

H.C. p. 1, 8

AMENDMENT NO. _____

Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

H.R. 601

To enhance
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AMENDMENT N° 0808

By McCormell

To: House amdt to Senate

Amdt. (No. 6) to H.R. 601

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Referr Page(s)

GPO: 2016 22-945 (mac)

Ordered to lie on the table and to be printed

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

Viz:

- 1 In lieu of the matter proposed to be inserted by
- 2 House amendment numbered _____, insert the following:
- 3 **DIVISION B—SUPPLEMENTAL APPRO-**
- 4 **PRIATIONS FOR DISASTER RELIEF RE-**
- 5 **QUIREMENTS**

- 6 The following sums are hereby appropriated, out of
- 7 any money in the Treasury not otherwise appropriated,
- 8 and out of applicable corporate or other revenues, receipts,
- 9 and funds, for the several departments, agencies, corpora-

1 tions, and other organizational units of Government for
2 fiscal year 2017, and for other purposes, namely:

3 DEPARTMENT OF HOMELAND SECURITY

4 FEDERAL EMERGENCY MANAGEMENT AGENCY

5 DISASTER RELIEF FUND

6 For an additional amount for “Disaster Relief Fund”
7 for major disasters declared pursuant to the Robert T.
8 Stafford Disaster Relief and Emergency Assistance Act
9 (42 U.S.C. 5121 et seq.), \$7,400,000,000, to remain avail-
10 able until expended: *Provided further*, That such amount
11 is designated by the Congress as being for an emergency
12 requirement pursuant to section 251(b)(2)(A)(i) of the
13 Balanced Budget and Emergency Deficit Control Act of
14 1985: *Provided further*, That the amount designated under
15 this heading as an emergency requirement pursuant to
16 section 251(b)(2)(A)(i) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985 shall be available
18 only if the President subsequently so designates such
19 amount and transmits such designation to the Congress.

20 SMALL BUSINESS ADMINISTRATION

21 DISASTER LOANS PROGRAM ACCOUNT

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for the “Disaster Loans
24 Program Account” for the cost of direct loans authorized
25 by section 7(b) of the Small Business Act, \$450,000,000,

1 to remain available until expended: *Provided*, That up to
2 \$225,000,000 may be transferred to and merged with
3 “Salaries and Expenses” for administrative expenses to
4 carry out the disaster loan program authorized by section
5 7(b) of the Small Business Act: *Provided further*, That
6 none of the funds provided under this heading may be
7 used for indirect administrative expenses: *Provided fur-*
8 *ther*, That the amount provided under this heading is des-
9 ignated as an emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985: *Provided further*, That the
12 amount designated under this heading as an emergency
13 requirement pursuant to section 251(b)(2)(A)(i) of the
14 Balanced Budget and Emergency Deficit Control Act of
15 1985 shall be available only if the President subsequently
16 so designates such amount and transmits such designation
17 to the Congress.

18 DEPARTMENT OF HOUSING AND URBAN

19 DEVELOPMENT

20 COMMUNITY PLANNING AND DEVELOPMENT

21 COMMUNITY DEVELOPMENT FUND

22 (INCLUDING TRANSFERS OF FUNDS)

23 For an additional amount for “Community Develop-
24 ment Fund”, \$7,400,000,000, to remain available until
25 expended, for necessary expenses for activities authorized

1 under title I of the Housing and Community Development
2 Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster
3 relief, long-term recovery, restoration of infrastructure
4 and housing, and economic revitalization in the most im-
5 pacted and distressed areas resulting from a major dis-
6 aster declared in 2017 pursuant to the Robert T. Stafford
7 Disaster Relief and Emergency Assistance Act (42 U.S.C.
8 5121 et seq.): *Provided*, That funds shall be awarded di-
9 rectly to the State or unit of general local government at
10 the discretion of the Secretary: *Provided further*, That as
11 a condition of making any grant, the Secretary shall cer-
12 tify in advance that such grantee has in place proficient
13 financial controls and procurement processes and has es-
14 tablished adequate procedures to prevent any duplication
15 of benefits as defined by section 312 of the Robert T. Staf-
16 ford Disaster Relief and Emergency Assistance Act (42
17 U.S.C. 5155), to ensure timely expenditure of funds, to
18 maintain comprehensive websites regarding all disaster re-
19 covery activities assisted with these funds, and to detect
20 and prevent waste, fraud, and abuse of funds: *Provided*
21 *further*, That prior to the obligation of funds a grantee
22 shall submit a plan to the Secretary for approval detailing
23 the proposed use of all funds, including criteria for eligi-
24 bility and how the use of these funds will address long-
25 term recovery and restoration of infrastructure and hous-

1 ing and economic revitalization in the most impacted and
2 distressed areas: *Provided further*, That such funds may
3 not be used for activities reimbursable by, or for which
4 funds are made available by, the Federal Emergency Man-
5 agement Agency or the Army Corps of Engineers: *Pro-*
6 *vided further*, That funds allocated under this heading
7 shall not be considered relevant to the non-disaster for-
8 mula allocations made pursuant to section 106 of the
9 Housing and Community Development Act of 1974 (42
10 U.S.C. 5306): *Provided further*, That a State or subdivi-
11 sion thereof may use up to 5 percent of its allocation for
12 administrative costs: *Provided further*, That in admin-
13 istering the funds under this heading, the Secretary of
14 Housing and Urban Development may waive, or specify
15 alternative requirements for, any provision of any statute
16 or regulation that the Secretary administers in connection
17 with the obligation by the Secretary or the use by the re-
18 cipient of these funds (except for requirements related to
19 fair housing, nondiscrimination, labor standards, and the
20 environment), if the Secretary finds that good cause exists
21 for the waiver or alternative requirement and such waiver
22 or alternative requirement would not be inconsistent with
23 the overall purpose of title I of the Housing and Commu-
24 nity Development Act of 1974: *Provided further*, That,
25 notwithstanding the preceding proviso, recipients of funds

1 provided under this heading that use such funds to supple-
2 ment Federal assistance provided under section 402, 403,
3 404, 406, 407, or 502 of the Robert T. Stafford Disaster
4 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
5 seq.) may adopt, without review or public comment, any
6 environmental review, approval, or permit performed by
7 a Federal agency, and such adoption shall satisfy the re-
8 sponsibilities of the recipient with respect to such environ-
9 mental review, approval or permit: *Provided further*, That,
10 notwithstanding section 104(g)(2) of the Housing and
11 Community Development Act of 1974 (42 U.S.C.
12 5304(g)(2)), the Secretary may, upon receipt of a request
13 for release of funds and certification, immediately approve
14 the release of funds for an activity or project assisted
15 under this heading if the recipient has adopted an environ-
16 mental review, approval or permit under the preceding
17 proviso or the activity or project is categorically excluded
18 from review under the National Environmental Policy Act
19 of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That
20 the Secretary shall publish via notice in the Federal Reg-
21 ister any waiver, or alternative requirement, to any statute
22 or regulation that the Secretary administers pursuant to
23 title I of the Housing and Community Development Act
24 of 1974 no later than 5 days before the effective date of
25 such waiver or alternative requirement: *Provided further*,

1 That of the amounts made available under this heading,
2 up to \$10,000,000 may be transferred, in aggregate, to
3 “Department of Housing and Urban Development—Pro-
4 gram Office Salaries and Expenses—Community Planning
5 and Development” for necessary costs, including informa-
6 tion technology costs, of administering and overseeing the
7 obligation and expenditure of amounts under this heading:
8 *Provided further*, That such amount is designated by the
9 Congress as being for an emergency requirement pursuant
10 to section 251(b)(2)(A)(i) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985: *Provided further*,
12 That the amount designated under this heading as an
13 emergency requirement pursuant to section
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985 shall be available only if the
16 President subsequently so designates such amount and
17 transmits such designation to the Congress.

18 This division may be cited as the “Supplemental Ap-
19 propriations for Disaster Relief Requirements, 2017”.

3 SEC. 101. (a) IN GENERAL.—Section 3101(b) of title
4 31, United States Code, shall not apply for the period be-
5 ginning on the date of enactment of this Act and ending
6 on December 8, 2017.

(b) SPECIAL RULE RELATING TO OBLIGATIONS
ISSUED DURING EXTENSION PERIOD.—Effective on De-
cember 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

18 (2) the face amount of such obligations out-
19 standing on the date of the enactment of this Act.

(c) RESTORING CONGRESSIONAL AUTHORITY OVER THE NATIONAL DEBT.

(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.

1 **DIVISION D—CONTINUING**
2 **APPROPRIATIONS ACT, 2018**

3 The following sums are hereby appropriated, out of
4 any money in the Treasury not otherwise appropriated,
5 and out of applicable corporate or other revenues, receipts,
6 and funds, for the several departments, agencies, corpora-
7 tions, and other organizational units of Government for
8 fiscal year 2018, and for other purposes, namely:

9 SEC. 101. (a) Such amounts as may be necessary,
10 at a rate for operations as provided in the applicable ap-
11 propriations Acts for fiscal year 2017 and under the au-
12 thority and conditions provided in such Acts, for con-
13 tinuing projects or activities (including the costs of direct
14 loans and loan guarantees) that are not otherwise specifi-
15 cally provided for in this Act, that were conducted in fiscal
16 year 2017, and for which appropriations, funds, or other
17 authority were made available in the following appropria-
18 tions Acts:

19 (1) The Agriculture, Rural Development, Food
20 and Drug Administration, and Related Agencies Ap-
21 propriations Act, 2017 (division A of Public Law
22 115–31) and section 193 of Public Law 114–223, as
23 amended by division A of Public Law 114–254.

1 (2) The Commerce, Justice, Science, and Re-
2 lated Agencies Appropriations Act, 2017 (division B
3 of Public Law 115–31), except section 540.

4 (3) The Department of Defense Appropriations
5 Act, 2017 (division C of Public Law 115–31).

6 (4) The Energy and Water Development and
7 Related Agencies Appropriations Act, 2017 (division
8 D of Public Law 115–31).

9 (5) The Financial Services and General Govern-
10 ment Appropriations Act, 2017 (division E of Public
11 Law 115–31).

12 (6) The Department of Homeland Security Ap-
13 propriations Act, 2017 (division F of Public Law
14 115–31), except section 310.

15 (7) The Department of the Interior, Environ-
16 ment, and Related Agencies Appropriations Act,
17 2017 (division G of Public Law 115–31), except that
18 the language under the heading “FLAME Wildfire
19 Suppression Reserve Fund” in the Departments of
20 Agriculture and the Interior shall be applied by add-
21 ing at the end the following: “*Provided further*, That
22 notwithstanding the first proviso under the heading
23 and notwithstanding the FLAME Act of 2009, 43
24 U.S.C. 1748a(e), such funds shall be available to be
25 transferred to and merged with other appropriations

1 accounts to fully repay amounts previously trans-
2 ferred for wildfire suppression”.

3 (8) The Departments of Labor, Health and
4 Human Services, and Education, and Related Agen-
5 cies Appropriations Act, 2017 (division H of Public
6 Law 115–31) and sections 171, 194, and 195 of
7 Public Law 114–223, as amended by division A of
8 Public Law 114–254.

9 (9) The Legislative Branch Appropriations Act,
10 2017 (division I of Public Law 115–31) and section
11 175 of Public Law 114–223, as amended by division
12 A of Public Law 114–254.

13 (10) The Military Construction, Veterans Af-
14 fairs, and Related Agencies Appropriations Act,
15 2017 (division A of Public Law 114–223), except for
16 appropriations for fiscal year 2017 in the matter
17 preceding the first proviso under the heading “Med-
18 ical Community Care”, and division L of Public Law
19 115–31.

20 (11) The Department of State, Foreign Oper-
21 ations, and Related Programs Appropriations Act,
22 2017 (division J of Public Law 115–31).

23 (12) The Transportation, Housing and Urban
24 Development, and Related Agencies Appropriations

1 Act, 2017 (division K of Public Law 115–31), except
2 sections 420 and 421.

3 (13) The Security Assistance Appropriations
4 Act, 2017 (division B of Public Law 114–254).

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

7 SEC. 102. (a) No appropriation or funds made avail-
8 able or authority granted pursuant to section 101 for the
9 Department of Defense shall be used for: (1) the new pro-
10 duction of items not funded for production in fiscal year
11 2017 or prior years; (2) the increase in production rates
12 above those sustained with fiscal year 2017 funds; or (3)
13 the initiation, resumption, or continuation of any project,
14 activity, operation, or organization (defined as any project,
15 subproject, activity, budget activity, program element, and
16 subprogram within a program element, and for any invest-
17 ment items defined as a P–1 line item in a budget activity
18 within an appropriation account and an R–1 line item that
19 includes a program element and subprogram element with-
20 in an appropriation account) for which appropriations,
21 funds, or other authority were not available during fiscal
22 year 2017.

23 (b) No appropriation or funds made available or au-
24 thority granted pursuant to section 101 for the Depart-
25 ment of Defense shall be used to initiate multi-year pro-

1 currements utilizing advance procurement funding for eco-
2 nomic order quantity procurement unless specifically ap-
3 propriated later.

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

7 SEC. 104. Except as otherwise provided in section
8 102, no appropriation or funds made available or author-
9 ity granted pursuant to section 101 shall be used to ini-
10 tiate or resume any project or activity for which appro-
11 priations, funds, or other authority were not available dur-
12 ing fiscal year 2017.

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

18 SEC. 106. Unless otherwise provided for in this Act
19 or in the applicable appropriations Act for fiscal year
20 2018, appropriations and funds made available and au-
21 thority granted pursuant to this Act shall be available
22 until whichever of the following first occurs:

23 (1) the enactment into law of an appropriation
24 for any project or activity provided for in this Act;

1 (2) the enactment into law of the applicable ap-
2 ropriations Act for fiscal year 2018 without any
3 provision for such project or activity; or

4 (3) December 8, 2017.

5 SEC. 107. Expenditures made pursuant to this Act
6 shall be charged to the applicable appropriation, fund, or
7 authorization whenever a bill in which such applicable ap-
8 propriation, fund, or authorization is contained is enacted
9 into law.

10 SEC. 108. Appropriations made and funds made
11 available by or authority granted pursuant to this Act may
12 be used without regard to the time limitations for submis-
13 sion and approval of apportionments set forth in section
14 1513 of title 31, United States Code, but nothing in this
15 Act may be construed to waive any other provision of law
16 governing the apportionment of funds.

17 SEC. 109. Notwithstanding any other provision of
18 this Act, except section 106, for those programs that
19 would otherwise have high initial rates of operation or
20 complete distribution of appropriations at the beginning
21 of fiscal year 2018 because of distributions of funding to
22 States, foreign countries, grantees, or others, such high
23 initial rates of operation or complete distribution shall not
24 be made, and no grants shall be awarded for such pro-

1 grams funded by this Act that would impinge on final
2 funding prerogatives.

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

7 SEC. 111. (a) For entitlements and other mandatory
8 payments whose budget authority was provided in appro-
9 priations Acts for fiscal year 2017, and for activities under
10 the Food and Nutrition Act of 2008, activities shall be
11 continued at the rate to maintain program levels under
12 current law, under the authority and conditions provided
13 in the applicable appropriations Act for fiscal year 2017,
14 to be continued through the date specified in section
15 106(3).

16 (b) Notwithstanding section 106, obligations for man-
17 datory payments due on or about the first day of any
18 month that begins after October 2017 but not later than
19 30 days after the date specified in section 106(3) may con-
20 tinue to be made, and funds shall be available for such
21 payments.

22 SEC. 112. Amounts made available under section 101
23 for civilian personnel compensation and benefits in each
24 department and agency may be apportioned up to the rate
25 for operations necessary to avoid furloughs within such de-

1 partment 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 SEC. 113. Funds appropriated by this Act may be
8 obligated and expended notwithstanding section 10 of
9 Public Law 91-672 (22 U.S.C. 2412), section 15 of the
10 State Department Basic Authorities Act of 1956 (22
11 U.S.C. 2680), section 313 of the Foreign Relations Au-
12 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
13 6212), and section 504(a)(1) of the National Security Act
14 of 1947 (50 U.S.C. 3094(a)(1)).

15 SEC. 114. (a) Each amount incorporated by reference
16 in this Act that was previously designated by the Congress
17 for Overseas Contingency Operations/Global War on Ter-
18 rorism or as an emergency requirement pursuant to sec-
19 tion 251(b)(2)(A) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985 or as being for disaster relief
21 pursuant to section 251(b)(2)(D) of such Act is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism or as an emergency re-
24 quirement pursuant to section 251(b)(2)(A) of such Act

1 or as being for disaster relief pursuant to section
2 251(b)(2)(D) of such Act, respectively.

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

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

7 (2) amounts made available by section 101(a)
8 by reference to the second paragraph under the
9 heading “Social Security Administration—Limita-
10 tion on Administrative Expenses” in division H of
11 Public Law 115–31; or

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

17 (c) Section 6 of Public Law 115–31 shall apply to
18 amounts designated in subsection (a) for Overseas Contin-
19 gency Operations/Global War on Terrorism or as an emer-
20 gency requirement.

21 SEC. 115. During the period covered by this Act, dis-
22 cretionary amounts appropriated for fiscal year 2018 that
23 were provided in advance by appropriations Acts shall be
24 available in the amounts provided in such Acts, reduced
25 by the percentage in section 101(b).

1 SEC. 116. Notwithstanding section 101, amounts are
2 provided for “Department of Agriculture—Domestic Food
3 Programs—Food and Nutrition Service—Commodity As-
4 sistance Program” at a rate for operations of
5 \$317,139,000, of which \$238,120,000 shall be for the
6 Commodity Supplemental Food Program.

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

14 SEC. 118. Amounts made available by section 101 for
15 “Department of Commerce—Bureau of the Census—Peri-
16 odic Censuses and Programs” may be apportioned up to
17 the rate for operations necessary to maintain the schedule
18 and deliver the required data according to statutory dead-
19 lines in the 2020 Decennial Census Program.

20 SEC. 119. Section 1215(f)(1) of the National Defense
21 Authorization Act for Fiscal Year 2012 (Public Law 112–
22 81; 10 U.S.C. 113 note), as most recently amended by
23 section 1223 of the National Defense Authorization Act
24 for Fiscal Year 2017 (Public Law 114–328), shall be ap-
25 plied by substituting “2018” for “2017” through the ear-

1 lier of the date specified in section 106(3) of this Act or
2 the date of the enactment of an Act authorizing appropria-
3 tions for fiscal year 2018 for military activities of the De-
4 partment of Defense.

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

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

15 SEC. 121. Section 104(c) of the Reclamation States
16 Emergency Drought Relief Act of 1991 (43 U.S.C.
17 2214(c)) shall be applied by substituting the date specified
18 in section 106(3) for “September 30, 2017”.

19 SEC. 122. (a) Notwithstanding section 101, the third
20 proviso under the heading “Power Marketing Administra-
21 tions—Operation and Maintenance, Southeastern Power
22 Administration” in division D of Public Law 115–31 shall
23 be applied by substituting “\$51,000,000” for
24 “\$60,760,000”.

1 (b) Notwithstanding section 101, the third proviso
2 under the heading “Power Marketing Administrations—
3 Operation and Maintenance, Southwestern Power Admin-
4 istration” in division D of Public Law 115–31 shall be
5 applied by substituting “\$10,000,000” for
6 “\$73,000,000”.

7 (c) Notwithstanding section 101, the third proviso
8 under the heading “Power Marketing Administrations—
9 Construction, Rehabilitation, Operation and Maintenance,
10 Western Area Power Administration” in division D of
11 Public Law 115–31 shall be applied by substituting
12 “\$179,000,000” for “\$367,009,000”.

13 SEC. 123. Notwithstanding any other provision of
14 this Act, except section 106, the District of Columbia may
15 expend local funds under the heading “District of Colum-
16 bia Funds” for such programs and activities under the
17 District of Columbia Appropriations Act, 2017 (title IV
18 of division E of Public Law 115–31) at the rate set forth
19 under “Part A—Summary of Expenses” as included in
20 the Fiscal Year 2018 Local Budget Act of 2017 (D.C. Act
21 22–99), as modified as of the date of the enactment of
22 this Act.

23 SEC. 124. (a) Notwithstanding section 101, amounts
24 are provided for “General Services Administration—Al-
25 lowances and Office Staff for Former Presidents” to carry

1 out the provisions of the Act of August 25, 1958 (3 U.S.C.
2 102 note), at a rate for operations of \$4,754,000.

3 (b) Notwithstanding section 101, no funds are pro-
4 vided by this Act for “General Services Administration—
5 Expenses, Presidential Transition” and “Executive Office
6 of the President and Funds Appropriated to the Presi-
7 dent—Presidential Transition Administrative Support”.

8 (c) Notwithstanding section 101, the matter pre-
9 ceding the first proviso under the heading “District of Co-
10 lumbia—Federal Payment for Emergency Planning and
11 Security Costs in the District of Columbia” in division E
12 of Public Law 115–31 shall be applied by substituting
13 “\$14,900,000” for “\$34,895,000” and the first proviso
14 under that heading shall not apply during the period cov-
15 ered by this Act.

16 (d) Notwithstanding section 101, the matter pre-
17 ceding the first proviso under the heading “National Ar-
18 chives and Records Administration—Operating Expenses”
19 in division E of Public Law 115–31 shall be applied by
20 substituting “\$375,784,000” for “\$380,634,000”.

21 (e) Notwithstanding section 101, the matter pre-
22 ceding the first proviso under the heading “Department
23 of the Interior—National Park Service—Operation of the
24 National Park System” in division G of Public Law 115–

1 31 shall be applied by substituting “\$2,420,818,000” for
2 “\$2,425,018,000”.

3 SEC. 125. Amounts made available by section 101 for
4 “Department of Homeland Security—Office of the Sec-
5 retary and Executive Management—Operations and Sup-
6 port”, “Department of Homeland Security—Management
7 Directorate—Operations and Support”, and “Department
8 of Homeland Security—Intelligence, Analysis, and Oper-
9 ations Coordination—Operations and Support” may be
10 apportioned up to the rate for operations necessary to
11 carry out activities previously funded under “Department
12 of Homeland Security—Working Capital Fund”, con-
13 sistent with the fiscal year 2018 President’s Budget.

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

24 SEC. 127. The authority provided by section 831 of
25 the Homeland Security Act of 2002 (6 U.S.C. 391) shall

1 continue in effect through the date specified in section
2 106(3) of this Act.

3 SEC. 128. Section 404 of the Coast Guard Authoriza-
4 tion Act of 2010 (Public Law 111–281; 124 Stat. 2950),
5 as amended, shall be applied in subsection (b) by sub-
6 stituting the date specified in section 106(3) for “Sep-
7 tember 30, 2017”.

8 SEC. 129. Amounts made available by section 101 for
9 “Department of Homeland Security—Federal Emergency
10 Management Agency—Disaster Relief Fund” may be ap-
11 portioned up to the rate for operations necessary to carry
12 out response and recovery activities under the Robert T.
13 Stafford Disaster Relief and Emergency Assistance Act
14 (42 U.S.C. 5121 et seq.).

15 SEC. 130. Sections 1309(a) and 1319 of the National
16 Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and
17 4026) shall be applied by substituting the date specified
18 in section 106(3) of this Act for “September 30, 2017”.

19 SEC. 131. Section 810 of the Federal Lands Recre-
20 ation Enhancement Act (16 U.S.C. 6809) is amended by
21 striking “September 30, 2018” and inserting “September
22 30, 2019”.

23 SEC. 132. The authority provided by subsection
24 (m)(3) of section 8162 of the Department of Defense Ap-
25 propriations Act, 2000 (40 U.S.C. 8903 note; Public Law

1 106–79) shall continue in effect through the date specified
2 in section 106(3) of this Act.

3 SEC. 133. In addition to the amounts otherwise pro-
4 vided by section 101, an additional amount is provided for
5 “Environmental Protection Agency—Water Infrastruc-
6 ture Finance and Innovation Program Account” for ad-
7 ministrative expenses to carry out the direct and guaran-
8 teed loan programs, notwithstanding section 5033 of the
9 Water Infrastructure Finance and Innovation Act of
10 2014, at a rate for operations of \$3,000,000.

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

15 (1) subparagraphs (C) through (E) of section

16 4(i)(1) (7 U.S.C. 136a–1(i)(1)(C)–(E));

17 (2) section 4(k)(3) (7 U.S.C. 136a–1(k)(3));

18 (3) section 4(k)(4) (7 U.S.C. 136a–1(k)(4));

19 and

20 (4) section 33(c)(3)(B) (7 U.S.C. 136w–

21 8(c)(3)(B)).

22 (b)(1) Section 4(i)(1)(I) of the Federal Insecticide,
23 Fungicide, and Rodenticide Act (7 U.S.C. 136a–
24 1(i)(1)(I)) shall be applied by substituting the date speci-

1 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”.

1 SEC. 137. The proviso at the end of paragraph (1)
2 under the heading “Department of Labor—Employment
3 and Training Administration—State Unemployment In-
4 surance and Employment Service Operations” in title I
5 of division G of Public Law 113–235 shall be applied
6 through the date specified in section 106(3) of this Act
7 by substituting “seven” for “six”.

8 SEC. 138. In making Federal financial assistance, the
9 National Institutes of Health shall continue through the
10 date specified in section 106(3) of this Act to apply the
11 provisions relating to indirect costs in part 75 of title 45,
12 Code of Federal Regulations, including with respect to the
13 approval of deviations from negotiated rates, to the same
14 extent and in the same manner as the National Institutes
15 of Health applied such provisions in the third quarter of
16 fiscal year 2017. None of the funds appropriated in this
17 Act may be used to develop or implement a modified ap-
18 proach to such provisions, or to intentionally or substan-
19 tially expand the fiscal effect of the approval of such devi-
20 ations from negotiated rates beyond the proportional ef-
21 fect of such approvals in such quarter.

22 SEC. 139. (a) Section 529 of division H of Public
23 Law 115–31 shall be applied by substituting “prior to the
24 beginning of fiscal year 2018 under section 2104(n)(2)”
25 for “from the appropriation to the Fund for the first semi-

1 annual allotment period for fiscal year 2017 under section
2 2104(n)(2)(A)(ii)”; and

3 (b) section 532 of division H of Public Law 115–31
4 shall be applied by substituting “2,652,000,000” for
5 “1,132,000,000”.

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

12 SEC. 141. (a) The remaining unobligated balances of
13 funds made available under the heading “Department of
14 Veterans Affairs—Departmental Administration—Con-
15 struction, Major Projects” in division A of the Disaster
16 Relief Appropriations Act of 2013 and Sandy Recovery
17 Improvement Act of 2013 (Public Law 113–2) are hereby
18 rescinded: *Provided*, That the amounts rescinded pursuant
19 to this section that were previously designated by the Con-
20 gress as an emergency requirement pursuant to section
21 251(b)(2)(A)(i) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985 are designated by the Con-
23 gress as an emergency requirement pursuant to that sec-
24 tion of that Act.

1 (b) In addition to the amount otherwise provided by
2 section 101 for “Department of Veterans Affairs—De-
3 partmental Administration—Construction, Major
4 Projects”, there is appropriated for an additional amount
5 for fiscal year 2017, to remain available until September
6 30, 2022, an amount equal to the unobligated balances
7 rescinded pursuant to subsection (a), for renovations and
8 repairs as a consequence of damage caused by Hurricane
9 Sandy: *Provided*, That notwithstanding any other provi-
10 sion of law, such funds may be obligated and expended
11 to carry out planning and design and major medical facil-
12 ity construction not otherwise authorized by law: *Provided*
13 *further*, That such amount is designated by the Congress
14 as being for an emergency requirement pursuant to sec-
15 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
16 gency Deficit Control Act of 1985.

17 (c) Each amount designated in this section by the
18 Congress as an emergency requirement pursuant to sec-
19 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
20 gency Deficit Control Act of 1985 shall be available (or
21 rescinded, if applicable) only if the President subsequently
22 so designates all such amounts and transmits such des-
23 ignations to the Congress.

24 (d) This section shall become effective immediately
25 upon enactment of this Act.

1 SEC. 142. Sections 579(a)(1) and (b) of the Multi-
2 family Assisted Housing Reform and Affordability Act of
3 1997 (42 U.S.C. 1437f note) shall be applied by sub-
4 stituting the date specified in section 106(3) for “October
5 1, 2017”.

6 This division may be cited as the “Continuing Appro-
7 priations Act, 2018”.