AMENDMENT NO. 0808

Purpose: In the nature of a substitute.


H.R. 601

To enh.
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By McConnel

To: House amd to Senate
Amtd. (No. 6) to H.R. 601

Page(s) 29

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. McConnel

Viz:

1. In lieu of the matter proposed to be inserted by
2. House amendment numbered , insert the following:

3. DIVISION B—SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS

The following sums are hereby appropriated, out of

any money in the Treasury not otherwise appropriated,

and out of applicable corporate or other revenues, receipts,

and funds, for the several departments, agencies, corpora-
tions, and other organizational units of Government for
fiscal year 2017, and for other purposes, namely:

DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
DISASTER RELIEF FUND

For an additional amount for “Disaster Relief Fund”
for major disasters declared pursuant to the Robert T.
Stafford Disaster Relief and Emergency Assistance Act
(42 U.S.C. 5121 et seq.), $7,400,000,000, to remain avail-
able until expended: Provided further, That such amount
is designated by the Congress as being for an emergency
requirement pursuant to section 251(b)(2)(A)(i) of the
Balanced Budget and Emergency Deficit Control Act of
1985: Provided further, That the amount designated under
this heading as an emergency requirement pursuant to
section 251(b)(2)(A)(i) of the Balanced Budget and
Emergency Deficit Control Act of 1985 shall be available
only if the President subsequently so designates such
amount and transmits such designation to the Congress.

SMALL BUSINESS ADMINISTRATION
DISASTER LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Disaster Loans
Program Account” for the cost of direct loans authorized
by section 7(b) of the Small Business Act, $450,000,000,
to remain available until expended: Provided, That up to $225,000,000 may be transferred to and merged with "Salaries and Expenses" for administrative expenses to carry out the disaster loan program authorized by section 7(b) of the Small Business Act: Provided further, That none of the funds provided under this heading may be used for indirect administrative expenses: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the amount designated under this heading as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

DEPARTMENT OF HOUSING AND URBAN

DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Community Development Fund", $7,400,000,000, to remain available until expended, for necessary expenses for activities authorized
under title I of the Housing and Community Development
Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster
relief, long-term recovery, restoration of infrastructure
and housing, and economic revitalization in the most im-
pacted and distressed areas resulting from a major dis-
aster declared in 2017 pursuant to the Robert T. Stafford
Disaster Relief and Emergency Assistance Act (42 U.S.C.
5121 et seq.): Provided, That funds shall be awarded di-
rectly to the State or unit of general local government at
the discretion of the Secretary: Provided further, That as
a condition of making any grant, the Secretary shall cer-
tify in advance that such grantee has in place proficient
financial controls and procurement processes and has es-
tablished adequate procedures to prevent any duplication
of benefits as defined by section 312 of the Robert T. Staff-
ford Disaster Relief and Emergency Assistance Act (42
U.S.C. 5155), to ensure timely expenditure of funds, to
maintain comprehensive websites regarding all disaster re-
cover activities assisted with these funds, and to detect
and prevent waste, fraud, and abuse of funds: Provided
further, That prior to the obligation of funds a grantee
shall submit a plan to the Secretary for approval detailing
the proposed use of all funds, including criteria for eligi-
bility and how the use of these funds will address long-
term recovery and restoration of infrastructure and hous-
ing and economic revitalization in the most impacted and
distressed areas: *Provided further,* That such funds may
not be used for activities reimbursable by, or for which
funds are made available by, the Federal Emergency Man-
agement Agency or the Army Corps of Engineers: *Pro-
vided further,* That funds allocated under this heading
shall not be considered relevant to the non-disaster for-

mula allocations made pursuant to section 106 of the
Housing and Community Development Act of 1974 (42
U.S.C. 5306): *Provided further,* That a State or subdivi-
sion thereof may use up to 5 percent of its allocation for
administrative costs: *Provided further,* That in admin-
istering the funds under this heading, the Secretary of
Housing and Urban Development may waive, or specify
alternative requirements for, any provision of any statute
or regulation that the Secretary administers in connection
with the obligation by the Secretary or the use by the re-
cipient of these funds (except for requirements related to
fair housing, nondiscrimination, labor standards, and the
environment), if the Secretary finds that good cause exists
for the waiver or alternative requirement and such waiver
or alternative requirement would not be inconsistent with
the overall purpose of title I of the Housing and Commu-
nity Development Act of 1974: *Provided further,* That,
notwithstanding the preceding proviso, recipients of funds
provided under this heading that use such funds to supple-
ment Federal assistance provided under section 402, 403,
404, 406, 407, or 502 of the Robert T. Stafford Disaster
Relief and Emergency Assistance Act (42 U.S.C. 5121 et
seq.) may adopt, without review or public comment, any
environmental review, approval, or permit performed by
a Federal agency, and such adoption shall satisfy the re-
sponsibilities of the recipient with respect to such environ-
mental review, approval or permit: Provided further, That,
notwithstanding section 104(g)(2) of the Housing and
Community Development Act of 1974 (42 U.S.C.
5304(g)(2)), the Secretary may, upon receipt of a request
for release of funds and certification, immediately approve
the release of funds for an activity or project assisted
under this heading if the recipient has adopted an environ-
mental review, approval or permit under the preceding
proviso or the activity or project is categorically excluded
from review under the National Environmental Policy Act
of 1969 (42 U.S.C. 4321 et seq.): Provided further, That
the Secretary shall publish via notice in the Federal Reg-
ister any waiver, or alternative requirement, to any statute
or regulation that the Secretary administers pursuant to
title I of the Housing and Community Development Act
of 1974 no later than 5 days before the effective date of
such waiver or alternative requirement: Provided further,
That of the amounts made available under this heading, up to $10,000,000 may be transferred, in aggregate, to “Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development” for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading:

Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the amount designated under this heading as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

This division may be cited as the “Supplemental Appropriations for Disaster Relief Requirements, 2017”.
DIVISION C—TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT

SEC. 101. (a) IN GENERAL.—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date of enactment of this Act and ending on December 8, 2017.

(b) SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING EXTENSION PERIOD.—Effective on December 9, 2017, the limitation in effect under section 3101(b) of title 31, United States Code, shall be increased to the extent that—

(1) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on December 9, 2017, exceeds

(2) the face amount of such obligations outstanding on the date of the enactment of this Act.

(c) RESTORING CONGRESSIONAL AUTHORITY OVER THE NATIONAL DEBT.

(1) Extension Limited to Necessary Obligations.—An obligation shall not be taken into account under section 101(a) unless the issuance of such obligation was necessary to fund a commitment incurred pursuant to law by the Federal Government that required payment before December 9, 2017.

(2) Prohibition on Creation of Cash Reserve During Extension Period.—The Secretary of the Treasury shall not issue obligations during the period specified in section 101(a) for the purpose of increasing the cash balance above normal operating balances in anticipation of the expiration of such period.
DIVISION D—CONTINUING

APPROPRIATIONS ACT, 2018

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2018, and for other purposes, namely:

Sec. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2017 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2017, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:


(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017 (division G of Public Law 115–31), except that the language under the heading “FLAME Wildfire Suppression Reserve Fund” in the Departments of Agriculture and the Interior shall be applied by adding at the end the following: “Provided further, That notwithstanding the first proviso under the heading and notwithstanding the FLAME Act of 2009, 43 U.S.C. 1748a(e), such funds shall be available to be transferred to and merged with other appropriations
accounts to fully repay amounts previously transferred for wildfire suppression”.


(9) The Legislative Branch Appropriations Act, 2017 (division I of Public Law 115–31) and section 175 of Public Law 114–223, as amended by division A of Public Law 114–254.


(12) The Transportation, Housing and Urban Development, and Related Agencies Appropriations
Act, 2017 (division K of Public Law 115–31), except sections 420 and 421.

(b) The rate for operations provided by subsection (a) is hereby reduced by 0.6791 percent.

Sec. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for: (1) the new production of items not funded for production in fiscal year 2017 or prior years; (2) the increase in production rates above those sustained with fiscal year 2017 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2017.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year pro-
curements utilizing advance procurement funding for eco-
monic order quantity procurement unless specifically ap-
propriated later.

Sec. 103. Appropriations made by section 101 shall
be available to the extent and in the manner that would
be provided by the pertinent appropriations Act.

Sec. 104. Except as otherwise provided in section
102, no appropriation or funds made available or author-
ity granted pursuant to section 101 shall be used to ini-
tiate or resume any project or activity for which appro-
priations, funds, or other authority were not available dur-
ing fiscal year 2017.

Sec. 105. Appropriations made and authority grant-
ed pursuant to this Act shall cover all obligations or ex-
penditures incurred for any project or activity during the
period for which funds or authority for such project or
activity are available under this Act.

Sec. 106. Unless otherwise provided for in this Act
or in the applicable appropriations Act for fiscal year
2018, appropriations and funds made available and au-
thority granted pursuant to this Act shall be available
until whichever of the following first occurs:

(1) the enactment into law of an appropriation
for any project or activity provided for in this Act;
(2) the enactment into law of the applicable appropriations Act for fiscal year 2018 without any provision for such project or activity; or

(3) December 8, 2017.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2018 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such pro-
grams funded by this Act that would impinge on final
funding prerogatives.

SEC. 110. This Act shall be implemented so that only
the most limited funding action of that permitted in the
Act shall be taken in order to provide for continuation of
projects and activities.

SEC. 111. (a) For entitlements and other mandatory
payments whose budget authority was provided in appro-
priations Acts for fiscal year 2017, and for activities under
the Food and Nutrition Act of 2008, activities shall be
continued at the rate to maintain program levels under
current law, under the authority and conditions provided
in the applicable appropriations Act for fiscal year 2017,
to be continued through the date specified in section
106(3).

(b) Notwithstanding section 106, obligations for man-
datory payments due on or about the first day of any
month that begins after October 2017 but not later than
30 days after the date specified in section 106(3) may con-
tinue to be made, and funds shall be available for such
payments.

SEC. 112. Amounts made available under section 101
for civilian personnel compensation and benefits in each
department and agency may be apportioned up to the rate
for operations necessary to avoid furloughs within such de-
1 department or agency, consistent with the applicable appro-
2 priations Act for fiscal year 2017, except that such author-
3 ity provided under this section shall not be used until after
4 the department or agency has taken all necessary actions
5 to reduce or defer non-personnel-related administrative ex-
6 penses.
7 
8 SEC. 113. Funds appropriated by this Act may be
9 obligated and expended notwithstanding section 10 of
10 Public Law 91–672 (22 U.S.C. 2412), section 15 of the
11 State Department Basic Authorities Act of 1956 (22
12 U.S.C. 2680), section 313 of the Foreign Relations Au-
14 6212), and section 504(a)(1) of the National Security Act
15 of 1947 (50 U.S.C. 3094(a)(1)).
16 
17 SEC. 114. (a) Each amount incorporated by reference
18 in this Act that was previously designated by the Congress
19 for Overseas Contingency Operations/Global War on Ter-
20 rorism or as an emergency requirement pursuant to sec-
21 tion 251(b)(2)(A) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985 or as being for disaster relief
23 pursuant to section 251(b)(2)(D) of such Act is des-
24 ignated by the Congress for Overseas Contingency Oper-
25 ations/Global War on Terrorism or as an emergency re-
26 quirement pursuant to section 251(b)(2)(A) of such Act
or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) The reduction in section 101(b) of this Act shall not apply to—

(1) amounts designated under subsection (a) of this section;

(2) amounts made available by section 101(a) by reference to the second paragraph under the heading "Social Security Administration—Limitation on Administrative Expenses" in division H of Public Law 115–31; or

(3) amounts made available by section 101(a) by reference to the paragraph under the heading "Centers for Medicare and Medicaid Services—Health Care Fraud and Abuse Control Account" in division H of Public Law 115–31.

(e) Section 6 of Public Law 115–31 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement.

Sec. 115. During the period covered by this Act, discretionary amounts appropriated for fiscal year 2018 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).
SEC. 116. Notwithstanding section 101, amounts are provided for “Department of Agriculture—Domestic Food Programs—Food and Nutrition Service—Commodity Assistance Program” at a rate for operations of $317,139,000, of which $238,120,000 shall be for the Commodity Supplemental Food Program.

SEC. 117. The final proviso in section 715 of division A of Public Law 115–31 shall be applied during the period covered by this Act by adding “from amounts first made available for fiscal year 2018” after “unobligated balances” and as if the following were struck from such proviso: “the carryover amounts authorized in the first proviso of this section for section 32 and”.

SEC. 118. Amounts made available by section 101 for “Department of Commerce—Bureau of the Census—Periodic Censuses and Programs” may be apportioned up to the rate for operations necessary to maintain the schedule and deliver the required data according to statutory deadlines in the 2020 Decennial Census Program.

SEC. 119. Section 1215(f)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 113 note), as most recently amended by section 1223 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), shall be applied by substituting “2018” for “2017” through the ear-
lier of the date specified in section 106(3) of this Act or
the date of the enactment of an Act authorizing appropri-
ations for fiscal year 2018 for military activities of the De-
partment of Defense.

SEC. 120. (a) Funds made available by section 101
for “Department of Energy—Energy Programs—Ura-
nium Enrichment Decontamination and Decommissioning
Fund” may be apportioned up to the rate for operations
necessary to avoid disruption of continuing projects or ac-
tivities funded in this appropriation.

(b) The Secretary of Energy shall notify the Commit-
tees on Appropriations of the House of Representatives
and the Senate not later than 3 days after each use of
the authority provided in subsection (a).

SEC. 121. Section 104(e) of the Reclamation States
2214(e)) shall be applied by substituting the date specified
in section 106(3) for “September 30, 2017”.

SEC. 122. (a) Notwithstanding section 101, the third
proviso under the heading “Power Marketing Administra-
tions—Operation and Maintenance, Southeastern Power
Administration” in division D of Public Law 115–31 shall
be applied by substituting “$51,000,000” for
“$60,760,000”.

September 6, 2017 (10:40 p.m.)
20

(b) Notwithstanding section 101, the third proviso under the heading “Power Marketing Administrations—Operation and Maintenance, Southwestern Power Administration” in division D of Public Law 115–31 shall be applied by substituting “$10,000,000” for “$73,000,000”.

c) Notwithstanding section 101, the third proviso under the heading “Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration” in division D of Public Law 115–31 shall be applied by substituting “$179,000,000” for “$367,009,000”.

SEC. 123. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under the District of Columbia Appropriations Act, 2017 (title IV of division E of Public Law 115–31) at the rate set forth under “Part A—Summary of Expenses” as included in the Fiscal Year 2018 Local Budget Act of 2017 (D.C. Act 22–99), as modified as of the date of the enactment of this Act.

SEC. 124. (a) Notwithstanding section 101, amounts are provided for “General Services Administration—Allowances and Office Staff for Former Presidents” to carry

(b) Notwithstanding section 101, no funds are provided by this Act for “General Services Administration—Expenses, Presidential Transition” and “Executive Office of the President and Funds Appropriated to the President—Presidential Transition Administrative Support”.

c) Notwithstanding section 101, the matter preceding the first proviso under the heading “District of Columbia—Federal Payment for Emergency Planning and Security Costs in the District of Columbia” in division E of Public Law 115–31 shall be applied by substituting “$14,900,000” for “$34,895,000” and the first proviso under that heading shall not apply during the period covered by this Act.

d) Notwithstanding section 101, the matter preceding the first proviso under the heading “National Archives and Records Administration—Operating Expenses” in division E of Public Law 115–31 shall be applied by substituting “$375,784,000” for “$380,634,000”.

e) Notwithstanding section 101, the matter preceding the first proviso under the heading “Department of the Interior—National Park Service—Operation of the National Park System” in division G of Public Law 115–
31 shall be applied by substituting "$2,420,818,000" for
"$2,425,018,000".

SEC. 125. Amounts made available by section 101 for
"Department of Homeland Security—Office of the Sec-
retary and Executive Management—Operations and Sup-
port", "Department of Homeland Security—Management
Directorate—Operations and Support", and "Department
of Homeland Security—Intelligence, Analysis, and Oper-
ations Coordination—Operations and Support" may be
apportioned up to the rate for operations necessary to
carry out activities previously funded under "Department
of Homeland Security—Working Capital Fund", consis-
tent with the fiscal year 2018 President’s Budget.

SEC. 126. Amounts made available by section 101 for
"U.S. Customs and Border Protection—Operations and
Support", "U.S. Immigration and Customs Enforce-
ment—Operations and Support", "Transportation Secu-
rity Administration—Operations and Support", and
"United States Secret Service—Operations and Support"
accounts of the Department of Homeland Security may
be apportioned at a rate for operations necessary to main-
tain not less than the number of staff achieved on Sep-
tember 30, 2017.

SEC. 127. The authority provided by section 831 of
continue in effect through the date specified in section 106(3) of this Act.

SEC. 128. Section 404 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2950), as amended, shall be applied in subsection (b) by substituting the date specified in section 106(3) for “September 30, 2017”.

SEC. 129. Amounts made available by section 101 for “Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief Fund” may be apportioned up to the rate for operations necessary to carry out response and recovery activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 130. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2017”.


SEC. 132. The authority provided by subsection (m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law...
106–79) shall continue in effect through the date specified
in section 106(3) of this Act.

SEC. 133. In addition to the amounts otherwise pro-
vided by section 101, an additional amount is provided for
“Environmental Protection Agency—Water Infrastruc-
ture Finance and Innovation Program Account” for ad-
ministrative expenses to carry out the direct and guaran-
teed loan programs, notwithstanding section 5033 of the
Water Infrastructure Finance and Innovation Act of
2014, at a rate for operations of $3,000,000.

SEC. 134. (a) The following sections of the Federal
Insecticide, Fungicide, and Rodenticide Act shall continue
in effect through the date specified in section 106(3) of
this joint resolution—

(1) subparagraphs (C) through (E) of section
4(i)(1) (7 U.S.C. 136a–1(i)(1)(C)–(E));
(2) section 4(k)(3) (7 U.S.C. 136a–1(k)(3));
(3) section 4(k)(4) (7 U.S.C. 136a–1(k)(4));
and
(4) section 33(c)(3)(B) (7 U.S.C. 136w–
8(c)(3)(B)).

(b)(1) Section 4(i)(1)(I) of the Federal Insecticide,
Fungicide, and Rodenticide Act (7 U.S.C. 136a–
1(i)(1)(I)) shall be applied by substituting the date speci-
25 fied in section 106(3) of this joint resolution for “Sep-
2 tember 30, 2017”.

3 (2) Notwithstanding section 33(m)(2) of the Federal
4 Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.
5 136w–8(m)(2)), section 33(m)(1) of such Act (7 U.S.C.
6 136w–8(m)(1)) shall be applied by substituting the date
7 specified in section 106(3) of this joint resolution for
8 “September 30, 2017”.
9 (c) Section 408(m)(3) of the Federal Food, Drug,
10 and Cosmetic Act (21 U.S.C. 346a(m)(3)) shall be applied
11 by substituting the date specified in section 106(3) of this
12 joint resolution for “September 30, 2017”.

13 Sec. 135. Section 114(f) of the Higher Education
14 Act of 1965 (20 U.S.C. 1011c(f)) shall be applied by sub-
15 stituting the date specified in section 106(3) of this Act
16 for “September 30, 2017”.

17 Sec. 136. The second proviso under the heading “De-
18 partment of Health and Human Services—Administration
19 for Children and Families—Children and Families Serv-
20 ices Programs” in title II of division H of Public Law
21 115–31 shall be applied during the period covered by this
22 Act as if the following were struck from such proviso: “,
23 of which $80,000,000 shall be available for a cost of living
24 adjustment notwithstanding section 640(a)(3)(A) of such
25 Act”.
SEC. 137. The proviso at the end of paragraph (1) under the heading "Department of Labor—Employment and Training Administration—State Unemployment Insurance and Employment Service Operations" in title I of division G of Public Law 113–235 shall be applied through the date specified in section 106(3) of this Act by substituting "seven" for "six".

SEC. 138. In making Federal financial assistance, the National Institutes of Health shall continue through the date specified in section 106(3) of this Act to apply the provisions relating to indirect costs in part 75 of title 45, Code of Federal Regulations, including with respect to the approval of deviations from negotiated rates, to the same extent and in the same manner as the National Institutes of Health applied such provisions in the third quarter of fiscal year 2017. None of the funds appropriated in this Act may be used to develop or implement a modified approach to such provisions, or to intentionally or substantially expand the fiscal effect of the approval of such deviations from negotiated rates beyond the proportional effect of such approvals in such quarter.

SEC. 139. (a) Section 529 of division II of Public Law 115–31 shall be applied by substituting "prior to the beginning of fiscal year 2018 under section 2104(n)(2)" for "from the appropriation to the Fund for the first semi-
annual allotment period for fiscal year 2017 under section 2104(n)(2)(A)(ii)”; and
(b) section 532 of division H of Public Law 115–31 shall be applied by substituting “2,652,000,000” for “1,132,000,000”.

Sec. 140. Notwithstanding 2 U.S.C. 4577, amounts made available by section 101 for “Legislative Branch—Senate—Salaries, Officers and Employees—Office of the Sergeant at Arms and Doorkeeper” may be apportioned up to the rate for operations necessary to maintain current Senate cybersecurity capabilities.

Sec. 141. (a) The remaining unobligated balances of funds made available under the heading “Department of Veterans Affairs—Departmental Administration—Construction, Major Projects” in division A of the Disaster Relief Appropriations Act of 2013 and Sandy Recovery Improvement Act of 2013 (Public Law 113–2) are hereby rescinded: Provided, That the amounts rescinded pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to that section of that Act.
(b) In addition to the amount otherwise provided by section 101 for "Department of Veterans Affairs—Departmental Administration—Construction, Major Projects", there is appropriated for an additional amount for fiscal year 2017, to remain available until September 30, 2022, an amount equal to the unobligated balances rescinded pursuant to subsection (a), for renovations and repairs as a consequence of damage caused by Hurricane Sandy: Provided, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and major medical facility construction not otherwise authorized by law: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Each amount designated in this section by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

(d) This section shall become effective immediately upon enactment of this Act.
SEC. 142. Sections 579(a)(1) and (b) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) shall be applied by substituting the date specified in section 106(3) for “October 1, 2017”.

This division may be cited as the “Continuing Appropriations Act, 2018”.