs and delays.

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 (TRANSFER OF FUNDS)

6 SEC. 106. (a) 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 (b) Notwithstanding section 102, the Secretary may  
15 transfer not more than 0.5 percent of each discretionary  
16 appropriation made available to the Employment and  
17 Training Administration by this Act to “Program Admin-  
18 istration” in order to carry out program integrity activities  
19 relating to any of the programs or activities that are fund-  
20 ed under any such discretionary appropriations: *Provided*,  
21 That funds transferred from under paragraphs (1) and  
22 (2) of the “Office of Job Corps” account shall be available  
23 under paragraph (3) of such account in order to carry out  
24 program integrity activities relating to the Job Corps pro-  
25 gram: *Provided further*, That funds transferred under this

1 subsection shall be available for obligation through Sep-  
2 tember 30, 2018.

3 (TRANSFER OF FUNDS)

4 SEC. 107. (a) The Secretary may reserve not more  
5 than 0.75 percent from each appropriation made available  
6 in this Act identified in subsection (b) in order to carry  
7 out evaluations of any of the programs or activities that  
8 are funded under such accounts. Any funds reserved under  
9 this section shall be transferred to “Departmental Man-  
10 agement” for use by the Office of the Chief Evaluation  
11 Officer within the Department of Labor, and shall be  
12 available for obligation through September 30, 2018: *Pro-*  
13 *vided*, That such funds shall only be available if the Chief  
14 Evaluation Officer of the Department of Labor submits  
15 a plan to the Committees on Appropriations of the House  
16 of Representatives and the Senate describing the evalua-  
17 tions to be carried out 15 days in advance of any transfer.

18 (b) The accounts referred to in subsection (a) are:  
19 “Training and Employment Services”, “Job Corps”,  
20 “Community Service Employment for Older Americans”,  
21 “State Unemployment Insurance and Employment Service  
22 Operations”, “Employee Benefits Security Administra-  
23 tion”, “Office of Workers’ Compensation Programs”,  
24 “Wage and Hour Division”, “Office of Federal Contract  
25 Compliance Programs”, “Office of Labor Management

1 Standards”, “Occupational Safety and Health Adminis-  
2 tration”, “Mine Safety and Health Administration”, “Of-  
3 fice of Disability Employment Policy”, funding made  
4 available to the “Bureau of International Labor Affairs”  
5 and “Women’s Bureau” within the “Departmental Man-  
6 agement, Salaries and Expenses” account, and “Veterans  
7 Employment and Training”.

8       SEC. 108. (a) Section 7 of the Fair Labor Standards  
9 Act of 1938 (29 U.S.C. 207) shall be applied as if the  
10 following text is part of such section:

11       “(s)(1) The provisions of this section shall not apply  
12 for a period of 2 years after the occurrence of a major  
13 disaster to any employee—

14               “(A) employed to adjust or evaluate claims re-  
15 sulting from or relating to such major disaster, by  
16 an employer not engaged, directly or through an af-  
17 filiate, in underwriting, selling, or marketing prop-  
18 erty, casualty, or liability insurance policies or con-  
19 tracts;

20               “(B) who receives from such employer on aver-  
21 age weekly compensation of not less than \$591.00  
22 per week or any minimum weekly amount estab-  
23 lished by the Secretary, whichever is greater, for the  
24 number of weeks such employee is engaged in any  
25 of the activities described in subparagraph (C); and

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

2 “(i) interviewing insured individuals, indi-  
3 viduals who suffered injuries or other damages  
4 or losses arising from or relating to a disaster,  
5 witnesses, or physicians;

6 “(ii) inspecting property damage or review-  
7 ing factual information to prepare damage esti-  
8 mates;

9 “(iii) evaluating and making recommenda-  
10 tions regarding coverage or compensability of  
11 claims or determining liability or value aspects  
12 of claims;

13 “(iv) negotiating settlements; or

14 “(v) making recommendations regarding  
15 litigation.

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

18 “(3) For purposes of this subsection—

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

22 “(B) the term ‘employee employed to adjust or  
23 evaluate claims resulting from or relating to such  
24 major disaster’ means an individual who timely se-  
25 cured or secures a license required by applicable law

1 to engage in and perform the activities described in  
2 clauses (i) through (v) of paragraph (1)(C) relating  
3 to a major disaster, and is employed by an employer  
4 that maintains worker compensation insurance cov-  
5 erage or protection for its employees, if required by  
6 applicable law, and withholds applicable Federal,  
7 State, and local income and payroll taxes from the  
8 wages, salaries and any benefits of such employees;  
9 and

10 “(C) the term ‘affiliate’ means a company that,  
11 by reason of ownership or control of 25 percent or  
12 more of the outstanding shares of any class of voting  
13 securities of one or more companies, directly or indi-  
14 rectly, controls, is controlled by, or is under common  
15 control with, another company.”.

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

18 SEC. 109. (a) FLEXIBILITY WITH RESPECT TO THE  
19 CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE  
20 SEAFOOD INDUSTRY.—

21 (1) IN GENERAL.—Subject to paragraph (2), if  
22 a petition for H-2B nonimmigrants filed by an em-  
23 ployer in the seafood industry is granted, the em-  
24 ployer may bring the nonimmigrants described in  
25 the petition into the United States at any time dur-

1       ing the 120-day period beginning on the start date  
2       for which the employer is seeking the services of the  
3       nonimmigrants without filing another petition.

4               (2) REQUIREMENTS FOR CROSSINGS AFTER  
5       90TH DAY.—An employer in the seafood industry  
6       may not bring H–2B nonimmigrants into the United  
7       States after the date that is 90 days after the start  
8       date for which the employer is seeking the services  
9       of the nonimmigrants unless the employer—

10               (A) completes a new assessment of the  
11       local labor market by—

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

14                       (ii) posting the job opportunity on the  
15       appropriate Department of Labor Elec-  
16       tronic Job Registry and at the employer’s  
17       place of employment; and

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

20                       (i) applies for the job; and

21                       (ii) will be available at the time and  
22       place of need.

23               (3) EXEMPTION FROM RULES WITH RESPECT  
24       TO STAGGERING.—The Secretary of Labor shall not  
25       consider an employer in the seafood industry who

1 brings H-2B nonimmigrants into the United States  
2 during the 120-day period specified in paragraph (1)  
3 to be staggering the date of need in violation of sec-  
4 tion 655.20(d) of title 20, Code of Federal Regula-  
5 tions, or any other applicable provision of law.

6 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-  
7 tion, the term “H-2B nonimmigrants” means aliens ad-  
8 mitted to the United States pursuant to section  
9 101(a)(15)(H)(ii)(B) of the Immigration and Nationality  
10 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

11 SEC. 110. The determination of prevailing wage for  
12 the purposes of the H-2B program shall be the greater  
13 of—(1) the actual wage level paid by the employer to other  
14 employees with similar experience and qualifications for  
15 such position in the same location; or (2) the prevailing  
16 wage level for the occupational classification of the posi-  
17 tion in the geographic area in which the H-2B non-  
18 immigrant will be employed, based on the best information  
19 available at the time of filing the petition. In the deter-  
20 mination of prevailing wage for the purposes of the H-  
21 2B program, the Secretary shall accept private wage sur-  
22 veys even in instances where Occupational Employment  
23 Statistics survey data are available unless the Secretary  
24 determines that the methodology and data in the provided  
25 survey are not statistically supported.

1       SEC. 111. None of the funds in this Act shall be used  
2 to enforce the definition of corresponding employment  
3 found in 20 CFR 655.5 or the three-fourths guarantee  
4 rule definition found in 20 CFR 655.20, or any references  
5 thereto. Further, for the purpose of regulating admission  
6 of temporary workers under the H-2B program, the defi-  
7 nition of temporary need shall be that provided in 8 CFR  
8 214.2(h)(6)(ii)(B).

9       SEC. 112. None of the funds in this Act shall be used  
10 to implement 20 CFR 655.70 and 20 CFR 655.71.

11       This title may be cited as the “Department of Labor  
12 Appropriations Act, 2017”.

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 Service Act (referred to in this Act as the “PHS Act”) *Provided*,  
8 with respect to primary health care and the Native Hawai-  
9 ian Health Care Act of 1988, \$1,491,522,000: *Provided*,  
10 That no more than \$1,000,000 shall be available until ex-  
11 pended for carrying out the provisions of section 224(o)  
12 of the PHS Act: *Provided further*, That no more than  
13 \$99,893,000 shall be available until expended for carrying  
14 out the provisions of Public Law 104–73 and for expenses  
15 incurred by the Department of Health and Human Serv-  
16 ices (referred to in this Act as “HHS”) pertaining to ad-  
17 ministrative claims made under such law: *Provided further*,  
18 That of funds provided for the Health Centers program,  
19 as defined by section 330 of the PHS Act, by this Act  
20 or any other Act for fiscal year 2017, not less than  
21 \$100,000,000 shall be obligated in fiscal year 2017 to sup-  
22 port grants to expand medical services, behavioral health,  
23 oral health, pharmacy, or vision services.

## HEALTH WORKFORCE

1  
2 For carrying out titles III, VII, and VIII of the PHS  
3 Act with respect to the health workforce, section 1128E  
4 of the Social Security Act, and the Health Care Quality  
5 Improvement Act of 1986, \$826,806,000: *Provided*, That  
6 sections 747(e)(2), 751(j)(2), 762(k), and the proportional  
7 funding amounts in paragraphs (1) through (4) of section  
8 756(e) of the PHS Act shall not apply to funds made  
9 available under this heading: *Provided further*, That for  
10 any program operating under section 751 of the PHS Act  
11 on or before January 1, 2009, the Secretary of Health  
12 and Human Services (referred to in this title as the “Sec-  
13 retary”) may hereafter waive any of the requirements con-  
14 tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such  
15 Act for the full project period of a grant under such sec-  
16 tion: *Provided further*, That no funds shall be available  
17 for section 340G–1 of the PHS Act: *Provided further*,  
18 That fees collected for the disclosure of information under  
19 section 427(b) of the Health Care Quality Improvement  
20 Act of 1986 and sections 1128E(d)(2) and 1921 of the  
21 Social Security Act shall be sufficient to recover the full  
22 costs of operating the programs authorized by such sec-  
23 tions and shall remain available until expended for the Na-  
24 tional Practitioner Data Bank: *Provided further*, That  
25 funds transferred to this account to carry out section 846

1 and subpart 3 of part D of title III of the PHS Act may  
2 be used to make prior year adjustments to awards made  
3 under such sections.

4 MATERNAL AND CHILD HEALTH

5 For carrying out titles III, XI, XII, and XIX of the  
6 PHS Act with respect to maternal and child health, title  
7 V of the Social Security Act, and section 712 of the Amer-  
8 ican Jobs Creation Act of 2004, \$846,617,000: *Provided*,  
9 That notwithstanding sections 502(a)(1) and 502(b)(1) of  
10 the Social Security Act, not more than \$80,593,000 shall  
11 be available for carrying out special projects of regional  
12 and national significance pursuant to section 501(a)(2) of  
13 such Act and \$10,276,000 shall be available for projects  
14 described in subparagraphs (A) through (F) of section  
15 501(a)(3) of such Act.

16 RYAN WHITE HIV/AIDS PROGRAM

17 For carrying out title XXVI of the PHS Act with  
18 respect to the Ryan White HIV/AIDS program,  
19 \$2,293,781,000, of which \$1,970,881,000 shall remain  
20 available to the Secretary through September 30, 2019,  
21 for parts A and B of title XXVI of the PHS Act, and  
22 of which not less than \$900,313,000 shall be for State  
23 AIDS Drug Assistance Programs under the authority of  
24 section 2616 or 311(c) of such Act.

## 1 HEALTH CARE SYSTEMS

2 For carrying out titles III and XII of the PHS Act  
3 with respect to health care systems, and the Stem Cell  
4 Therapeutic and Research Act of 2005, \$103,193,000, of  
5 which \$122,000 shall be available until expended for facili-  
6 ties renovations at the Gillis W. Long Hansen's Disease  
7 Center: *Provided*, That the Secretary may collect a fee of  
8 0.1 percent of each purchase of 340B drugs from entities  
9 participating in the Drug Pricing Program pursuant to  
10 section 340B of the PHS Act to pay for the operating  
11 costs of such program: *Provided further*, That fees pursu-  
12 ant to the 340B Drug Pricing Program shall be collected  
13 by the Secretary based on sales data that shall be sub-  
14 mitted by drug manufacturers and shall be credited to this  
15 account to remain available until expended.

## 16 RURAL HEALTH

17 For carrying out titles III and IV of the PHS Act  
18 with respect to rural health, section 427(a) of the Federal  
19 Coal Mine Health and Safety Act of 1969, and sections  
20 711 and 1820 of the Social Security Act, \$152,571,000,  
21 of which \$41,609,000 from general revenues, notwith-  
22 standing section 1820(j) of the Social Security Act, shall  
23 be available for carrying out the Medicare rural hospital  
24 flexibility grants program: *Provided*, That of the funds  
25 made available under this heading for Medicare rural hos-

1 pital flexibility grants, \$14,942,000 shall be available for  
2 the Small Rural Hospital Improvement Grant Program  
3 for quality improvement and adoption of health informa-  
4 tion technology and up to \$1,000,000 shall be to carry  
5 out section 1820(g)(6) of the Social Security Act, with  
6 funds provided for grants under section 1820(g)(6) avail-  
7 able for the purchase and implementation of telehealth  
8 services, including pilots and demonstrations on the use  
9 of electronic health records to coordinate rural veterans  
10 care between rural providers and the Department of Vet-  
11 erans Affairs electronic health record system: *Provided*  
12 *further*, That notwithstanding section 338J(k) of the PHS  
13 Act, \$9,511,000 shall be available for State Offices of  
14 Rural Health.

15 FAMILY PLANNING

16 For carrying out the program under title X of the  
17 PHS Act to provide for voluntary family planning  
18 projects, \$286,479,000: *Provided*, That amounts provided  
19 to said projects under such title shall not be expended for  
20 abortions, that all pregnancy counseling shall be nondirec-  
21 tive, and that such amounts shall not be expended for any  
22 activity (including the publication or distribution of lit-  
23 erature) that in any way tends to promote public support  
24 or opposition to any legislative proposal or candidate for  
25 public office.

## 1 PROGRAM MANAGEMENT

2 For program support in the Health Resources and  
3 Services Administration, \$154,000,000: *Provided*, That  
4 funds made available under this heading may be used to  
5 supplement program support funding provided under the  
6 headings “Primary Health Care”, “Health Workforce”,  
7 “Maternal and Child Health”, “Ryan White HIV/AIDS  
8 Program”, “Health Care Systems”, and “Rural Health”.

## 9 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

10 For payments from the Vaccine Injury Compensation  
11 Program Trust Fund (the “Trust Fund”), such sums as  
12 may be necessary for claims associated with vaccine-re-  
13 lated injury or death with respect to vaccines administered  
14 after September 30, 1988, pursuant to subtitle 2 of title  
15 XXI of the PHS Act, to remain available until expended:  
16 *Provided*, That for necessary administrative expenses, not  
17 to exceed \$7,500,000 shall be available from the Trust  
18 Fund to the Secretary.

## 19 CENTERS FOR DISEASE CONTROL AND PREVENTION

## 20 IMMUNIZATION AND RESPIRATORY DISEASES

21 For carrying out titles II, III, XVII, and XXI, and  
22 section 2821 of the PHS Act, titles II and IV of the Immi-  
23 gration and Nationality Act, and section 501 of the Ref-  
24 ugee Education Assistance Act, with respect to immuniza-  
25 tion and respiratory diseases, \$459,055,000.

1 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED  
2 DISEASES, AND TUBERCULOSIS PREVENTION

3 For carrying out titles II, III, XVII, and XXIII of  
4 the PHS Act with respect to HIV/AIDS, viral hepatitis,  
5 sexually transmitted diseases, and tuberculosis prevention,  
6 \$1,112,278,000.

7 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

8 For carrying out titles II, III, and XVII, and section  
9 2821 of the PHS Act, titles II and IV of the Immigration  
10 and Nationality Act, and section 501 of the Refugee Edu-  
11 cation Assistance Act, with respect to emerging and  
12 zoonotic infectious diseases, \$526,885,000.

13 CHRONIC DISEASE PREVENTION AND HEALTH

14 PROMOTION

15 For carrying out titles II, III, XI, XV, XVII, and  
16 XIX of the PHS Act with respect to chronic disease pre-  
17 vention and health promotion, \$726,696,000: *Provided*,  
18 That funds appropriated under this account may be avail-  
19 able for making grants under section 1509 of the PHS  
20 Act for not less than 21 States, tribes, or tribal organiza-  
21 tions: *Provided further*, That of the funds available under  
22 this heading, \$10,000,000 shall be available to continue  
23 and expand community specific extension and outreach  
24 programs to combat obesity in counties with the highest  
25 levels of obesity: *Provided further*, That the proportional

1 funding requirements under section 1503(a) of the PHS  
2 Act shall not apply to funds made available under this  
3 heading.

4 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,  
5 DISABILITIES AND HEALTH

6 For carrying out titles II, III, XI, and XVII of the  
7 PHS Act with respect to birth defects, developmental dis-  
8 abilities, disabilities and health, \$137,560,000.

9 PUBLIC HEALTH SCIENTIFIC SERVICES

10 For carrying out titles II, III, and XVII of the PHS  
11 Act with respect to health statistics, surveillance, health  
12 informatics, and workforce development, \$485,000,000.

13 ENVIRONMENTAL HEALTH

14 For carrying out titles II, III, and XVII of the PHS  
15 Act with respect to environmental health, \$165,303,000.

16 INJURY PREVENTION AND CONTROL

17 For carrying out titles II, III, and XVII of the PHS  
18 Act with respect to injury prevention and control,  
19 \$264,059,000: *Provided*, That of the funds provided under  
20 this heading, \$98,000,000 shall be available for an evi-  
21 dence-based opioid drug overdose prevention program.

22 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND  
23 HEALTH

24 For carrying out titles II, III, and XVII of the PHS  
25 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501

1 of the Federal Mine Safety and Health Act, section 13  
2 of the Mine Improvement and New Emergency Response  
3 Act, and sections 20, 21, and 22 of the Occupational Safe-  
4 ty and Health Act, with respect to occupational safety and  
5 health, \$334,121,000.

6 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

7 COMPENSATION PROGRAM

8 For necessary expenses to administer the Energy  
9 Employees Occupational Illness Compensation Program  
10 Act, \$55,358,000, to remain available until expended: *Pro-*  
11 *vided*, That this amount shall be available consistent with  
12 the provision regarding administrative expenses in section  
13 151(b) of division B, title I of Public Law 106–554.

14 GLOBAL HEALTH

15 For carrying out titles II, III, and XVII of the PHS  
16 Act with respect to global health, \$432,121,000, of which  
17 \$128,421,000 for international HIV/AIDS shall remain  
18 available through September 30, 2018: *Provided*, That  
19 funds may be used for purchase and insurance of official  
20 motor vehicles in foreign countries.

21 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

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

1 logical, and chemical threats to civilian populations,  
2 \$1,396,800,000 of which \$575,000,000 shall remain avail-  
3 able until expended for the Strategic National Stockpile:  
4 *Provided*, That in the event the Director of the Centers  
5 for Disease Control and Prevention (referred to in this  
6 title as “CDC”) activates the Emergency Operations Cen-  
7 ter, the Director of the CDC may detail CDC staff without  
8 reimbursement for up to 90 days to support the work of  
9 the CDC Emergency Operations Center, so long as the  
10 Director provides a notice to the Committees on Appro-  
11 priations of the House of Representatives and the Senate  
12 within 15 days of the use of this authority and a full re-  
13 port within 30 days after use of this authority which in-  
14 cludes the number of staff and funding level broken down  
15 by the originating center and number of days detailed:  
16 *Provided further*, That funds appropriated under this  
17 heading may be used to support a contract for the oper-  
18 ation and maintenance of an aircraft in direct support of  
19 activities throughout CDC to ensure the agency is pre-  
20 pared to address public health preparedness emergencies.

21 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

22 For carrying out titles II, III, XVII and XIX, and  
23 section 2821 of the PHS Act and for cross-cutting activi-  
24 ties and program support for activities funded in other  
25 appropriations included in this Act for the Centers for

1 Disease Control and Prevention, and for acquisition of real  
2 property, equipment, construction, demolition, and renova-  
3 tion of facilities, \$113,570,000: *Provided*, That para-  
4 graphs (1) through (3) of subsection (b) of section 2821  
5 of the PHS Act shall not apply to funds appropriated  
6 under this heading and in all other accounts of the CDC:  
7 *Provided further*, That employees of CDC or the Public  
8 Health Service, both civilian and commissioned officers,  
9 detailed to States, municipalities, or other organizations  
10 under authority of section 214 of the PHS Act, or in over-  
11 seas assignments, shall be treated as non-Federal employ-  
12 ees for reporting purposes only and shall not be included  
13 within any personnel ceiling applicable to the Agency,  
14 Service, or HHS during the period of detail or assignment:  
15 *Provided further*, That amounts appropriated under this  
16 heading for acquisition of real property, equipment, con-  
17 struction, demolition, and renovation of facilities shall re-  
18 main available until September 30, 2021: *Provided further*,  
19 That funds previously set-aside by CDC for repair and up-  
20 grade of the Lake Lynn Experimental Mine and Labora-  
21 tory shall be used to acquire a replacement mine safety  
22 research facility: *Provided further*, That in addition, the  
23 prior year unobligated balance of any amounts assigned  
24 to former employees in accounts of CDC made available  
25 for Individual Learning Accounts shall be credited to and

1 merged with the amounts made available under this head-  
 2 ing to support the replacement of the mine safety research  
 3 facility: *Provided further*, That CDC may use up to  
 4 \$10,000 from amounts appropriated to CDC in this Act  
 5 for official reception and representation expenses when  
 6 specifically approved by the Director of CDC: *Provided*  
 7 *further*, That in addition, such sums as may be derived  
 8 from authorized user fees, which shall be credited to the  
 9 appropriation charged with the cost thereof: *Provided fur-*  
 10 *ther*, That with respect to the previous proviso, authorized  
 11 user fees from the Vessel Sanitation Program and the  
 12 Respirator Certification Program shall be available  
 13 through September 30, 2018.

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, \$5,429,769,000, of which up  
 18 to \$50,000,000 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, \$3,242,685,000.

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 \$430,544,000.

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, \$1,891,652,000.

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 \$1,803,306,000.

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 \$4,961,305,000.

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 \$2,633,755,000, of which \$857,000,000 shall be from  
25 funds available under section 241 of the PHS Act: *Pro-*

1 *vided*, That not less than \$333,361,000 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 \$1,395,811,000.

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 \$740,826,000.

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 \$722,301,000.

17 NATIONAL INSTITUTE ON AGING

18 For carrying out section 301 and title IV of the PHS  
19 Act with respect to aging, \$2,067,138,000.

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, \$564,131,000.

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, \$441,778,000.

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, \$151,965,000.

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 \$488,782,000.

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, \$1,103,032,000.

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, \$1,619,537,000.

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 \$534,516,000.

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, \$361,062,000.

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 \$136,195,000.

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, \$292,323,000.

16 NATIONAL LIBRARY OF MEDICINE

17 For carrying out section 301 and title IV of the PHS  
18 Act with respect to health information communications,  
19 \$412,097,000: *Provided*, That of the amounts available for  
20 improvement of information systems, \$4,000,000 shall be  
21 available until September 30, 2018: *Provided further*, That  
22 in fiscal year 2017, the National Library of Medicine may  
23 enter into personal services contracts for the provision of  
24 services in facilities owned, operated, or constructed under

1 the jurisdiction of the National Institutes of Health (re-  
2 ferred to in this title as “NIH”).

3 JOHN E. FOGARTY INTERNATIONAL CENTER

4 For carrying out the activities of the John E. Fogarty  
5 International Center (described in subpart 2 of part E of  
6 title IV of the PHS Act), \$73,026,000.

7 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL  
8 SCIENCES

9 For carrying out section 301 and title IV of the PHS  
10 Act with respect to translational sciences, \$713,849,000:  
11 *Provided*, That up to \$25,835,000 shall be available to im-  
12 plement section 480 of the PHS Act, relating to the Cures  
13 Acceleration Network: *Provided further*, That at least  
14 \$520,740,000 is provided to the Clinical and Translational  
15 Sciences Awards program.

16 OFFICE OF THE DIRECTOR

17 For carrying out the responsibilities of the Office of  
18 the Director, NIH, \$1,731,152,000, of which  
19 \$300,000,000 shall be derived by transfer from the Fund  
20 established by Public Law 110–161, division G, title II,  
21 section 223, and of which up to \$40,000,000 may be used  
22 to carry out section 215 of this Act: *Provided*, That fund-  
23 ing shall be available for the purchase of not to exceed  
24 29 passenger motor vehicles for replacement only: *Pro-*  
25 *vided further*, That all funds credited to the NIH Manage-

1 ment Fund shall remain available for one fiscal year after  
2 the fiscal year in which they are deposited: *Provided fur-*  
3 *ther*, That \$790,542,000 shall be available for the Com-  
4 mon Fund established under section 402A(c)(1) of the  
5 PHS Act: *Provided further*, That of the funds provided,  
6 \$10,000 shall be for official reception and representation  
7 expenses when specifically approved by the Director of the  
8 NIH: *Provided further*, That the Office of AIDS Research  
9 within the Office of the Director of the NIH may spend  
10 up to \$8,000,000 to make grants for construction or ren-  
11 ovation of facilities as provided for in section  
12 2354(a)(5)(B) of the PHS Act: *Provided further*, That  
13 \$25,000,000 shall be used to carry out section 404I of  
14 the PHS Act (42 U.S.C. 283k), relating to biomedical and  
15 behavioral research facilities: *Provided further*, That up to  
16 \$230,000,000 of the funds provided to the Common Fund  
17 are available to support the trans-NIH Precision Medicine  
18 Initiative: *Provided further*, That, of the funds from Insti-  
19 tute, Center, and Office of the Director accounts within  
20 “Department of Health and Human Services, National In-  
21 stitutes of Health,” in order to strengthen privacy protec-  
22 tions for human research participants, NIH shall require  
23 investigators receiving NIH funding for new and com-  
24 peting research projects designed to generate and analyze

1 large volumes of data derived from human research par-  
 2 ticipants to obtain a certificate of confidentiality.

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

11                                   BUILDINGS AND FACILITIES

12       For the study of, construction of, renovation of, and  
 13 acquisition of equipment for, facilities of or used by NIH,  
 14 including the acquisition of real property, \$128,863,000,  
 15 to remain available through September 30, 2021.

16                                   SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

17   ADMINISTRATION

18   MENTAL HEALTH

19       For carrying out titles III, V, and XIX of the PHS  
 20 Act with respect to mental health, and the Protection and  
 21 Advocacy for Individuals with Mental Illness Act,  
 22 \$1,136,998,000: *Provided*, That notwithstanding section  
 23 520A(f)(2) of the PHS Act, no funds appropriated for car-  
 24 rying out section 520A shall be available for carrying out  
 25 section 1971 of the PHS Act: *Provided further*, That in

1 addition to amounts provided herein, \$21,039,000 shall be  
2 available under section 241 of the PHS Act to carry out  
3 subpart I of part B of title XIX of the PHS Act to fund  
4 section 1920(b) technical assistance, national data, data  
5 collection and evaluation activities, and further that the  
6 total available under this Act for section 1920(b) activities  
7 shall not exceed 5 percent of the amounts appropriated  
8 for subpart I of part B of title XIX: *Provided further*, That  
9 section 520E(b)(2) of the PHS Act shall not apply to  
10 funds appropriated in this Act for fiscal year 2017: *Pro-*  
11 *vided further*, That of the amount appropriated under this  
12 heading, \$46,887,000 shall be for the National Child  
13 Traumatic Stress Initiative as described in section 582 of  
14 the PHS Act: *Provided further*, That notwithstanding sec-  
15 tion 565(b)(1) of the PHS Act, technical assistance may  
16 be provided to a public entity to establish or operate a  
17 system of comprehensive community mental health serv-  
18 ices to children with a serious emotional disturbance, with-  
19 out regard to whether the public entity receives a grant  
20 under section 561(a) of such Act: *Provided further*, That  
21 States shall expend at least 10 percent of the amount each  
22 receives for carrying out section 1911 of the PHS Act to  
23 support evidence-based programs that address the needs  
24 of individuals with early serious mental illness, including  
25 psychotic disorders, regardless of the age of the individual

1 at onset: *Provided further*, That none of the funds pro-  
2 vided for section 1911 of the PHS Act shall be subject  
3 to section 241 of such Act: *Provided further*, That of the  
4 funds made available under this heading, \$15,000,000  
5 shall be to carry out section 224 of the Protecting Access  
6 to Medicare Act of 2014 (Public Law 113–93; 42 U.S.C.  
7 290aa 22 note).

8 SUBSTANCE ABUSE TREATMENT

9 For carrying out titles III, V, and XIX of the PHS  
10 Act with respect to substance abuse treatment and section  
11 1922(a) of the PHS Act with respect to substance abuse  
12 prevention, \$2,113,363,000: *Provided*, That in addition to  
13 amounts provided herein, the following amounts shall be  
14 available under section 241 of the PHS Act: (1)  
15 \$79,200,000 to carry out subpart II of part B of title XIX  
16 of the PHS Act to fund section 1935(b) technical assist-  
17 ance, national data, data collection and evaluation activi-  
18 ties, and further that the total available under this Act  
19 for section 1935(b) activities shall not exceed 5 percent  
20 of the amounts appropriated for subpart II of part B of  
21 title XIX; and (2) \$2,000,000 to evaluate substance abuse  
22 treatment programs: *Provided further*, That none of the  
23 funds provided for section 1921 of the PHS Act shall be  
24 subject to section 241 of such Act.



1 through September 30, 2018: *Provided further*, That funds  
 2 made available under this heading may be used to supple-  
 3 ment program support funding provided under the head-  
 4 ings “Mental Health”, “Substance Abuse Treatment”,  
 5 and “Substance Abuse Prevention”.

6 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

7 HEALTHCARE RESEARCH AND QUALITY

8 For carrying out titles III and IX of the PHS Act,  
 9 part A of title XI of the Social Security Act, and section  
 10 1013 of the Medicare Prescription Drug, Improvement,  
 11 and Modernization Act of 2003, \$324,000,000: *Provided*,  
 12 That section 947(c) of the PHS Act shall not apply in  
 13 fiscal year 2017: *Provided further*, That in addition,  
 14 amounts received from Freedom of Information Act fees,  
 15 reimbursable and interagency agreements, and the sale of  
 16 data shall be credited to this appropriation and shall re-  
 17 main available until expended.

18 CENTERS FOR MEDICARE AND MEDICAID SERVICES

19 GRANTS TO STATES FOR MEDICAID

20 For carrying out, except as otherwise provided, titles  
 21 XI and XIX of the Social Security Act, \$262,003,967,000,  
 22 to remain available until expended.

23 For making, after May 31, 2017, payments to States  
 24 under title XIX or in the case of section 1928 on behalf  
 25 of States under title XIX of the Social Security Act for

1 the last quarter of fiscal year 2017 for unanticipated costs  
2 incurred for the current fiscal year, such sums as may be  
3 necessary.

4 For making payments to States or in the case of sec-  
5 tion 1928 on behalf of States under title XIX of the Social  
6 Security Act for the first quarter of fiscal year 2018,  
7 \$125,219,452,000, to remain available until expended.

8 Payment under such title XIX may be made for any  
9 quarter with respect to a State plan or plan amendment  
10 in effect during such quarter, if submitted in or prior to  
11 such quarter and approved in that or any subsequent  
12 quarter.

13 PAYMENTS TO HEALTH CARE TRUST FUNDS

14 For payment to the Federal Hospital Insurance  
15 Trust Fund and the Federal Supplementary Medical In-  
16 surance Trust Fund, as provided under sections 217(g),  
17 1844, and 1860D–16 of the Social Security Act, sections  
18 103(e) and 111(d) of the Social Security Amendments of  
19 1965, section 278(d)(3) of Public Law 97–248, and for  
20 administrative expenses incurred pursuant to section  
21 201(g) of the Social Security Act, \$299,187,700,000.

22 In addition, for making matching payments under  
23 section 1844 and benefit payments under section 1860D–  
24 16 of the Social Security Act that were not anticipated  
25 in budget estimates, such sums as may be necessary.

## PROGRAM MANAGEMENT

1  
2 For carrying out, except as otherwise provided, titles  
3 XI, XVIII, XIX, and XXI of the Social Security Act, titles  
4 XIII and XXVII of the PHS Act, the Clinical Laboratory  
5 Improvement Amendments of 1988, and other responsibil-  
6 ities of the Centers for Medicare and Medicaid Services,  
7 not to exceed \$3,669,744,000, to be transferred from the  
8 Federal Hospital Insurance Trust Fund and the Federal  
9 Supplementary Medical Insurance Trust Fund, as author-  
10 ized by section 201(g) of the Social Security Act; together  
11 with all funds collected in accordance with section 353 of  
12 the PHS Act and section 1857(e)(2) of the Social Security  
13 Act, funds retained by the Secretary pursuant to section  
14 302 of the Tax Relief and Health Care Act of 2006; and  
15 such sums as may be collected from authorized user fees  
16 and the sale of data, which shall be credited to this ac-  
17 count and remain available until September 30, 2022: *Pro-*  
18 *vided*, That all funds derived in accordance with 31 U.S.C.  
19 9701 from organizations established under title XIII of  
20 the PHS Act shall be credited to and available for carrying  
21 out the purposes of this appropriation: *Provided further*,  
22 That the Secretary is directed to collect fees in fiscal year  
23 2017 from Medicare Advantage organizations pursuant to  
24 section 1857(e)(2) of the Social Security Act and from eli-  
25 gible organizations with risk-sharing contracts under sec-

1 tion 1876 of that Act pursuant to section 1876(k)(4)(D)  
2 of that Act.

3 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

4 In addition to amounts otherwise available for pro-  
5 gram integrity and program management, \$725,000,000,  
6 to remain available through September 30, 2018, to be  
7 transferred from the Federal Hospital Insurance Trust  
8 Fund and the Federal Supplementary Medical Insurance  
9 Trust Fund, as authorized by section 201(g) of the Social  
10 Security Act, of which \$486,935,000 shall be for the Medi-  
11 care Integrity Program at the Centers for Medicare and  
12 Medicaid Services, including administrative costs, to con-  
13 duct oversight activities for Medicare Advantage under  
14 Part C and the Medicare Prescription Drug Program  
15 under Part D of the Social Security Act and for activities  
16 described in section 1893(b) of such Act, of which  
17 \$79,355,000 shall be for the Department of Health and  
18 Human Services Office of Inspector General to carry out  
19 fraud and abuse activities authorized by section  
20 1817(k)(3) of such Act, of which \$79,355,000 shall be for  
21 the Medicaid and Children's Health Insurance Program  
22 ("CHIP") program integrity activities, and of which  
23 \$79,355,000 shall be for the Department of Justice to  
24 carry out fraud and abuse activities authorized by section  
25 1817(k)(3) of such Act: *Provided*, That the report re-

1 quired by section 1817(k)(5) of the Social Security Act  
 2 for fiscal year 2017 shall include measures of the oper-  
 3 ational efficiency and impact on fraud, waste, and abuse  
 4 in the Medicare, Medicaid, and CHIP programs for the  
 5 funds provided by this appropriation: *Provided further*,  
 6 That of the amount provided under this heading,  
 7 \$311,000,000 is provided to meet the terms of section  
 8 251(b)(2)(C)(ii) of the Balanced Budget and Emergency  
 9 Deficit Control Act of 1985, as amended, and  
 10 \$414,000,000 is additional new budget authority specified  
 11 for purposes of section 251(b)(2)(C) of such Act: *Provided*  
 12 *further*, That the Secretary shall support the full cost of  
 13 the Senior Medicare Patrol program to combat health care  
 14 fraud and abuse from the funds provided to this account.

15 ADMINISTRATION FOR CHILDREN AND FAMILIES

16 PAYMENTS TO STATES FOR CHILD SUPPORT

17 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

18 For carrying out, except as otherwise provided, titles  
 19 I, IV–D, X, XI, XIV, and XVI of the Social Security Act  
 20 and the Act of July 5, 1960, \$3,010,631,000, to remain  
 21 available until expended; and for such purposes for the  
 22 first quarter of fiscal year 2018, \$1,400,000,000, to re-  
 23 main available until expended.

24 For carrying out, after May 31 of the current fiscal  
 25 year, except as otherwise provided, titles I, IV–D, X, XI,

1 XIV, and XVI of the Social Security Act and the Act of  
2 July 5, 1960, for the last 3 months of the current fiscal  
3 year for unanticipated costs, incurred for the current fiscal  
4 year, such sums as may be necessary.

5 LOW INCOME HOME ENERGY ASSISTANCE

6 For making payments under subsections (b) and (d)  
7 of section 2602 of the Low Income Home Energy Assist-  
8 ance Act of 1981, \$3,390,304,000: *Provided*, That all but  
9 \$491,000,000 of this amount shall be allocated as though  
10 the total appropriation for such payments for fiscal year  
11 2017 was less than \$1,975,000,000: *Provided further*,  
12 That notwithstanding section 2609A(a), of the amounts  
13 appropriated under section 2602(b), not more than  
14 \$2,988,000 of such amounts may be reserved by the Sec-  
15 retary for technical assistance, training, and monitoring  
16 of program activities for compliance with internal controls,  
17 policies and procedures and may, in addition to the au-  
18 thorities provided in section 2609A(a)(1), use such funds  
19 through contracts with private entities that do not qualify  
20 as nonprofit organizations.

21 REFUGEE AND ENTRANT ASSISTANCE

22 For necessary expenses for refugee and entrant as-  
23 sistance activities authorized by section 414 of the Immi-  
24 gration and Nationality Act and section 501 of the Ref-  
25 ugee Education Assistance Act of 1980, and for carrying

1 out section 462 of the Homeland Security Act of 2002,  
2 section 235 of the William Wilberforce Trafficking Victims  
3 Protection Reauthorization Act of 2008, the Trafficking  
4 Victims Protection Act of 2000 (“TVPA”), and the Tor-  
5 ture Victims Relief Act of 1998, \$1,674,691,000, of which  
6 \$1,645,201,000 shall remain available through September  
7 30, 2019 for carrying out such sections 414, 501, 462,  
8 and 235: *Provided*, That amounts available under this  
9 heading to carry out the TVPA shall also be available for  
10 research and evaluation with respect to activities under  
11 such Act, and for the national communications system  
12 under section 107(b)(1)(B)(ii) of such Act to assist vic-  
13 tims of severe forms of trafficking in persons: *Provided*  
14 *further*, That the limitation in section 205 of this Act re-  
15 garding transfers increasing any appropriation shall apply  
16 to transfers to appropriations under this heading by sub-  
17 stituting “10 percent” for “3 percent”.

18 PAYMENTS TO STATES FOR THE CHILD CARE AND

19 DEVELOPMENT BLOCK GRANT

20 For carrying out the Child Care and Development  
21 Block Grant Act of 2014 (“CCDBG Act”),  
22 \$2,786,000,000 shall be used to supplement, not supplant  
23 State general revenue funds for child care assistance for  
24 low-income families: *Provided*, That technical assistance  
25 under section 658I(a)(3) of such Act may be provided di-

1 rectly, or through the use of contracts, grants, cooperative  
2 agreements, or interagency agreements: *Provided further*,  
3 That all funds made available to carry out section 418  
4 of the Social Security Act (42 U.S.C. 618), including  
5 funds appropriated for that purpose in such section 418  
6 or any other provision of law, shall be subject to the res-  
7 ervation of funds authority in paragraphs (4) and (5) of  
8 section 6580(a) of the CCDBG Act.

9 SOCIAL SERVICES BLOCK GRANT

10 For making grants to States pursuant to section  
11 2002 of the Social Security Act, \$1,700,000,000: *Pro-*  
12 *vided*, That notwithstanding subparagraph (B) of section  
13 404(d)(2) of such Act, the applicable percent specified  
14 under such subparagraph for a State to carry out State  
15 programs pursuant to title XX–A of such Act shall be 10  
16 percent.

17 CHILDREN AND FAMILIES SERVICES PROGRAMS

18 For carrying out, except as otherwise provided, the  
19 Runaway and Homeless Youth Act, the Head Start Act,  
20 the Every Student Succeeds Act, the Child Abuse Preven-  
21 tion and Treatment Act, sections 303 and 313 of the  
22 Family Violence Prevention and Services Act, the Native  
23 American Programs Act of 1974, title II of the Child  
24 Abuse Prevention and Treatment and Adoption Reform  
25 Act of 1978 (adoption opportunities), part B–1 of title IV

1 and sections 429, 473A, 477(i), 1110, 1114A, and 1115  
2 of the Social Security Act, the Community Services Block  
3 Grant Act (“CSBG Act”), and the Assets for Independ-  
4 ence Act; for necessary administrative expenses to carry  
5 out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the  
6 Social Security Act, the Act of July 5, 1960, the Omnibus  
7 Budget Reconciliation Act of 1981, title IV of the Immi-  
8 gration and Nationality Act, and section 501 of the Ref-  
9 ugee Education Assistance Act of 1980; and for the ad-  
10 ministration of prior year obligations made by the Admin-  
11 istration for Children and Families under the Develop-  
12 mental Disabilities Assistance and Bill of Rights Act and  
13 the Help America Vote Act of 2002, \$11,214,935,000, of  
14 which \$37,943,000, to remain available through Sep-  
15 tember 30, 2018, shall be for grants to States for adoption  
16 and legal guardianship incentive payments, as defined by  
17 section 473A of the Social Security Act and may be made  
18 for adoptions and legal guardianships completed before  
19 September 30, 2017: *Provided*, That \$9,203,095,000 shall  
20 be for making payments under the Head Start Act: *Pro-*  
21 *vided further*, That of the amount in the previous proviso,  
22 \$8,543,095,000 shall be available for payments under sec-  
23 tion 640 of the Head Start Act, of which \$35,000,000  
24 shall be available for a cost of living adjustment notwith-  
25 standing section 640(a)(3)(A) of such Act: *Provided fur-*

1 *ther*, That of the amount provided for making payments  
2 under the Head Start Act, \$25,000,000 shall be available  
3 for allocation by the Secretary to supplement activities de-  
4 scribed in paragraphs (7)(B) and (9) of section 641(c) of  
5 such Act under the Designation Renewal System, estab-  
6 lished under the authority of sections 641(c)(7),  
7 645A(b)(12) and 645A(d) of such Act: *Provided further*,  
8 That notwithstanding such section 640, of the amount  
9 provided for making payments under the Head Start Act,  
10 and in addition to funds otherwise available under such  
11 section 640, \$635,000,000 shall be available through  
12 March 31, 2018 for Early Head Start programs as de-  
13 scribed in section 645A of such Act, for conversion of  
14 Head Start services to Early Head Start services as de-  
15 scribed in section 645(a)(5)(A) of such Act, for discre-  
16 tionary grants for high quality infant and toddler care  
17 through Early Head Start-Child Care Partnerships, to en-  
18 titles defined as eligible under section 645A(d) of such  
19 Act, for training and technical assistance for such activi-  
20 ties, and for up to \$14,000,000 in Federal costs of admin-  
21 istration and evaluation, and, notwithstanding section  
22 645A(c)(2) of such Act, these funds are available to serve  
23 children under age 4: *Provided further*, That funds de-  
24 scribed in the preceding two provisos shall not be included  
25 in the calculation of “base grant” in subsequent fiscal

1 years, as such term is used in section 640(a)(7)(A) of such  
2 Act: *Provided further*, That \$250,000,000 shall be avail-  
3 able until December 31, 2017 for carrying out sections  
4 9212 and 9213 of the Every Student Succeeds Act: *Pro-*  
5 *vided further*, That up to 3 percent of the funds in the  
6 previous proviso shall be available for technical assistance,  
7 evaluation, and other national activities related to such  
8 grants: *Provided further*, That \$715,000,000 shall be for  
9 making payments under the CSBG Act: *Provided further*,  
10 That no more than \$350,000 shall be reserved under sec-  
11 tion 674(b)(3) of the CSBG Act, all of which shall be  
12 available solely for carrying out section 678E(b)(2) of  
13 such Act: *Provided further*, That, notwithstanding section  
14 675C(a)(3) of the CSBG Act, to the extent Community  
15 Services Block Grant funds are distributed as grant funds  
16 by a State to an eligible entity as provided under such  
17 Act, and have not been expended by such entity, they shall  
18 remain with such entity for carryover into the next fiscal  
19 year for expenditure by such entity consistent with pro-  
20 gram purposes: *Provided further*, That the Secretary shall  
21 issue performance standards for entities receiving funds  
22 from State and territorial grantees under the CSBG Act,  
23 and such States and territories shall assure the implemen-  
24 tation of such standards prior to September 30, 2017, and  
25 include information on such implementation in the report

1 required by section 678E(a)(2) of such Act: *Provided fur-*  
2 *ther*, That \$1,864,000 shall be for a human services case  
3 management system for federally declared disasters, to in-  
4 clude a comprehensive national case management contract  
5 and Federal costs of administering the system: *Provided*  
6 *further*, That up to \$2,000,000 shall be for improving the  
7 Public Assistance Reporting Information System, includ-  
8 ing grants to States to support data collection for a study  
9 of the system's effectiveness.

10 PROMOTING SAFE AND STABLE FAMILIES

11 For carrying out, except as otherwise provided, sec-  
12 tion 436 of the Social Security Act, \$325,000,000 and,  
13 for carrying out, except as otherwise provided, section 437  
14 of such Act, \$59,765,000: *Provided*, That notwithstanding  
15 sections 438(c)(3)(A) and 436(b)(2) of such Act,  
16 \$10,000,000 shall be available for such section 436(b)(2),  
17 of which no funds shall be available for carrying out sec-  
18 tions 438(c)(3)(A)(ii) and (iii) of such Act.

19 PAYMENTS FOR FOSTER CARE AND PERMANENCY

20 For carrying out, except as otherwise provided, title  
21 IV–E of the Social Security Act, \$5,764,000,000.

22 For carrying out, except as otherwise provided, title  
23 IV–E of the Social Security Act, for the first quarter of  
24 fiscal year 2018, \$2,500,000,000.

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

6 ADMINISTRATION FOR COMMUNITY LIVING  
7 AGING AND DISABILITY SERVICES PROGRAMS  
8 (INCLUDING TRANSFER OF FUNDS)

9 For carrying out, to the extent not otherwise pro-  
10 vided, the Older Americans Act of 1965 (“OAA”), titles  
11 III and XXIX of the PHS Act, sections 1252 and 1253  
12 of the PHS Act, section 119 of the Medicare Improve-  
13 ments for Patients and Providers Act of 2008, title XX–  
14 B of the Social Security Act, the Developmental Disabil-  
15 ities Assistance and Bill of Rights Act, parts 2 and 5 of  
16 subtitle D of title II of the Help America Vote Act of  
17 2002, the Assistive Technology Act of 1998, titles II and  
18 VII (and section 14 with respect to such titles) of the Re-  
19 habilitation Act of 1973, and for Department-wide coordi-  
20 nation of policy and program activities that assist individ-  
21 uals with disabilities, \$1,907,735,000: *Provided*, That  
22 amounts appropriated under this heading may be used for  
23 grants to States under section 361 of the OAA only for  
24 disease prevention and health promotion programs and ac-  
25 tivities which have been demonstrated through rigorous

1 evaluation to be evidence-based and effective: *Provided*  
2 *further*, That of amounts made available under this head-  
3 ing to carry out sections 311, 331, and 336 of the OAA,  
4 up to one percent of such amounts shall be available for  
5 developing and implementing evidence-based practices for  
6 enhancing senior nutrition: *Provided further*, That not-  
7 withstanding any other provision of this Act, funds made  
8 available under this heading to carry out section 311 of  
9 the OAA may be transferred to the Secretary of Agri-  
10 culture in accordance with such section: *Provided further*,  
11 That none of the funds made available under this heading  
12 may be used by an eligible system (as defined in section  
13 102 of the Protection and Advocacy for Individuals with  
14 Mental Illness Act (42 U.S.C. 10802)) to continue to pur-  
15 sue any legal action in a Federal or State court on behalf  
16 of an individual or group of individuals with a develop-  
17 mental disability (as defined in section 102(8)(A) of the  
18 Developmental Disabilities and Assistance and Bill of  
19 Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is at-  
20 tributable to a mental impairment (or a combination of  
21 mental and physical impairments), that has as the re-  
22 quested remedy the closure of State operated intermediate  
23 care facilities for people with intellectual or developmental  
24 disabilities, unless reasonable public notice of the action  
25 has been provided to such individuals (or, in the case of

1 mental incapacitation, the legal guardians who have been  
2 specifically awarded authority by the courts to make  
3 healthcare and residential decisions on behalf of such indi-  
4 viduals) who are affected by such action, within 90 days  
5 of instituting such legal action, which informs such indi-  
6 viduals (or such legal guardians) of their legal rights and  
7 how to exercise such rights consistent with current Fed-  
8 eral Rules of Civil Procedure: *Provided further*, That the  
9 limitations in the immediately preceding proviso shall not  
10 apply in the case of an individual who is neither competent  
11 to consent nor has a legal guardian, nor shall the proviso  
12 apply in the case of individuals who are a ward of the  
13 State or subject to public guardianship.

14 OFFICE OF THE SECRETARY

15 GENERAL DEPARTMENTAL MANAGEMENT

16 For necessary expenses, not otherwise provided, for  
17 general departmental management, including hire of six  
18 passenger motor vehicles, and for carrying out titles III,  
19 XVII, XXI, and section 229 of the PHS Act, the United  
20 States-Mexico Border Health Commission Act, and re-  
21 search studies under section 1110 of the Social Security  
22 Act, \$444,919,000, together with \$64,828,000 from the  
23 amounts available under section 241 of the PHS Act to  
24 carry out national health or human services research and  
25 evaluation activities: *Provided*, That of this amount,

1 \$48,000,000 shall be for minority AIDS prevention and  
2 treatment activities: *Provided further*, That of the funds  
3 made available under this heading, \$101,000,000 shall be  
4 for making competitive contracts and grants to public and  
5 private entities to fund medically accurate and age appro-  
6 priate programs that reduce teen pregnancy and for the  
7 Federal costs associated with administering and evalu-  
8 ating such contracts and grants, of which not more than  
9 10 percent of the available funds shall be for training and  
10 technical assistance, evaluation, outreach, and additional  
11 program support activities, and of the remaining amount  
12 75 percent shall be for replicating programs that have  
13 been proven effective through rigorous evaluation to re-  
14 duce teenage pregnancy, behavioral risk factors underlying  
15 teenage pregnancy, or other associated risk factors, and  
16 25 percent shall be available for research and demonstra-  
17 tion grants to develop, replicate, refine, and test additional  
18 models and innovative strategies for preventing teenage  
19 pregnancy: *Provided further*, That of the amounts pro-  
20 vided under this heading from amounts available under  
21 section 241 of the PHS Act, \$6,800,000 shall be available  
22 to carry out evaluations (including longitudinal evalua-  
23 tions) of teenage pregnancy prevention approaches: *Pro-*  
24 *vided further*, That of the funds made available under this  
25 heading, \$15,000,000 shall be for making competitive

1 grants which exclusively implement education in sexual  
2 risk avoidance (defined as voluntarily refraining from non-  
3 marital sexual activity): *Provided further*, That funding for  
4 such competitive grants for sexual risk avoidance shall use  
5 medically accurate information referenced to peer-re-  
6 viewed publications by educational, scientific, govern-  
7 mental, or health organizations; implement an evidence-  
8 based approach integrating research findings with prac-  
9 tical implementation that aligns with the needs and de-  
10 sired outcomes for the intended audience; and teach the  
11 benefits associated with self-regulation, success sequenc-  
12 ing for poverty prevention, healthy relationships, goal set-  
13 ting, and resisting sexual coercion, dating violence, and  
14 other youth risk behaviors such as underage drinking or  
15 illicit drug use without normalizing teen sexual activity:  
16 *Provided further*, That no more than 10 percent of the  
17 funding for such competitive grants for sexual risk avoid-  
18 ance shall be available for technical assistance and admin-  
19 istrative costs of such programs: *Provided further*, That  
20 funds provided in this Act for embryo adoption activities  
21 may be used to provide to individuals adopting embryos,  
22 through grants and other mechanisms, medical and ad-  
23 ministrative services deemed necessary for such adoptions:  
24 *Provided further*, That such services shall be provided con-  
25 sistent with 42 CFR 59.5(a)(4).

## 1 OFFICE OF MEDICARE HEARINGS AND APPEALS

2 For expenses necessary for the Office of Medicare  
3 Hearings and Appeals, \$112,381,000, to be transferred in  
4 appropriate part from the Federal Hospital Insurance  
5 Trust Fund and the Federal Supplementary Medical In-  
6 surance Trust Fund.

## 7 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH

## 8 INFORMATION TECHNOLOGY

9 For expenses necessary for the Office of the National  
10 Coordinator for Health Information Technology, including  
11 grants, contracts, and cooperative agreements for the de-  
12 velopment and advancement of interoperable health infor-  
13 mation technology, \$60,367,000.

## 14 OFFICE OF INSPECTOR GENERAL

15 For expenses necessary for the Office of Inspector  
16 General, including the hire of passenger motor vehicles for  
17 investigations, in carrying out the provisions of the Inspec-  
18 tor General Act of 1978, \$75,000,000: *Provided*, That of  
19 such amount, necessary sums shall be available for pro-  
20 viding protective services to the Secretary and inves-  
21 tigating non-payment of child support cases for which non-  
22 payment is a Federal offense under 18 U.S.C. 228.

## 23 OFFICE FOR CIVIL RIGHTS

24 For expenses necessary for the Office for Civil  
25 Rights, \$38,798,000.



1 the discretion of the Secretary, be deposited in the Stra-  
2 tegic National Stockpile pursuant to section 319F-2 of  
3 the PHS Act: *Provided further*, That \$5,000,000 of the  
4 amounts made available to support emergency operations  
5 shall remain available through September 30, 2019.

6 For expenses necessary for procuring security coun-  
7 termeasures (as defined in section 319F-2(c)(1)(B) of the  
8 PHS Act), \$510,000,000, to remain available until ex-  
9 pended.

10 For an additional amount for expenses necessary to  
11 prepare for or respond to an influenza pandemic,  
12 \$57,000,000; of which \$40,000,000 shall be available until  
13 expended, for activities including the development and  
14 purchase of vaccine, antivirals, necessary medical supplies,  
15 diagnostics, and other surveillance tools: *Provided*, That  
16 notwithstanding section 496(b) of the PHS Act, funds  
17 may be used for the construction or renovation of privately  
18 owned facilities for the production of pandemic influenza  
19 vaccines and other biologics, if the Secretary finds such  
20 construction or renovation necessary to secure sufficient  
21 supplies of such vaccines or biologics.

## 22 GENERAL PROVISIONS

23 SEC. 201. Funds appropriated in this title shall be  
24 available for not to exceed \$50,000 for official reception

1 and representation expenses when specifically approved by  
2 the Secretary.

3 SEC. 202. None of the funds appropriated in this title  
4 shall be used to pay the salary of an individual, through  
5 a grant or other extramural mechanism, at a rate in excess  
6 of Executive Level II.

7 SEC. 203. None of the funds appropriated in this Act  
8 may be expended pursuant to section 241 of the PHS Act,  
9 except for funds specifically provided for in this Act, or  
10 for other taps and assessments made by any office located  
11 in HHS, prior to the preparation and submission of a re-  
12 port by the Secretary to the Committees on Appropria-  
13 tions of the House of Representatives and the Senate de-  
14 tailing the planned uses of such funds.

15 SEC. 204. Notwithstanding section 241(a) of the  
16 PHS Act, such portion as the Secretary shall determine,  
17 but not more than 2.6 percent, of any amounts appro-  
18 priated for programs authorized under such Act or any  
19 amounts derived by transfer in this Act under the heading  
20 “National Institutes of Health” shall be made available  
21 for the evaluation (directly, or by grants or contracts) and  
22 the implementation and effectiveness of programs funded  
23 in this title.

## (TRANSFER OF FUNDS)

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

15       SEC. 206. In lieu of the timeframe specified in section  
16 338E(c)(2) of the PHS Act, terminations described in  
17 such section may occur up to 60 days after the execution  
18 of a contract awarded in fiscal year 2017 under section  
19 338B of such Act.

20       SEC. 207. None of the funds appropriated in this Act  
21 may be made available to any entity under title X of the  
22 PHS Act unless the applicant for the award certifies to  
23 the Secretary that it encourages family participation in  
24 the decision of minors to seek family planning services and

1 that it provides counseling to minors on how to resist at-  
2 tempts to coerce minors into engaging in sexual activities.

3       SEC. 208. Notwithstanding any other provision of  
4 law, no provider of services under title X of the PHS Act  
5 shall be exempt from any State law requiring notification  
6 or the reporting of child abuse, child molestation, sexual  
7 abuse, rape, or incest.

8       SEC. 209. None of the funds appropriated by this Act  
9 (including funds appropriated to any trust fund) may be  
10 used to carry out the Medicare Advantage program if the  
11 Secretary denies participation in such program to an oth-  
12 erwise eligible entity (including a Provider Sponsored Or-  
13 ganization) because the entity informs the Secretary that  
14 it will not provide, pay for, provide coverage of, or provide  
15 referrals for abortions: *Provided*, That the Secretary shall  
16 make appropriate prospective adjustments to the capita-  
17 tion payment to such an entity (based on an actuarially  
18 sound estimate of the expected costs of providing the serv-  
19 ice to such entity's enrollees): *Provided further*, That noth-  
20 ing in this section shall be construed to change the Medi-  
21 care program's coverage for such services and a Medicare  
22 Advantage organization described in this section shall be  
23 responsible for informing enrollees where to obtain infor-  
24 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 2017:

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-



## (TRANSFER OF FUNDS)

1

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

10       SEC. 215. (a) AUTHORITY.—Notwithstanding any  
11 other provision of law, the Director of NIH (“Director”)  
12 may use funds available under section 402(b)(7) or  
13 402(b)(12) of the PHS Act to enter into transactions  
14 (other than contracts, cooperative agreements, or grants)  
15 to carry out research identified pursuant to such section  
16 402(b)(7) (pertaining to the Common Fund) or research  
17 and activities described in such section 402(b)(12).

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

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

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

9 (TRANSFER OF FUNDS)

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

21 SEC. 218. In addition to amounts provided herein,  
22 payments made for research organisms or substances, au-  
23 thorized under section 301(a) of the PHS Act, shall be  
24 retained and credited to the appropriations accounts of the  
25 Institutes and Centers of the NIH making the substance

1 or organism available under section 301(a). When such  
2 substances and organisms are made available through con-  
3 tractors, the Director may direct such contractors to col-  
4 lect such payments on behalf of the NIH and forward  
5 amounts so collected to the NIH in the time and manner  
6 specified by the Director. Amounts credited to the account  
7 under this authority shall be available for obligation  
8 through September 30, 2018.

9       SEC. 219. (a) The Biomedical Advanced Research  
10 and Development Authority (“BARDA”) may enter into  
11 a contract, for more than one but no more than 10 pro-  
12 gram years, for purchase of research services or of security  
13 countermeasures, as that term is defined in section 319F-  
14 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)),  
15 if—

16           (1) funds are available and obligated—

17                   (A) for the full period of the contract or  
18                   for the first fiscal year in which the contract is  
19                   in effect; and

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

22           (2) the Secretary determines that a multi-year  
23           contract will serve the best interests of the Federal  
24           Government by encouraging full and open competi-

1       tion or promoting economy in administration, per-  
2       formance, and operation of BARDA’s programs.

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

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

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

9       SEC. 220. (a) The Secretary shall establish a publicly  
10      accessible Web site to provide information regarding the  
11      uses of funds made available under section 4002 of the  
12      Patient Protection and Affordable Care Act of 2010  
13      (“ACA”).

14      (b) With respect to funds provided under section  
15      4002 of the ACA, the Secretary shall include on the Web  
16      site established under subsection (a) at a minimum the  
17      following information:

18             (1) In the case of each transfer of funds under  
19      section 4002(c), a statement indicating the program  
20      or activity receiving funds, the operating division or  
21      office that will administer the funds, and the  
22      planned uses of the funds, to be posted not later  
23      than the day after the transfer is made.

24             (2) Identification (along with a link to the full  
25      text) of each funding opportunity announcement, re-

1       quest for proposals, or other announcement or solici-  
2       tation of proposals for grants, cooperative agree-  
3       ments, or contracts intended to be awarded using  
4       such funds, to be posted not later than the day after  
5       the announcement or solicitation is issued.

6           (3) Identification of each grant, cooperative  
7       agreement, or contract with a value of \$25,000 or  
8       more awarded using such funds, including the pur-  
9       pose of the award and the identity of the recipient,  
10      to be posted not later than 5 days after the award  
11      is made.

12          (4) A report detailing the uses of all funds  
13      transferred under section 4002(c) during the fiscal  
14      year, to be posted not later than 90 days after the  
15      end of the fiscal year.

16          (c) With respect to awards made in fiscal years 2013  
17      through 2017, the Secretary shall also include on the Web  
18      site established under subsection (a), semi-annual reports  
19      from each entity awarded a grant, cooperative agreement,  
20      or contract from such funds with a value of \$25,000 or  
21      more, summarizing the activities undertaken and identi-  
22      fying any sub-grants or sub-contracts awarded (including  
23      the purpose of the award and the identity of the recipient),  
24      to be posted not later than 30 days after the end of each  
25      6-month period.

1 (d) In carrying out this section, the Secretary shall—

2 (1) present the information required in sub-  
3 section (b)(1) on a single webpage or on a single  
4 database;

5 (2) ensure that all information required in this  
6 section is directly accessible from the single webpage  
7 or database; and

8 (3) ensure that all information required in this  
9 section is able to be organized by program or State.

10 (TRANSFER OF FUNDS)

11 SEC. 221. (a) Within 45 days of enactment of this  
12 Act, the Secretary shall transfer funds appropriated under  
13 section 4002 of the ACA to the accounts specified, in the  
14 amounts specified, and for the activities specified under  
15 the heading “Prevention and Public Health Fund” in the  
16 report accompanying this Act.

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

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

22 SEC. 222. (a) The Secretary shall publish in the fiscal  
23 year 2018 budget justification and on Departmental Web  
24 sites information concerning the employment of full-time  
25 equivalent Federal employees or contractors for the pur-

1 poses of implementing, administering, enforcing, or other-  
2 wise carrying out the provisions of the ACA, and the  
3 amendments made by that Act, in the proposed fiscal year  
4 and each fiscal year since the enactment of the ACA.

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

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

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

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

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

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

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

7           SEC. 223. The Secretary shall publish, as part of the  
8           fiscal year 2018 budget of the President submitted under  
9           section 1105(a) of title 31, United States Code, informa-  
10          tion that details the uses of all funds used by the Centers  
11          for Medicare and Medicaid Services specifically for Health  
12          Insurance Exchanges for each fiscal year since the enact-  
13          ment of the ACA and the proposed uses for such funds  
14          for fiscal year 2018. Such information shall include, for  
15          each such fiscal year, the amount of funds used for each  
16          activity specified under the heading “Health Insurance  
17          Exchange Transparency” in the report accompanying this  
18          Act.

19          SEC. 224. (a) The Secretary shall provide to the  
20          Committees on Appropriations of the House of Represent-  
21          atives and the Senate:

22                 (1) Detailed monthly enrollment figures from  
23                 the Exchanges established under the Patient Protec-  
24                 tion and Affordable Care Act of 2010 pertaining to  
25                 enrollments during the open enrollment period; and

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

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

8           SEC. 225. None of the funds made available by this  
9           Act from the Federal Hospital Insurance Trust Fund or  
10          the Federal Supplemental Medical Insurance Trust Fund,  
11          or transferred from other accounts funded by this Act to  
12          the “Centers for Medicare and Medicaid Services—Pro-  
13          gram Management” account, may be used for payments  
14          under section 1342(b)(1) of Public Law 111–148 (relating  
15          to risk corridors).

16          SEC. 226. In addition to the amounts otherwise avail-  
17          able for “Centers for Medicare and Medicaid Services,  
18          Program Management”, the Secretary of Health and  
19          Human Services may transfer up to \$305,000,000 to such  
20          account from the Federal Hospital Insurance Trust Fund  
21          and the Federal Supplementary Medical Insurance Trust  
22          Fund to support program management activity related to  
23          the Medicare Program: *Provided*, That except for the fore-  
24          going purpose, such funds may not be used to support any  
25          provision of Public Law 111–148 or Public Law 111–152

1 (or any amendment made by either such Public Law) or  
2 to supplant any other amounts within such account.

3 SEC. 227. The Secretary shall include in the fiscal  
4 year 2018 budget justification an analysis of how section  
5 2713 of the PHS Act will impact eligibility for discre-  
6 tionary HHS programs.

7 SEC. 228. Effective during the period beginning on  
8 November 1, 2015 and ending January 1, 2019, any pro-  
9 vision of law that refers (including through cross-reference  
10 to another provision of law) to the current recommenda-  
11 tions of the United States Preventive Services Task Force  
12 with respect to breast cancer screening, mammography,  
13 and prevention shall be administered by the Secretary in-  
14 volved as if—

15 (1) such reference to such current recommenda-  
16 tions were a reference to the recommendations of  
17 such Task Force with respect to breast cancer  
18 screening, mammography, and prevention last issued  
19 before 2009; and

20 (2) such recommendations last issued before  
21 2009 applied to any screening mammography modal-  
22 ity under section 1861(jj) of the Social Security Act  
23 (42 U.S.C. 1395x(jj)).

1       SEC. 229. Section 1848(b) of the Social Security Act  
2 (42 U.S.C. 1395w-4(b)) is amended by adding at the end  
3 the following new paragraph:

4           “(12) ENCOURAGING CARE MANAGEMENT FOR  
5 INDIVIDUALS WITH ALZHEIMER’S DISEASE OR RE-  
6 LATED DEMENTIAS.—

7           “(A) IN GENERAL.—In order to care for  
8 individuals with Alzheimer’s disease or related  
9 dementias the Secretary shall, subject to sub-  
10 paragraphs (B) and (C), make payment (as the  
11 Secretary determines to be appropriate) under  
12 this section for a care planning session fur-  
13 nished on or after January 1, 2018, by a physi-  
14 cian (as defined in section 1861(r)(1)), physi-  
15 cian assistant or nurse practitioner (as defined  
16 in section 1861(aa)(5)(A)), clinical nurse spe-  
17 cialist (as defined in section 1861(aa)(5)(B)),  
18 or other practitioners deemed appropriate by  
19 the Secretary.

20           “(B) POLICIES RELATING TO PAYMENT.—  
21 In carrying out this paragraph, the Secretary  
22 shall—

23           “(i) make payment to only one appli-  
24 cable provider for a care planning session

1 furnished to a beneficiary diagnosed with  
2 Alzheimer's or related dementia;

3 “(ii) not make payment under sub-  
4 paragraph (A) if such payment would be  
5 duplicative of payment that is otherwise  
6 made under this title; and

7 “(iii) not require that an annual  
8 wellness visit (as defined in section  
9 1861(hhh)) or an initial preventive phys-  
10 ical examination (as defined in section  
11 1861(ww)) be furnished as a condition of  
12 payment for such care planning session.

13 “(C) REQUIREMENTS.—A care planning  
14 session provided under this paragraph shall in-  
15 clude the following:

16 “(i) An explanation of Alzheimer's  
17 disease or related dementias, as well as the  
18 expected progression of the disease and re-  
19 lated dementias as appropriate.

20 “(ii) Creation of a patient-centered  
21 comprehensive care plan, as determined  
22 appropriate by the Secretary.

23 “(iii) Information regarding treatment  
24 options.

1           “(iv) A discussion of resources and  
2           services available in the individual’s com-  
3           munity that may reduce the individual’s  
4           health risks and promote self-management  
5           of Alzheimer’s disease or related demen-  
6           tias.

7           “(v) Other information, as determined  
8           appropriate by the Secretary.

9           “(D) STAKEHOLDER INPUT.—The Sec-  
10          retary shall seek input from physicians, practi-  
11          tioners, and other stakeholders regarding the  
12          structure of care planning sessions provided  
13          under this paragraph.”.

14          SEC. 230. None of the funds appropriated or other-  
15          wise made available in this title shall be used in a manner  
16          that would interfere with the ability of a provider to rec-  
17          ommend medicinal marijuana in accordance with State  
18          law, or of a patient to participate in a medicinal marijuana  
19          program consistent with such State law.

20          This title may be cited as the “Department of Health  
21          and Human Services Appropriations Act, 2017”.

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

4 For carrying out title I and subpart 2 of part B of  
5 title II of the Elementary and Secondary Education Act  
6 of 1965 (referred to in this Act as “ESEA”) and section  
7 418A of the Higher Education Act of 1965 (referred to  
8 in this Act as “HEA”), \$16,093,790,000, of which  
9 \$5,177,006,000 shall become available on July 1, 2017,  
10 and shall remain available through September 30, 2018,  
11 and of which \$10,841,177,000 shall become available on  
12 October 1, 2017, and shall remain available through Sep-  
13 tember 30, 2018, for academic year 2017–2018: *Provided*,  
14 That \$6,459,401,000 shall be for basic grants under sec-  
15 tion 1124 of the ESEA: *Provided further*, That up to  
16 \$3,984,000 of these funds shall be available to the Sec-  
17 retary of Education (referred to in this title as “Sec-  
18 retary”) on October 1, 2016, to obtain annually updated  
19 local educational agency-level census poverty data from  
20 the Bureau of the Census: *Provided further*, That  
21 \$1,362,301,000 shall be for concentration grants under  
22 section 1124A of the ESEA: *Provided further*, That  
23 \$3,794,050,000 shall be for targeted grants under section  
24 1125 of the ESEA: *Provided further*, That  
25 \$3,794,050,000 shall be for education finance incentive

1 grants under section 1125A of the ESEA: *Provided fur-*  
2 *ther*, That \$217,000,000 shall be for carrying out subpart  
3 2 of part B of title II: *Provided further*, That \$44,623,000  
4 shall be for carrying out section 418A of the HEA.

5 IMPACT AID

6 For carrying out programs of financial assistance to  
7 federally affected schools authorized by title VII of the  
8 ESEA, \$1,315,603,000, of which \$1,176,233,000 shall be  
9 for basic support payments under section 7003(b),  
10 \$48,316,000 shall be for payments for children with dis-  
11 abilities under section 7003(d), \$17,406,000, to remain  
12 available for obligation through September 30, 2018, shall  
13 be for construction under section 7007(b), \$68,813,000  
14 shall be for Federal property payments under section  
15 7002, and \$4,835,000, to remain available until expended,  
16 shall be for facilities maintenance under section 7008:  
17 *Provided*, That for purposes of computing the amount of  
18 a payment for an eligible local educational agency under  
19 section 7003(a) for school year 2016–2017, children en-  
20 rolled in a school of such agency that would otherwise be  
21 eligible for payment under section 7003(a)(1)(B) of such  
22 Act, but due to the deployment of both parents or legal  
23 guardians, or a parent or legal guardian having sole cus-  
24 tody of such children, or due to the death of a military  
25 parent or legal guardian while on active duty (so long as

1 such children reside on Federal property as described in  
2 section 7003(a)(1)(B)), are no longer eligible under such  
3 section, shall be considered as eligible students under such  
4 section, provided such students remain in average daily  
5 attendance at a school in the same local educational agen-  
6 cy they attended prior to their change in eligibility status.

#### 7 SCHOOL IMPROVEMENT PROGRAMS

8 For carrying out school improvement activities au-  
9 thorized by part B of title I, part A of title II, subpart  
10 1 of part A of title IV, part B of title IV, part B of title  
11 V, and parts B and C of title VI of the ESEA; the McKin-  
12 ney-Vento Homeless Assistance Act; section 203 of the  
13 Educational Technical Assistance Act of 2002; the Com-  
14 pact of Free Association Amendments Act of 2003; and  
15 the Civil Rights Act of 1964, \$4,177,239,000, of which  
16 \$2,355,229,000 shall become available on July 1, 2017,  
17 and remain available through September 30, 2018, and  
18 of which \$1,681,441,000 shall become available on Octo-  
19 ber 1, 2017, and shall remain available through September  
20 30, 2018, for academic year 2017–2018: *Provided*, That  
21 \$378,000,000 shall be for part B of title I: *Provided fur-*  
22 *ther*, That \$1,050,000,000 shall be for part B of title IV:  
23 *Provided further*, That \$33,397,000 shall be for part B  
24 of title VI and may be used for construction, renovation,  
25 and modernization of any elementary school, secondary

1 school, or structure related to an elementary school or sec-  
2 ondary school, run by the Department of Education of the  
3 State of Hawaii, that serves a predominantly Native Ha-  
4 waiian student body: *Provided further*, That \$32,453,000  
5 shall be for part C of title VI and shall be awarded on  
6 a competitive basis, and also may be used for construction:  
7 *Provided further*, That \$51,445,000 shall be available to  
8 carry out section 203 of the Educational Technical Assist-  
9 ance Act of 2002 and the Secretary shall make such ar-  
10 rangements as determined to be necessary to ensure that  
11 the Bureau of Indian Education has access to services pro-  
12 vided under this section: *Provided further*, That  
13 \$16,699,000 shall be available to carry out the Supple-  
14 mental Education Grants program for the Federated  
15 States of Micronesia and the Republic of the Marshall Is-  
16 lands: *Provided further*, That the Secretary may reserve  
17 up to 5 percent of the amount referred to in the previous  
18 proviso to provide technical assistance in the implementa-  
19 tion of these grants: *Provided further*, That \$175,840,000  
20 shall be for part B of title V.

#### 21 INDIAN EDUCATION

22 For expenses necessary to carry out, to the extent  
23 not otherwise provided, title VI, part A of the ESEA,  
24 \$143,939,000, of which \$37,993,000 shall be for subpart

1 2 of part A of title VI and \$5,565,000 shall be for subpart  
2 3 of part A of title VI.

3 INNOVATION AND IMPROVEMENT

4 For carrying out activities authorized by subparts 1  
5 and 4 of part B and section 2232 of title II, and parts  
6 C and D and subparts 1 and 4 of part F of title IV of  
7 the ESEA, \$942,743,000: *Provided*, That \$318,183,000  
8 shall be for subparts 1 and 4 of part B and section 2232  
9 of title II and shall be made available without regard to  
10 sections 2201 and 2241: *Provided further*, That  
11 \$504,560,000 shall be for parts C and D and subpart 4  
12 of part F of title IV, and shall be made available without  
13 regard to sections 4311, 4409(a), and 4601 of the ESEA:  
14 *Provided further*, That section 4303(d)(3) shall not apply  
15 to the funds available for part C of title IV: *Provided fur-*  
16 *ther*, That of the funds available for part C of title IV,  
17 the Secretary shall use not less than \$26,000,000 to carry  
18 out section 4304, of which not more than \$10,000,000  
19 shall be available to carry out section 4304(k), not more  
20 than \$100,000,000 to carry out section 4305(b), and not  
21 less than \$11,000,000 to carry out the activities in section  
22 4305(a)(3): *Provided further*, That notwithstanding sec-  
23 tion 4601(b), \$120,000,000 shall be available through De-  
24 cember 31, 2017 for subpart 1 of part F of title IV.

## 1           SAFE SCHOOLS AND CITIZENSHIP EDUCATION

2           For carrying out activities authorized by subparts 2  
3 and 3 of part F of title IV of the ESEA, \$143,254,000:  
4 *Provided*, That \$70,000,000 shall be available for section  
5 4631, of which up to \$5,000,000, to remain available until  
6 expended, shall be for the Project School Emergency Re-  
7 sponse to Violence (“Project SERV”) program to provide  
8 education-related services to local educational agencies  
9 and institutions of higher education in which the learning  
10 environment has been disrupted due to a violent or trau-  
11 matic crisis: *Provided further*, That \$73,254,000 shall be  
12 available through December 31, 2017, for section 4624:  
13 *Provided further*, That section 4623(b) of the ESEA shall  
14 apply to funds appropriated for Promise Neighborhoods  
15 under this heading in prior appropriations acts.

## 16                           ENGLISH LANGUAGE ACQUISITION

17           For carrying out part A of title III of the ESEA,  
18 \$737,400,000, which shall become available on July 1,  
19 2017, and shall remain available through September 30,  
20 2018, except that 6.5 percent of such amount shall be  
21 available on October 1, 2016, and shall remain available  
22 through September 30, 2018, to carry out activities under  
23 section 3111(c)(1)(C).

## SPECIAL EDUCATION

1  
2 For carrying out the Individuals with Disabilities  
3 Education Act (IDEA) and the Special Olympics Sport  
4 and Empowerment Act of 2004, \$13,019,358,000, of  
5 which \$3,496,259,000 shall become available on July 1,  
6 2017, and shall remain available through September 30,  
7 2018, and of which \$9,283,383,000 shall become available  
8 on October 1, 2017, and shall remain available through  
9 September 30, 2018, for academic year 2017–2018: *Pro-*  
10 *vided*, That the amount for section 611(b)(2) of the IDEA  
11 shall be equal to the lesser of the amount available for  
12 that activity during fiscal year 2016, increased by the  
13 amount of inflation as specified in section 619(d)(2)(B)  
14 of the IDEA, or the percent change in the funds appro-  
15 priated under section 611(i) of the IDEA, but not less  
16 than the amount for that activity during fiscal year 2016:  
17 *Provided further*, That the Secretary shall, without regard  
18 to section 611(d) of the IDEA, distribute to all other  
19 States (as that term is defined in section 611(g)(2)), sub-  
20 ject to the third proviso, any amount by which a State’s  
21 allocation under section 611(d), from funds appropriated  
22 under this heading, is reduced under section  
23 612(a)(18)(B), according to the following: 85 percent on  
24 the basis of the States’ relative populations of children  
25 aged 3 through 21 who are of the same age as children

1 with disabilities for whom the State ensures the avail-  
2 ability of a free appropriate public education under this  
3 part, and 15 percent to States on the basis of the States'  
4 relative populations of those children who are living in pov-  
5 erty: *Provided further*, That the Secretary may not dis-  
6 tribute any funds under the previous proviso to any State  
7 whose reduction in allocation from funds appropriated  
8 under this heading made funds available for such a dis-  
9 tribution: *Provided further*, That the States shall allocate  
10 such funds distributed under the second proviso to local  
11 educational agencies in accordance with section 611(f):  
12 *Provided further*, That the amount by which a State's allo-  
13 cation under section 611(d) of the IDEA is reduced under  
14 section 612(a)(18)(B) and the amounts distributed to  
15 States under the previous provisos in fiscal year 2012 or  
16 any subsequent year shall not be considered in calculating  
17 the awards under section 611(d) for fiscal year 2013 or  
18 for any subsequent fiscal years: *Provided further*, That,  
19 notwithstanding the provision in section 612(a)(18)(B) re-  
20 garding the fiscal year in which a State's allocation under  
21 section 611(d) is reduced for failure to comply with the  
22 requirement of section 612(a)(18)(A), the Secretary may  
23 apply the reduction specified in section 612(a)(18)(B) over  
24 a period of consecutive fiscal years, not to exceed five,  
25 until the entire reduction is applied: *Provided further*,

1 That the Secretary may, in any fiscal year in which a  
2 State's allocation under section 611 is reduced in accord-  
3 ance with section 612(a)(18)(B), reduce the amount a  
4 State may reserve under section 611(e)(1) by an amount  
5 that bears the same relation to the maximum amount de-  
6 scribed in that paragraph as the reduction under section  
7 612(a)(18)(B) bears to the total allocation the State  
8 would have received in that fiscal year under section  
9 611(d) in the absence of the reduction: *Provided further,*  
10 That the Secretary shall either reduce the allocation of  
11 funds under section 611 for any fiscal year following the  
12 fiscal year for which the State fails to comply with the  
13 requirement of section 612(a)(18)(A) as authorized by  
14 section 612(a)(18)(B), or seek to recover funds under sec-  
15 tion 452 of the General Education Provisions Act (20  
16 U.S.C. 1234a): *Provided further,* That the funds reserved  
17 under 611(c) of the IDEA may be used to provide tech-  
18 nical assistance to States to improve the capacity of the  
19 States to meet the data collection requirements of sections  
20 616 and 618 and to administer and carry out other serv-  
21 ices and activities to improve data collection, coordination,  
22 quality, and use under parts B and C of the IDEA: *Pro-*  
23 *vided further,* That the Secretary may use funds made  
24 available for the State Personnel Development Grants pro-

1 gram under part D, subpart 1 of IDEA to evaluate pro-  
2 gram performance under such subpart.

3 REHABILITATION SERVICES

4 For carrying out, to the extent not otherwise pro-  
5 vided, the Rehabilitation Act of 1973 and the Helen Keller  
6 National Center Act, \$3,536,389,000, of which  
7 \$3,398,554,000 shall be for grants for vocational rehabili-  
8 tation services under title I of the Rehabilitation Act: *Pro-*  
9 *vided*, That the Secretary may use amounts provided in  
10 this Act that remain available subsequent to the reallocot-  
11 ment of funds to States pursuant to section 110(b) of the  
12 Rehabilitation Act for innovative activities aimed at im-  
13 proving the outcomes of individuals with disabilities as de-  
14 fined in section 7(20)(B) of the Rehabilitation Act, includ-  
15 ing activities aimed at improving the education and post-  
16 school outcomes of children receiving Supplemental Secu-  
17 rity Income (“SSI”) and their families that may result  
18 in long-term improvement in the SSI child recipient’s eco-  
19 nomic status and self-sufficiency: *Provided further*, That  
20 States may award subgrants for a portion of the funds  
21 to other public and private, nonprofit entities: *Provided*  
22 *further*, That any funds made available subsequent to real-  
23 lotment for innovative activities aimed at improving the  
24 outcomes of individuals with disabilities shall remain avail-  
25 able until September 30, 2018.





1 retary shall, no later than March 1, 2017, allow student  
2 loan borrowers who are consolidating Federal student  
3 loans to select from any student loan servicer to service  
4 their new consolidated student loan.

5 HIGHER EDUCATION

6 For carrying out, to the extent not otherwise pro-  
7 vided, titles II, III, IV, V, VI, and VII of the HEA, the  
8 Mutual Educational and Cultural Exchange Act of 1961,  
9 and section 117 of the Carl D. Perkins Career and Tech-  
10 nical Education Act of 2006, \$1,986,792,000: *Provided*,  
11 That notwithstanding any other provision of law, funds  
12 made available in this Act to carry out title VI of the HEA  
13 and section 102(b)(6) of the Mutual Educational and Cul-  
14 tural Exchange Act of 1961 may be used to support visits  
15 and study in foreign countries by individuals who are par-  
16 ticipating in advanced foreign language training and inter-  
17 national studies in areas that are vital to United States  
18 national security and who plan to apply their language  
19 skills and knowledge of these countries in the fields of gov-  
20 ernment, the professions, or international development:  
21 *Provided further*, That of the funds referred to in the pre-  
22 ceding proviso up to 1 percent may be used for program  
23 evaluation, national outreach, and information dissemina-  
24 tion activities: *Provided further*, That up to 1.5 percent  
25 of the funds made available under chapter 2 of subpart



1 Black Colleges and Universities without regard to the limi-  
2 tations within section 344(a) of the HEA.

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

7 INSTITUTE OF EDUCATION SCIENCES

8 For carrying out activities authorized by the Edu-  
9 cation Sciences Reform Act of 2002, the National Assess-  
10 ment of Educational Progress Authorization Act, section  
11 208 of the Educational Technical Assistance Act of 2002,  
12 and section 664 of the Individuals with Disabilities Edu-  
13 cation Act, \$612,525,000, which shall remain available  
14 through September 30, 2018: *Provided*, That funds avail-  
15 able to carry out section 208 of the Educational Technical  
16 Assistance Act may be used to link Statewide elementary  
17 and secondary data systems with early childhood, postsec-  
18 ondary, and workforce data systems, or to further develop  
19 such systems: *Provided further*, That up to \$6,000,000 of  
20 the funds available to carry out section 208 of the Edu-  
21 cational Technical Assistance Act may be used for awards  
22 to public or private organizations or agencies to support  
23 activities to improve data coordination, quality, and use  
24 at the local, State, and national levels: *Provided further*,  
25 That \$156,745,000 shall be for carrying out activities au-

1 thORIZED by the National Assessment of Educational  
2 Progress Authorization Act.

3 DEPARTMENTAL MANAGEMENT

4 PROGRAM ADMINISTRATION

5 For carrying out, to the extent not otherwise pro-  
6 vided, the Department of Education Organization Act, in-  
7 cluding rental of conference rooms in the District of Co-  
8 lumbia and hire of three passenger motor vehicles,  
9 \$432,000,000, of which up to \$1,000,000, to remain avail-  
10 able until expended, may be for relocation of, and renova-  
11 tion of buildings occupied by, Department staff.

12 OFFICE FOR CIVIL RIGHTS

13 For expenses necessary for the Office for Civil  
14 Rights, as authorized by section 203 of the Department  
15 of Education Organization Act, \$110,000,000.

16 OFFICE OF INSPECTOR GENERAL

17 For expenses necessary for the Office of Inspector  
18 General, as authorized by section 212 of the Department  
19 of Education Organization Act, \$59,256,000.

20 GENERAL PROVISIONS

21 SEC. 301. No funds appropriated in this Act may be  
22 used for the transportation of students or teachers (or for  
23 the purchase of equipment for such transportation) in  
24 order to overcome racial imbalance in any school or school  
25 system, or for the transportation of students or teachers



1 be transferred between appropriations, but no such appro-  
2 priation shall be increased by more than 3 percent by any  
3 such transfer: *Provided*, That the transfer authority  
4 granted by this section shall not be used to create any  
5 new program or to fund any project or activity for which  
6 no funds are provided in this Act: *Provided further*, That  
7 the Committees on Appropriations of the House of Rep-  
8 resentatives and the Senate are notified at least 15 days  
9 in advance of any transfer.

10 SEC. 305. Section 105(f)(1)(B)(ix) of the Compact  
11 of Free Association Amendments Act of 2003 (48 U.S.C.  
12 1921d(f)(1)(B)(ix)) shall be applied by substituting  
13 “2017” for “2016”.

14 SEC. 306. Funds appropriated in this Act and con-  
15 solidated for evaluation purposes under section 8601(c) of  
16 the ESEA shall be available from July 1, 2017, through  
17 September 30, 2018.

18 SEC. 307. (a) An institution of higher education that  
19 maintains an endowment fund supported with funds ap-  
20 propriated for title III or V of the HEA for fiscal year  
21 2017 may use the income from that fund to award schol-  
22 arships to students, subject to the limitation in section  
23 331(c)(3)(B)(i) of the HEA. The use of such income for  
24 such purposes, prior to the enactment of this Act, shall

1 be considered to have been an allowable use of that in-  
2 come, subject to that limitation.

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

5 SEC. 308. Section 114(f) of the HEA (20 U.S.C.  
6 1011c(f)) is amended by striking “2016” and inserting  
7 “2017”.

8 SEC. 309. Section 458(a) of the HEA (20 U.S.C.  
9 1087h(a)) is amended in paragraph (4) by striking  
10 “2016” and inserting “2017”.

11 (INCLUDING RESCISSION OF FUNDS)

12 SEC. 310. (a) Section 401(b) of the Higher Edu-  
13 cation Act of 1965 (20 U.S.C. 1070a(b)) is amended by  
14 adding at the end the following:

15 “(8)(A) Effective in the 2017–2018 award year  
16 and thereafter, the Secretary shall award an eligible  
17 student not more than one and one-half Federal Pell  
18 Grants during a single award year to permit such  
19 student to work toward completion of an eligible  
20 program if, during that single award year, the stu-  
21 dent—

22 “(i) has received a Federal Pell Grant  
23 for an award year and is enrolled in an eli-  
24 gible program for one or more additional  
25 payment periods during the same award

1           year that are not otherwise fully covered  
2           by the student’s Federal Pell Grant; and

3                   “(ii) is enrolled on at least a half-time  
4           basis while receiving any funds under this  
5           section.

6           “(B) In the case of a student receiving  
7           more than one Federal Pell Grant in a single  
8           award year under subparagraph (A), the total  
9           amount of Federal Pell Grants awarded to such  
10          student for the award year may exceed the  
11          maximum basic grant level specified in the ap-  
12          propriate appropriations Act for such award  
13          year.

14          “(C) Any period of study covered by a  
15          Federal Pell Grant awarded under subpara-  
16          graph (A) shall be included in determining a  
17          student’s duration limit under subsection (c)(5).

18          “(D) In any case where an eligible student  
19          is receiving a Federal Pell Grant for a payment  
20          period that spans two award years, the Sec-  
21          retary shall allow the eligible institution in  
22          which the student is enrolled to determine the  
23          award year to which the additional period shall  
24          be assigned, as it determines is most beneficial  
25          to students.”.

1 (b) Section 401(b)(7)(A)(iv)(VII) of the Higher Edu-  
2 cation Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(VII))  
3 is amended by striking “\$1,574,000,000” and inserting  
4 “\$1,320,000,000”.

5 (RESCISSION)

6 SEC. 311. Of the unobligated balances available from  
7 Public Law 114–113 under the heading “Student Finan-  
8 cial Assistance” for carrying out subpart 1 of part A of  
9 title IV of the HEA, \$1,200,000,000 are hereby rescinded.  
10 This title may be cited as the “Department of Edu-  
11 cation Appropriations Act, 2017”.

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

6 For expenses necessary for the Committee for Pur-  
7 chase From People Who Are Blind or Severely Disabled  
8 established under section 8502 of title 41, United States  
9 Code, \$8,000,000: *Provided*, That in order to authorize  
10 any central nonprofit agency designated pursuant to sec-  
11 tion 8503(e) of title 41, United States Code, to perform  
12 requirements of the Committee as prescribed under sec-  
13 tion 51–3.2 of title 41, Code of Federal Regulations, the  
14 Committee shall enter into a written agreement with any  
15 such central nonprofit agency: *Provided further*, That such  
16 agreement shall contain such auditing, oversight and re-  
17 porting provisions as necessary to implement chapter 85  
18 of title 41, United States Code: *Provided further*, That  
19 such agreement shall include the elements listed under the  
20 heading “Committee For Purchase From People Who Are  
21 Blind or Severely Disabled—Written Agreement Ele-  
22 ments” in the explanatory statement described in section  
23 4 of Public Law 114–113: *Provided further*, That the cen-  
24 tral nonprofit agency(ies) may not charge a fee under sec-  
25 tion 51–3.5 of title 41, Code of Federal Regulations, un-

1 less such fee is under the terms of the written agreement  
 2 between the Committee and any such central nonprofit  
 3 agency: *Provided further*, That no less than \$1,000,000  
 4 shall be available for the Office of Inspector General.

5 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
 6 OPERATING EXPENSES

7 For necessary expenses for the Corporation for Na-  
 8 tional and Community Service (referred to in this title as  
 9 “CNCS”) to carry out the Domestic Volunteer Service Act  
 10 of 1973 (referred to in this title as “1973 Act”) and the  
 11 National and Community Service Act of 1990 (referred  
 12 to in this title as “1990 Act”), \$736,529,000, notwith-  
 13 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and  
 14 501(a)(4)(F) of the 1990 Act: *Provided*, That of the  
 15 amounts provided under this heading: (1) up to 1 percent  
 16 of program grant funds may be used to defray the costs  
 17 of conducting grant application reviews, including the use  
 18 of outside peer reviewers and electronic management of  
 19 the grants cycle; (2) \$17,038,000 shall be available to pro-  
 20 vide assistance to State commissions on national and com-  
 21 munity service, under section 126(a) of the 1990 Act and  
 22 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)  
 23 \$30,000,000 shall be available to carry out subtitle E of  
 24 the 1990 Act; and (4) \$3,800,000 shall be available for  
 25 expenses authorized under section 501(a)(4)(F) of the

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

7 PAYMENT TO THE NATIONAL SERVICE TRUST

8 (INCLUDING TRANSFER OF FUNDS)

9 For payment to the National Service Trust estab-  
10 lished under subtitle D of title I of the 1990 Act,  
11 \$206,842,000, to remain available until expended: *Pro-*  
12 *vided*, That CNCS may transfer additional funds from the  
13 amount provided within “Operating Expenses” allocated  
14 to grants under subtitle C of title I of the 1990 Act to  
15 the National Service Trust upon determination that such  
16 transfer is necessary to support the activities of national  
17 service participants and after notice is transmitted to the  
18 Committees on Appropriations of the House of Represent-  
19 atives and the Senate: *Provided further*, That amounts ap-  
20 propriated for or transferred to the National Service Trust  
21 may be invested under section 145(b) of the 1990 Act  
22 without regard to the requirement to apportion funds  
23 under 31 U.S.C. 1513(b).

## 1 SALARIES AND EXPENSES

2 For necessary expenses of administration as provided  
3 under section 501(a)(5) of the 1990 Act and under section  
4 504(a) of the 1973 Act, including payment of salaries, au-  
5 thorized travel, hire of passenger motor vehicles, the rental  
6 of conference rooms in the District of Columbia, the em-  
7 ployment of experts and consultants authorized under 5  
8 U.S.C. 3109, and not to exceed \$2,500 for official recep-  
9 tion and representation expenses, \$81,737,000.

## 10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector  
12 General in carrying out the Inspector General Act of 1978,  
13 \$5,250,000.

## 14 ADMINISTRATIVE PROVISIONS

15 SEC. 401. CNCS shall make any significant changes  
16 to program requirements, service delivery or policy only  
17 through public notice and comment rulemaking. For fiscal  
18 year 2017, during any grant selection process, an officer  
19 or employee of CNCS shall not knowingly disclose any cov-  
20 ered grant selection information regarding such selection,  
21 directly or indirectly, to any person other than an officer  
22 or employee of CNCS that is authorized by CNCS to re-  
23 ceive such information.

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

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

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

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

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

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

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

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

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

11 CORPORATION FOR PUBLIC BROADCASTING

12 For payment to the Corporation for Public Broad-  
13 casting (“CPB”), as authorized by the Communications  
14 Act of 1934, an amount which shall be available within  
15 limitations specified by that Act, for the fiscal year 2019,  
16 \$445,000,000: *Provided*, That none of the funds made  
17 available to CPB by this Act shall be used to pay for re-  
18 ceptions, parties, or similar forms of entertainment for  
19 Government officials or employees: *Provided further*, That  
20 none of the funds made available to CPB by this Act shall  
21 be available or used to aid or support any program or ac-  
22 tivity from which any person is excluded, or is denied ben-  
23 efits, or is discriminated against, on the basis of race,  
24 color, national origin, religion, or sex: *Provided further*,  
25 That none of the funds made available to CPB by this

1 Act shall be used to apply any political test or qualification  
2 in selecting, appointing, promoting, or taking any other  
3 personnel action with respect to officers, agents, and em-  
4 ployees of CPB: *Provided further*, That none of the funds  
5 made available to CPB by this Act shall be used to support  
6 the Television Future Fund or any similar purpose.

7 In addition, for the costs associated with replacing  
8 and upgrading the public broadcasting interconnection  
9 system, \$50,000,000.

10 FEDERAL MEDIATION AND CONCILIATION SERVICE

11 SALARIES AND EXPENSES

12 For expenses necessary for the Federal Mediation  
13 and Conciliation Service (“Service”) to carry out the func-  
14 tions vested in it by the Labor-Management Relations Act,  
15 1947, including hire of passenger motor vehicles; for ex-  
16 penses necessary for the Labor-Management Cooperation  
17 Act of 1978; and for expenses necessary for the Service  
18 to carry out the functions vested in it by the Civil Service  
19 Reform Act, \$48,638,000, including up to \$2,500,000 to  
20 remain available through September 30, 2018, for activi-  
21 ties authorized by the Labor-Management Cooperation  
22 Act of 1978: *Provided*, That notwithstanding 31 U.S.C.  
23 3302, fees charged, up to full-cost recovery, for special  
24 training activities and other conflict resolution services  
25 and technical assistance, including those provided to for-

1 eign governments and international organizations, and for  
2 arbitration services shall be credited to and merged with  
3 this account, and shall remain available until expended:  
4 *Provided further*, That fees for arbitration services shall  
5 be available only for education, training, and professional  
6 development of the agency workforce: *Provided further*,  
7 That the Director of the Service is authorized to accept  
8 and use on behalf of the United States gifts of services  
9 and real, personal, or other property in the aid of any  
10 projects or functions within the Director's jurisdiction.

11 FEDERAL MINE SAFETY AND HEALTH REVIEW

12 COMMISSION

13 SALARIES AND EXPENSES

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

16 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

17 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

18 AND ADMINISTRATION

19 For carrying out the Museum and Library Services  
20 Act of 1996 and the National Museum of African Amer-  
21 ican History and Culture Act, \$231,000,000.

## 1 MEDICAID AND CHIP PAYMENT AND ACCESS

## 2 COMMISSION

## 3 SALARIES AND EXPENSES

4 For expenses necessary to carry out section 1900 of  
5 the Social Security Act, \$7,765,000.

## 6 MEDICARE PAYMENT ADVISORY COMMISSION

## 7 SALARIES AND EXPENSES

8 For expenses necessary to carry out section 1805 of  
9 the Social Security Act, \$11,925,000, to be transferred to  
10 this appropriation from the Federal Hospital Insurance  
11 Trust Fund and the Federal Supplementary Medical In-  
12 surance Trust Fund.

## 13 NATIONAL COUNCIL ON DISABILITY

## 14 SALARIES AND EXPENSES

15 For expenses necessary for the National Council on  
16 Disability as authorized by title IV of the Rehabilitation  
17 Act of 1973, \$3,439,000.

## 18 NATIONAL LABOR RELATIONS BOARD

## 19 SALARIES AND EXPENSES

20 For expenses necessary for the National Labor Rela-  
21 tions Board to carry out the functions vested in it by the  
22 Labor-Management Relations Act, 1947, and other laws,  
23 \$274,224,000: *Provided*, That no part of this appropria-  
24 tion shall be available to organize or assist in organizing  
25 agricultural laborers or used in connection with investiga-

1 tions, hearings, directives, or orders concerning bargaining  
2 units composed of agricultural laborers as referred to in  
3 section 2(3) of the Act of July 5, 1935, and as amended  
4 by the Labor-Management Relations Act, 1947, and as de-  
5 fined in section 3(f) of the Act of June 25, 1938, and  
6 including in said definition employees engaged in the  
7 maintenance and operation of ditches, canals, reservoirs,  
8 and waterways when maintained or operated on a mutual,  
9 nonprofit basis and at least 95 percent of the water stored  
10 or supplied thereby is used for farming purposes.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 406. None of the funds provided by this Act  
13 or previous Acts making appropriations for the National  
14 Labor Relations Board may be used to issue any new ad-  
15 ministrative directive or regulation that would provide em-  
16 ployees any means of voting through any electronic means  
17 in an election to determine a representative for the pur-  
18 poses of collective bargaining.

19 NATIONAL MEDIATION BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary to carry out the provisions  
22 of the Railway Labor Act, including emergency boards ap-  
23 pointed by the President, \$14,000,000.

1 OCCUPATIONAL SAFETY AND HEALTH REVIEW

2 COMMISSION

3 SALARIES AND EXPENSES

4 For expenses necessary for the Occupational Safety  
5 and Health Review Commission, \$13,411,000.

6 RAILROAD RETIREMENT BOARD

7 DUAL BENEFITS PAYMENTS ACCOUNT

8 For payment to the Dual Benefits Payments Ac-  
9 count, authorized under section 15(d) of the Railroad Re-  
10 tirement Act of 1974, \$25,000,000, which shall include  
11 amounts becoming available in fiscal year 2017 pursuant  
12 to section 224(c)(1)(B) of Public Law 98-76; and in addi-  
13 tion, an amount, not to exceed 2 percent of the amount  
14 provided herein, shall be available proportional to the  
15 amount by which the product of recipients and the average  
16 benefit received exceeds the amount available for payment  
17 of vested dual benefits: *Provided*, That the total amount  
18 provided herein shall be credited in 12 approximately  
19 equal amounts on the first day of each month in the fiscal  
20 year.

21 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

22 ACCOUNTS

23 For payment to the accounts established in the  
24 Treasury for the payment of benefits under the Railroad  
25 Retirement Act for interest earned on unnegotiated

1 checks, \$150,000, to remain available through September  
2 30, 2018, which shall be the maximum amount available  
3 for payment pursuant to section 417 of Public Law 98–  
4 76.

5                                   LIMITATION ON ADMINISTRATION

6           For necessary expenses for the Railroad Retirement  
7 Board (“Board”) for administration of the Railroad Re-  
8 tirement Act and the Railroad Unemployment Insurance  
9 Act, \$113,500,000, to be derived in such amounts as de-  
10 termined by the Board from the railroad retirement ac-  
11 counts and from moneys credited to the railroad unem-  
12 ployment insurance administration fund: *Provided*, That  
13 notwithstanding section 7(b)(9) of the Railroad Retire-  
14 ment Act this limitation may be used to hire attorneys  
15 only through the excepted service: *Provided further*, That  
16 the previous proviso shall not change the status under  
17 Federal employment laws of any attorney hired by the  
18 Railroad Retirement Board prior to January 1, 2013.

19                                   LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

20           For expenses necessary for the Office of Inspector  
21 General for audit, investigatory and review activities, as  
22 authorized by the Inspector General Act of 1978, not more  
23 than \$10,000,000, to be derived from the railroad retire-  
24 ment accounts and railroad unemployment insurance ac-  
25 count.

## 1 SOCIAL SECURITY ADMINISTRATION

## 2 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

3 For payment to the Federal Old-Age and Survivors  
4 Insurance Trust Fund and the Federal Disability Insur-  
5 ance Trust Fund, as provided under sections 201(m) and  
6 1131(b)(2) of the Social Security Act, \$11,400,000.

## 7 SUPPLEMENTAL SECURITY INCOME PROGRAM

8 For carrying out titles XI and XVI of the Social Se-  
9 curity Act, section 401 of Public Law 92–603, section 212  
10 of Public Law 93–66, as amended, and section 405 of  
11 Public Law 95–216, including payment to the Social Secu-  
12 rity trust funds for administrative expenses incurred pur-  
13 suant to section 201(g)(1) of the Social Security Act,  
14 \$43,618,163,000, to remain available until expended: *Pro-*  
15 *vided*, That any portion of the funds provided to a State  
16 in the current fiscal year and not obligated by the State  
17 during that year shall be returned to the Treasury: *Pro-*  
18 *vided further*, That not more than \$58,000,000 shall be  
19 available for research and demonstrations under sections  
20 1110, 1115, and 1144 of the Social Security Act, and re-  
21 main available through September 30, 2019.

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

1 For making benefit payments under title XVI of the  
2 Social Security Act for the first quarter of fiscal year  
3 2018, \$15,000,000,000, to remain available until ex-  
4 pended.

5 LIMITATION ON ADMINISTRATIVE EXPENSES

6 For necessary expenses, including the hire of two pas-  
7 senger motor vehicles, and not to exceed \$20,000 for offi-  
8 cial reception and representation expenses, not more than  
9 \$10,538,945,000 may be expended, as authorized by sec-  
10 tion 201(g)(1) of the Social Security Act, from any one  
11 or all of the trust funds referred to in such section: *Pro-*  
12 *vided*, That not less than \$2,300,000 shall be for the So-  
13 cial Security Advisory Board: *Provided further*, That unob-  
14 ligated balances of funds provided under this paragraph  
15 at the end of fiscal year 2017 not needed for fiscal year  
16 2017 shall remain available until expended to invest in the  
17 Social Security Administration information technology  
18 and telecommunications hardware and software infra-  
19 structure, including related equipment and non-payroll ad-  
20 ministrative expenses associated solely with this informa-  
21 tion technology and telecommunications infrastructure:  
22 *Provided further*, That the Commissioner of Social Secu-  
23 rity shall notify the Committees on Appropriations of the  
24 House of Representatives and the Senate prior to making  
25 unobligated balances available under the authority in the

1 previous proviso: *Provided further*, That reimbursement to  
2 the trust funds under this heading for expenditures for  
3 official time for employees of the Social Security Adminis-  
4 tration pursuant to 5 U.S.C. 7131, and for facilities or  
5 support services for labor organizations pursuant to poli-  
6 cies, regulations, or procedures referred to in section  
7 7135(b) of such title shall be made by the Secretary of  
8 the Treasury, with interest, from amounts in the general  
9 fund not otherwise appropriated, as soon as possible after  
10 such expenditures are made.

11 In addition, for the costs associated with continuing  
12 disability reviews under titles II and XVI of the Social  
13 Security Act, including work-related continuing disability  
14 reviews to determine whether earnings derived from serv-  
15 ices demonstrate an individual's ability to engage in sub-  
16 stantial gainful activity, for the cost associated with con-  
17 ducting redeterminations of eligibility under title XVI of  
18 the Social Security Act, for the cost of co-operative dis-  
19 ability investigation units, and for the cost associated with  
20 the prosecution of fraud in the programs and operations  
21 of the Social Security Administration by Special Assistant  
22 United States Attorneys, \$1,819,000,000 may be ex-  
23 pended, as authorized by section 201(g)(1) of the Social  
24 Security Act, from any one or all of the trust funds re-  
25 ferred to therein: *Provided*, That, of such amount,

1 \$273,000,000 is provided to meet the terms of section  
2 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emer-  
3 gency Deficit Control Act of 1985, as amended, and  
4 \$1,546,000,000 is additional new budget authority speci-  
5 fied for purposes of section 251(b)(2)(B) of such Act: *Pro-*  
6 *vided further*, That the Commissioner shall provide to the  
7 Congress (at the conclusion of the fiscal year) a report  
8 on the obligation and expenditure of these funds, similar  
9 to the reports that were required by section 103(d)(2) of  
10 Public Law 104–121 for fiscal years 1996 through 2002.

11 In addition, \$123,000,000 to be derived from admin-  
12 istration fees in excess of \$5.00 per supplementary pay-  
13 ment collected pursuant to section 1616(d) of the Social  
14 Security Act or section 212(b)(3) of Public Law 93–66,  
15 which shall remain available until expended. To the extent  
16 that the amounts collected pursuant to such sections in  
17 fiscal year 2017 exceed \$123,000,000, the amounts shall  
18 be available in fiscal year 2018 only to the extent provided  
19 in advance in appropriations Acts.

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

1                   OFFICE OF INSPECTOR GENERAL  
2                   (INCLUDING TRANSFER OF FUNDS)

3           For expenses necessary for the Office of Inspector  
4 General in carrying out the provisions of the Inspector  
5 General Act of 1978, \$29,787,000, together with not to  
6 exceed \$75,713,000, to be transferred and expended as  
7 authorized by section 201(g)(1) of the Social Security Act  
8 from the Federal Old-Age and Survivors Insurance Trust  
9 Fund and the Federal Disability Insurance Trust Fund.

10          In addition, an amount not to exceed 3 percent of  
11 the total provided in this appropriation may be transferred  
12 from the “Limitation on Administrative Expenses”, Social  
13 Security Administration, to be merged with this account,  
14 to be available for the time and purposes for which this  
15 account is available: *Provided*, That notice of such trans-  
16 fers shall be transmitted promptly to the Committees on  
17 Appropriations of the House of Representatives and the  
18 Senate at least 15 days in advance of any transfer.

19                                   TITLE V  
20                                   GENERAL PROVISIONS  
21                                   (TRANSFER OF FUNDS)

22          SEC. 501. The Secretaries of Labor, Health and  
23 Human Services, and Education are authorized to transfer  
24 unexpended balances of prior appropriations to accounts  
25 corresponding to current appropriations provided in this

1 Act. Such transferred balances shall be used for the same  
2 purpose, and for the same periods of time, for which they  
3 were originally appropriated.

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

7 SEC. 503. (a) No part of any appropriation contained  
8 in this Act or transferred pursuant to section 4002 of  
9 Public Law 111–148 shall be used, other than for normal  
10 and recognized executive-legislative relationships, for pub-  
11 licity or propaganda purposes, for the preparation, dis-  
12 tribution, or use of any kit, pamphlet, booklet, publication,  
13 electronic communication, radio, television, or video pres-  
14 entation designed to support or defeat the enactment of  
15 legislation before the Congress or any State or local legis-  
16 lature or legislative body, except in presentation to the  
17 Congress or any State or local legislature itself, or de-  
18 signed to support or defeat any proposed or pending regu-  
19 lation, administrative action, or order issued by the execu-  
20 tive branch of any State or local government, except in  
21 presentation to the executive branch of any State or local  
22 government itself.

23 (b) No part of any appropriation contained in this  
24 Act or transferred pursuant to section 4002 of Public Law  
25 111–148 shall be used to pay the salary or expenses of

1 any grant or contract recipient, or agent acting for such  
2 recipient, related to any activity designed to influence the  
3 enactment of legislation, appropriations, regulation, ad-  
4 ministrative action, or Executive order proposed or pend-  
5 ing before the Congress or any State government, State  
6 legislature or local legislature or legislative body, other  
7 than for normal and recognized executive-legislative rela-  
8 tionships or participation by an agency or officer of a  
9 State, local or tribal government in policymaking and ad-  
10 ministrative processes within the executive branch of that  
11 government.

12 (c) The prohibitions in subsections (a) and (b) shall  
13 include any activity to advocate or promote any proposed,  
14 pending or future Federal, State or local tax increase, or  
15 any proposed, pending, or future requirement or restric-  
16 tion on any legal consumer product, including its sale or  
17 marketing, including but not limited to the advocacy or  
18 promotion of gun control.

19 SEC. 504. The Secretaries of Labor and Education  
20 are authorized to make available not to exceed \$28,000  
21 and \$20,000, respectively, from funds available for sala-  
22 ries and expenses under titles I and III, respectively, for  
23 official reception and representation expenses; the Direc-  
24 tor of the Federal Mediation and Conciliation Service is  
25 authorized to make available for official reception and rep-

1 representation expenses not to exceed \$5,000 from the funds  
2 available for “Federal Mediation and Conciliation Service,  
3 Salaries and Expenses”; and the Chairman of the Na-  
4 tional Mediation Board is authorized to make available for  
5 official reception and representation expenses not to ex-  
6 ceed \$5,000 from funds available for “National Mediation  
7 Board, Salaries and Expenses”.

8       SEC. 505. When issuing statements, press releases,  
9 requests for proposals, bid solicitations and other docu-  
10 ments describing projects or programs funded in whole or  
11 in part with Federal money, all grantees receiving Federal  
12 funds included in this Act, including but not limited to  
13 State and local governments and recipients of Federal re-  
14 search grants, shall clearly state—

15           (1) the percentage of the total costs of the pro-  
16 gram or project which will be financed with Federal  
17 money;

18           (2) the dollar amount of Federal funds for the  
19 project or program; and

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

23       SEC. 506. (a) None of the funds appropriated in this  
24 Act, and none of the funds in any trust fund to which

1 funds are appropriated in this Act, shall be expended for  
2 any abortion.

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

7 (c) The term “health benefits coverage” means the  
8 package of services covered by a managed care provider  
9 or organization pursuant to a contract or other arrange-  
10 ment.

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

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

15 (2) in the case where a woman suffers from a  
16 physical disorder, physical injury, or physical illness,  
17 including a life-endangering physical condition  
18 caused by or arising from the pregnancy itself, that  
19 would, as certified by a physician, place the woman  
20 in danger of death unless an abortion is performed.

21 (b) Nothing in the preceding section shall be con-  
22 strued as prohibiting the expenditure by a State, locality,  
23 entity, or private person of State, local, or private funds  
24 (other than a State’s or locality’s contribution of Medicaid  
25 matching funds).

1           (c) Nothing in the preceding section shall be con-  
2           strued as restricting the ability of any managed care pro-  
3           vider from offering abortion coverage or the ability of a  
4           State or locality to contract separately with such a pro-  
5           vider for such coverage with State funds (other than a  
6           State's or locality's contribution of Medicaid matching  
7           funds).

8           (d)(1) None of the funds made available in this Act  
9           may be made available to a Federal agency or program,  
10          or to a State or local government, if such agency, program,  
11          or government subjects any institutional or individual  
12          health care entity to discrimination on the basis that the  
13          health care entity does not provide, pay for, provide cov-  
14          erage of, or refer for abortions.

15          (2) In this subsection, the term "health care entity"  
16          includes an individual physician or other health care pro-  
17          fessional, a hospital, a provider-sponsored organization, a  
18          health maintenance organization, a health insurance plan,  
19          or any other kind of health care facility, organization, or  
20          plan.

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

23                  (1) the creation of a human embryo or embryos  
24          for research purposes; or

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

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

13          SEC. 509. (a) None of the funds made available in  
14          this Act may be used for any activity that promotes the  
15          legalization of any drug or other substance included in  
16          schedule I of the schedules of controlled substances estab-  
17          lished under section 202 of the Controlled Substances Act  
18          except for normal and recognized executive-congressional  
19          communications.

20          (b) The limitation in subsection (a) shall not apply  
21          when there is significant medical evidence of a therapeutic  
22          advantage to the use of such drug or other substance or  
23          that federally sponsored clinical trials are being conducted  
24          to determine therapeutic advantage.

1       SEC. 510. None of the funds made available in this  
2 Act may be used to promulgate or adopt any final stand-  
3 ard under section 1173(b) of the Social Security Act pro-  
4 viding for, or providing for the assignment of, a unique  
5 health identifier for an individual (except in an individ-  
6 ual's capacity as an employer or a health care provider),  
7 until legislation is enacted specifically approving the  
8 standard.

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

12           (1) such entity is otherwise a contractor with  
13 the United States and is subject to the requirement  
14 in 38 U.S.C. 4212(d) regarding submission of an  
15 annual report to the Secretary of Labor concerning  
16 employment of certain veterans; and

17           (2) such entity has not submitted a report as  
18 required by that section for the most recent year for  
19 which such requirement was applicable to such enti-  
20 ty.

21       SEC. 512. None of the funds made available in this  
22 Act may be transferred to any department, agency, or in-  
23 strumentality of the United States Government, except  
24 pursuant to a transfer made by, or transfer authority pro-  
25 vided in, this Act or any other appropriation Act.

1       SEC. 513. None of the funds made available by this  
2 Act to carry out the Library Services and Technology Act  
3 may be made available to any library covered by para-  
4 graph (1) of section 224(f) of such Act, as amended by  
5 the Children’s Internet Protection Act, unless such library  
6 has made the certifications required by paragraph (4) of  
7 such section.

8       SEC. 514. (a) None of the funds provided under this  
9 Act, or provided under previous appropriations Acts to the  
10 agencies funded by this Act that remain available for obli-  
11 gation or expenditure in fiscal year 2017, or provided from  
12 any accounts in the Treasury of the United States derived  
13 by the collection of fees available to the agencies funded  
14 by this Act, shall be available for obligation or expenditure  
15 through a reprogramming of funds that—

- 16           (1) creates new programs;
- 17           (2) eliminates a program, project, or activity;
- 18           (3) increases funds or personnel by any means  
19           for any project or activity for which funds have been  
20           denied or restricted;
- 21           (4) relocates an office or employees;
- 22           (5) reorganizes or renames offices;
- 23           (6) reorganizes programs or activities; or
- 24           (7) contracts out or privatizes any functions or  
25           activities presently performed by Federal employees;

1 unless the Committees on Appropriations of the House of  
2 Representatives and the Senate are consulted 15 days in  
3 advance of such reprogramming or of an announcement  
4 of intent relating to such reprogramming, whichever oc-  
5 curs earlier, and are notified in writing 10 days in advance  
6 of such reprogramming.

7 (b) None of the funds provided under this Act, or  
8 provided under previous appropriations Acts to the agen-  
9 cies funded by this Act that remain available for obligation  
10 or expenditure in fiscal year 2017, or provided from any  
11 accounts in the Treasury of the United States derived by  
12 the collection of fees available to the agencies funded by  
13 this Act, shall be available for obligation or expenditure  
14 through a reprogramming of funds in excess of \$500,000  
15 or 10 percent, whichever is less, that—

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

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

21 (3) results from any general savings from a re-  
22 duction in personnel which would result in a change  
23 in existing programs, activities, or projects as ap-  
24 proved by Congress;

1 unless the Committees on Appropriations of the House of  
2 Representatives and the Senate are consulted 15 days in  
3 advance of such reprogramming or of an announcement  
4 of intent relating to such reprogramming, whichever oc-  
5 curs earlier, and are notified in writing 10 days in advance  
6 of such reprogramming.

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

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

17       SEC. 516. Within 45 days of enactment of this Act,  
18 each department and related agency funded through this  
19 Act shall submit an operating plan that details at the pro-  
20 gram, project, and activity level any funding allocations  
21 for fiscal year 2017 that are different than those specified  
22 in this Act, the accompanying detailed table in the report  
23 accompanying this Act, or the fiscal year 2017 budget re-  
24 quest.

1        SEC. 517. The Secretaries of Labor, Health and  
2 Human Services, and Education shall each prepare and  
3 submit to the Committees on Appropriations of the House  
4 of Representatives and the Senate a report on the number  
5 and amount of contracts, grants, and cooperative agree-  
6 ments exceeding \$500,000 in value and awarded by the  
7 Department on a non-competitive basis during each quar-  
8 ter of fiscal year 2017, but not to include grants awarded  
9 on a formula basis or directed by law. Such report shall  
10 include the name of the contractor or grantee, the amount  
11 of funding, the governmental purpose, including a jus-  
12 tification for issuing the award on a non-competitive basis.  
13 Such report shall be transmitted to the Committees within  
14 30 days after the end of the quarter for which the report  
15 is submitted.

16        SEC. 518. None of the funds appropriated in this Act  
17 shall be expended or obligated by the Commissioner of So-  
18 cial Security, for purposes of administering Social Security  
19 benefit payments under title II of the Social Security Act,  
20 to process any claim for credit for a quarter of coverage  
21 based on work performed under a social security account  
22 number that is not the claimant's number and the per-  
23 formance of such work under such number has formed the  
24 basis for a conviction of the claimant of a violation of sec-  
25 tion 208(a)(6) or (7) of the Social Security Act.

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

11        SEC. 520. Notwithstanding any other provision of  
12 this Act, no funds appropriated in this Act shall be used  
13 to purchase sterile needles or syringes for the hypodermic  
14 injection of any illegal drug: *Provided*, That such limita-  
15 tion does not apply to the use of funds for elements of  
16 a program other than making such purchases if the rel-  
17 evant State or local health department, in consultation  
18 with the Centers for Disease Control and Prevention, de-  
19 termines that the State or local jurisdiction, as applicable,  
20 is experiencing, or is at risk for, a significant increase in  
21 hepatitis infections or an HIV outbreak due to injection  
22 drug use, and such program is operating in accordance  
23 with State and local law.

24        SEC. 521. (a) None of the funds made available in  
25 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,  
2 downloading, and exchanging of pornography.

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

7 SEC. 522. None of the funds made available under  
8 this or any other Act, or any prior Appropriations Act,  
9 may be provided to the Association of Community Organi-  
10 zations for Reform Now (ACORN), or any of its affiliates,  
11 subsidiaries, allied organizations, or successors.

12 SEC. 523. For purposes of carrying out Executive  
13 Order 13589, Office of Management and Budget Memo-  
14 randum M-12-12 dated May 11, 2012, and requirements  
15 contained in the annual appropriations bills relating to  
16 conference attendance and expenditures:

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

19 (2) attendance at and support for scientific con-  
20 ferences shall be tabulated separately from and not  
21 included in agency totals.

22 SEC. 524. Federal agencies funded under this Act  
23 shall clearly state within the text, audio, or video used for  
24 advertising or educational purposes, including emails or  
25 Internet postings, that the communication is printed, pub-

1 lished, or produced and disseminated at U.S. taxpayer ex-  
2 pense. The funds used by a Federal agency to carry out  
3 this requirement shall be derived from amounts made  
4 available to the agency for advertising or other commu-  
5 nications regarding the programs and activities of the  
6 agency.

7       SEC. 525. (a) Federal agencies may use Federal dis-  
8 cretionary funds that are made available in this Act to  
9 carry out up to 10 Performance Partnership Pilots. Such  
10 Pilots shall be governed by the provisions of section 526  
11 of division H of Public Law 113–76, except that in car-  
12 rying out such Pilots section 526 shall be applied by sub-  
13 stituting “FISCAL YEAR 2017” for “FISCAL YEAR 2014”  
14 in the title of subsection (b) and by substituting “Sep-  
15 tember 30, 2021” for “September 30, 2018” each place  
16 it appears: *Provided*, That such pilots shall include com-  
17 munities that have experienced civil unrest.

18       (b) In addition, Federal agencies may use Federal  
19 discretionary funds that are made available in this Act to  
20 participate in Performance Partnership Pilots that are  
21 being carried out pursuant to the authority provided by  
22 section 526 of division H of Public Law 113–76, section  
23 524 of division G of Public Law 113–235, and section 525  
24 of division H of Public Law 114–113.

1           (c) Pilot sites selected under authorities in this Act  
2 and prior appropriations Acts may be granted by relevant  
3 agencies up to an additional 5 years to operate under such  
4 authorities.

5           SEC. 526. Not later than 30 days after the end of  
6 each calendar quarter, beginning with the first quarter of  
7 fiscal year 2013, the Departments of Labor, Health and  
8 Human Services and Education and the Social Security  
9 Administration shall provide the Committees on Appro-  
10 priations of the House of Representatives and Senate a  
11 quarterly report on the status of balances of appropria-  
12 tions: *Provided*, That for balances that are unobligated  
13 and uncommitted, committed, and obligated but unex-  
14 pended, the quarterly reports shall separately identify the  
15 amounts attributable to each source year of appropriation  
16 (beginning with fiscal year 2012, or, to the extent feasible,  
17 earlier fiscal years) from which balances were derived.

18           SEC. 527. Section 5 of the Special Olympics Sport  
19 and Empowerment Act of 2004 (Public Law 108–406;  
20 118 Stat. 2296) is amended—

21                   (1) in paragraph (1), by striking all that follows  
22                   after “3(a),” and inserting “such sums as may be  
23                   necessary for fiscal year 2017 and each of the 4 suc-  
24                   ceeding fiscal years;”;



1 (RESCISSION)

2 SEC. 531. Of the funds made available for purposes  
3 of carrying out section 2105(a)(3) of the Social Security  
4 Act, \$5,669,100,000 are hereby rescinded.

5 SEC. 532. (a) A State or local educational agency  
6 that receives funds made available under this Act may use  
7 such funds to implement section 8546 of the Elementary  
8 and Secondary Education Act of 1965 (20 U.S.C. 7926)  
9 and to support the costs of implementing or expanding  
10 criminal background checks for school personnel in ac-  
11 cordance with State or local law.

12 (b) Notwithstanding any other provision of law, any  
13 local educational agency or school that receives funds  
14 under title VII of the Elementary and Secondary Edu-  
15 cation Act of 1965 (20 U.S.C. 7701 et seq.) that are made  
16 available under this Act shall not be subject to require-  
17 ments that are the same or substantially similar to the  
18 requirements of section 578 of S. 2943 of the 114th Con-  
19 gress, as reported by the Committee on Armed Services  
20 on May 18, 2016.

21 This Act may be cited as the “Departments of Labor,  
22 Health and Human Services, and Education, and Related  
23 Agencies Appropriations Act, 2017”.



Calendar No. 509

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 3040**

[Report No. 114-274]

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**A BILL**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

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JUNE 9, 2016

Read twice and placed on the calendar