

**Calendar No. 215**115TH CONGRESS  
1ST SESSION**S. 1771****[Report No. 115–150]**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

SEPTEMBER 7, 2017

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, 2018, 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, 2018, 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, \$3,335,199,000, 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 \$2,709,832,000 as follows:

16 (A) \$815,556,000 for adult employment  
17 and training activities, of which \$103,556,000  
18 shall be available for the period July 1, 2018  
19 through June 30, 2019, and of which  
20 \$712,000,000 shall be available for the period  
21 October 1, 2018 through June 30, 2019;

22 (B) \$873,416,000 for youth activities,  
23 which shall be available for the period April 1,  
24 2018 through June 30, 2019; and

1 (C) \$1,020,860,000 for dislocated worker  
2 employment and training activities, of which  
3 \$160,860,000 shall be available for the period  
4 July 1, 2018 through June 30, 2019, and of  
5 which \$860,000,000 shall be available for the  
6 period October 1, 2018 through June 30, 2019:  
7 *Provided*, That the funds available for allotment to  
8 outlying areas to carry out subtitle B of title I of the  
9 WIOA shall not be subject to the requirements of  
10 section 127(b)(1)(B)(ii) of such Act; and

11 (2) for national programs, \$625,367,000 as fol-  
12 lows:

13 (A) \$220,859,000 for the dislocated work-  
14 ers assistance national reserve, of which  
15 \$20,859,000 shall be available for the period  
16 July 1, 2018 through September 30, 2019, and  
17 of which \$200,000,000 shall be available for the  
18 period October 1, 2018 through September 30,  
19 2019: *Provided*, That funds provided to carry  
20 out section 132(a)(2)(A) of the WIOA may be  
21 used to provide assistance to a State for state-  
22 wide or local use in order to address cases  
23 where there have been worker dislocations  
24 across multiple sectors or across multiple local  
25 areas and such workers remain dislocated; co-

1           ordinate the State workforce development plan  
2           with emerging economic development needs; and  
3           train such eligible dislocated workers: *Provided*  
4           *further*, That funds provided to carry out sec-  
5           tions 168(b) and 169(c) of the WIOA may be  
6           used for technical assistance and demonstration  
7           projects, respectively, that provide assistance to  
8           new entrants in the workforce and incumbent  
9           workers: *Provided further*, That notwithstanding  
10          section 168(b) of the WIOA, of the funds pro-  
11          vided under this subparagraph, the Secretary of  
12          Labor (referred to in this title as “Secretary”)  
13          may reserve not more than 10 percent of such  
14          funds to provide technical assistance and carry  
15          out additional activities related to the transition  
16          to the WIOA;

17                 (B) \$50,000,000 for Native American pro-  
18                 grams under section 166 of the WIOA, which  
19                 shall be available for the period July 1, 2018  
20                 through June 30, 2019;

21                 (C) \$81,896,000 for migrant and seasonal  
22                 farmworker programs under section 167 of the  
23                 WIOA, including \$75,885,000 for formula  
24                 grants (of which not less than 70 percent shall  
25                 be for employment and training services),

1           \$5,517,000 for migrant and seasonal housing  
2           (of which not less than 70 percent shall be for  
3           permanent housing), and \$494,000 for other  
4           discretionary purposes, which shall be available  
5           for the period July 1, 2018 through June 30,  
6           2019: *Provided*, That notwithstanding any  
7           other provision of law or related regulation, the  
8           Department of Labor shall take no action lim-  
9           iting the number or proportion of eligible par-  
10          ticipants receiving related assistance services or  
11          discouraging grantees from providing such serv-  
12          ices;

13                 (D) \$84,534,000 for YouthBuild activities  
14                 as described in section 171 of the WIOA, which  
15                 shall be available for the period April 1, 2018  
16                 through June 30, 2019;

17                 (E) \$88,078,000 for ex-offender activities,  
18                 under the authority of section 169 of the WIOA  
19                 and section 212 of the Second Chance Act of  
20                 2007, which shall be available for the period  
21                 April 1, 2018 through June 30, 2019: *Provided*,  
22                 That of this amount, \$25,000,000 shall be for  
23                 competitive grants to national and regional  
24                 intermediaries for activities that prepare young  
25                 ex-offenders and school dropouts for employ-



1           (1) \$1,587,325,000 for Job Corps Operations,  
2           which shall be available for the period July 1, 2018  
3           through June 30, 2019;

4           (2) \$79,500,000 for construction, rehabilitation  
5           and acquisition of Job Corps Centers, which shall be  
6           available for the period July 1, 2018 through June  
7           30, 2021, and which may include the acquisition,  
8           maintenance, and repair of major items of equip-  
9           ment: *Provided*, That the Secretary may transfer up  
10          to 15 percent of such funds to meet the operational  
11          needs of such centers or to achieve administrative ef-  
12          ficiencies: *Provided further*, That any funds trans-  
13          ferred pursuant to the preceding provision shall not  
14          be available for obligation after June 30, 2019: *Pro-*  
15          *vided further*, That the Committees on Appropria-  
16          tions of the House of Representatives and the Sen-  
17          ate are notified at least 15 days in advance of any  
18          transfer; and

19          (3) \$32,330,000 for necessary expenses of Job  
20          Corps, which shall be available for obligation for the  
21          period October 1, 2017 through September 30,  
22          2018:

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





1 Act, any part of the appropriation provided under this  
2 heading may remain available for obligation beyond the  
3 current fiscal year pursuant to the authorities of section  
4 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

5 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT  
6 SERVICE OPERATIONS

7 For authorized administrative expenses,  
8 \$84,066,000, together with not to exceed \$3,378,625,000  
9 which may be expended from the Employment Security  
10 Administration Account in the Unemployment Trust Fund  
11 (“the Trust Fund”), of which:

12 (1) \$2,637,600,000 from the Trust Fund is for  
13 grants to States for the administration of State un-  
14 employment insurance laws as authorized under title  
15 III of the Social Security Act (including not less  
16 than \$130,000,000 to conduct in-person reemploy-  
17 ment and eligibility assessments and unemployment  
18 insurance improper payment reviews, and to provide  
19 reemployment services and referrals to training as  
20 appropriate, for claimants of unemployment insur-  
21 ance for ex-service members under 5 U.S.C. 8521 et.  
22 seq. and for claimants of regular unemployment  
23 compensation, including those who are profiled as  
24 most likely to exhaust their benefits in each State,  
25 and \$6,000,000 for continued support of the Unem-

1       ployment Insurance Integrity Center of Excellence),  
2       the administration of unemployment insurance for  
3       Federal employees and for ex-service members as  
4       authorized under 5 U.S.C. 8501–8523, and the ad-  
5       ministration of trade readjustment allowances, reem-  
6       ployment trade adjustment assistance, and alter-  
7       native trade adjustment assistance under the Trade  
8       Act of 1974 and under section 231(a) of the Trade  
9       Adjustment Assistance Extension Act of 2011 and  
10      section 405(a) of the Trade Preferences Extension  
11      Act of 2015, and shall be available for obligation by  
12      the States through December 31, 2018, except that  
13      funds used for automation shall be available for  
14      Federal obligation through December 31, 2018, and  
15      for State obligation through September 30, 2020, or,  
16      if the automation is being carried out through con-  
17      sortia of States, for State obligation through Sep-  
18      tember 30, 2023, and for expenditure through Sep-  
19      tember 30, 2024, and funds for competitive grants  
20      awarded to States for improved operations and to  
21      conduct in-person reemployment and eligibility as-  
22      sessments and unemployment insurance improper  
23      payment reviews and provide reemployment services  
24      and referrals to training, as appropriate, shall be  
25      available for Federal obligation through December

1 31, 2018, and for obligation by the States through  
2 September 30, 2020, and funds for the Unemploy-  
3 ment Insurance Integrity Center of Excellence shall  
4 be available for obligation by the State through Sep-  
5 tember 30, 2021, and funds used for unemployment  
6 insurance workloads experienced through September  
7 30, 2018 shall be available for Federal obligation  
8 through December 31, 2018;

9 (2) \$13,897,000 from the Trust Fund is for na-  
10 tional activities necessary to support the administra-  
11 tion of the Federal-State unemployment insurance  
12 system;

13 (3) \$645,000,000 from the Trust Fund, to-  
14 gether with \$21,413,000 from the General Fund of  
15 the Treasury, is for grants to States in accordance  
16 with section 6 of the Wagner-Peyser Act, and shall  
17 be available for Federal obligation for the period  
18 July 1, 2018 through June 30, 2019;

19 (4) \$19,818,000 from the Trust Fund is for na-  
20 tional activities of the Employment Service, includ-  
21 ing administration of the work opportunity tax cred-  
22 it under section 51 of the Internal Revenue Code of  
23 1986, and the provision of technical assistance and  
24 staff training under the Wagner-Peyser Act;

1           (5) \$62,310,000 from the Trust Fund is for the  
2           administration of foreign labor certifications and re-  
3           lated activities under the Immigration and Nation-  
4           ality Act and related laws, of which \$48,028,000  
5           shall be available for the Federal administration of  
6           such activities, and \$14,282,000 shall be available  
7           for grants to States for the administration of such  
8           activities; and

9           (6) \$62,653,000 from the General Fund is to  
10          provide workforce information, national electronic  
11          tools, and one-stop system building under the Wag-  
12          ner-Peyser Act and shall be available for Federal ob-  
13          ligation for the period July 1, 2018 through June  
14          30, 2019:

15 *Provided*, That to the extent that the Average Weekly In-  
16          sured Unemployment (“AWIU”) for fiscal year 2018 is  
17          projected by the Department of Labor to exceed  
18          2,246,000, an additional \$28,600,000 from the Trust  
19          Fund shall be available for obligation for every 100,000  
20          increase in the AWIU level (including a pro rata amount  
21          for any increment less than 100,000) to carry out title  
22          III of the Social Security Act: *Provided further*, That  
23          funds appropriated in this Act that are allotted to a State  
24          to carry out activities under title III of the Social Security  
25          Act may be used by such State to assist other States in

1 carrying out activities under such title III if the other  
2 States include areas that have suffered a major disaster  
3 declared by the President under the Robert T. Stafford  
4 Disaster Relief and Emergency Assistance Act: *Provided*  
5 *further*, That the Secretary may use funds appropriated  
6 for grants to States under title III of the Social Security  
7 Act to make payments on behalf of States for the use of  
8 the National Directory of New Hires under section  
9 453(j)(8) of such Act: *Provided further*, That the Sec-  
10 retary may use funds appropriated for grants to States  
11 under title III of the Social Security Act to make pay-  
12 ments on behalf of States to the entity operating the State  
13 Information Data Exchange System: *Provided further*,  
14 That funds appropriated in this Act which are used to es-  
15 tablish a national one-stop career center system, or which  
16 are used to support the national activities of the Federal-  
17 State unemployment insurance, employment service, or  
18 immigration programs, may be obligated in contracts,  
19 grants, or agreements with States and non-State entities:  
20 *Provided further*, That States awarded competitive grants  
21 for improved operations under title III of the Social Secu-  
22 rity Act, or awarded grants to support the national activi-  
23 ties of the Federal-State unemployment insurance system,  
24 may award subgrants to other States and non-State enti-  
25 ties under such grants, subject to the conditions applicable

1 to the grants: *Provided further*, That funds appropriated  
2 under this Act for activities authorized under title III of  
3 the Social Security Act and the Wagner-Peyser Act may  
4 be used by States to fund integrated Unemployment In-  
5 surance and Employment Service automation efforts, not-  
6 withstanding cost allocation principles prescribed under  
7 the final rule entitled “Uniform Administrative Require-  
8 ments, Cost Principles, and Audit Requirements for Fed-  
9 eral Awards” at part 200 of title 2, Code of Federal Regu-  
10 lations: *Provided further*, That the Secretary, at the re-  
11 quest of a State participating in a consortium with other  
12 States, may reallocate funds allotted to such State under title  
13 III of the Social Security Act to other States participating  
14 in the consortium in order to carry out activities that ben-  
15 efit the administration of the unemployment compensation  
16 law of the State making the request: *Provided further*,  
17 That the Secretary may collect fees for the costs associ-  
18 ated with additional data collection, analyses, and report-  
19 ing services relating to the National Agricultural Workers  
20 Survey requested by State and local governments, public  
21 and private institutions of higher education, and nonprofit  
22 organizations and may utilize such sums, in accordance  
23 with the provisions of 29 U.S.C. 9a, for the National Agri-  
24 cultural Workers Survey infrastructure, methodology, and  
25 data to meet the information collection and reporting







1 100,000 in fiscal year 2018, an amount not to exceed an  
2 additional \$9,200,000 shall be available through Sep-  
3 tember 30, 2019, for obligation for administrative ex-  
4 penses for every 20,000 additional terminated partici-  
5 pants: *Provided further*, That obligations in excess of the  
6 amounts provided in this paragraph may be incurred for  
7 unforeseen and extraordinary pretermination expenses or  
8 extraordinary multiemployer program related expenses  
9 after approval by the Office of Management and Budget  
10 and notification of the Committees on Appropriations of  
11 the House of Representatives and the Senate.

12 WAGE AND HOUR DIVISION

13 SALARIES AND EXPENSES

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

18 OFFICE OF LABOR-MANAGEMENT STANDARDS

19 SALARIES AND EXPENSES

20 For necessary expenses for the Office of Labor-Man-  
21 agement Standards, \$40,187,000.



1 Longshore and Harbor Workers' Compensation Act,  
2 \$220,000,000, together with such amounts as may be nec-  
3 essary to be charged to the subsequent year appropriation  
4 for the payment of compensation and other benefits for  
5 any period subsequent to August 15 of the current year,  
6 for deposit into and to assume the attributes of the Em-  
7 ployees' Compensation Fund established under 5 U.S.C.  
8 8147(a): *Provided*, That amounts appropriated may be  
9 used under 5 U.S.C. 8104 by the Secretary to reimburse  
10 an employer, who is not the employer at the time of injury,  
11 for portions of the salary of a re-employed, disabled bene-  
12 ficiary: *Provided further*, That balances of reimbursements  
13 unobligated on September 30, 2017, shall remain available  
14 until expended for the payment of compensation, benefits,  
15 and expenses: *Provided further*, That in addition there  
16 shall be transferred to this appropriation from the Postal  
17 Service and from any other corporation or instrumentality  
18 required under 5 U.S.C. 8147(c) to pay an amount for  
19 its fair share of the cost of administration, such sums as  
20 the Secretary determines to be the cost of administration  
21 for employees of such fair share entities through Sep-  
22 tember 30, 2018: *Provided further*, That of those funds  
23 transferred to this account from the fair share entities to  
24 pay the cost of administration of the Federal Employees'

1 Compensation Act, \$71,188,000 shall be made available  
2 to the Secretary as follows:

3 (1) For enhancement and maintenance of auto-  
4 mated data processing systems operations and tele-  
5 communications systems, \$24,540,000;

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

9 (3) For periodic roll disability management and  
10 medical review, \$21,946,000;

11 (4) For program integrity, \$1,734,000; and

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

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

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Mine Safety  
22 and Health Act of 1977, as amended by Public Law 107-  
23 275, \$54,319,000, to remain available until expended.

24 For making after July 31 of the current fiscal year,  
25 benefit payments to individuals under title IV of such Act,

1 for costs incurred in the current fiscal year, such amounts  
2 as may be necessary.

3 For making benefit payments under title IV for the  
4 first quarter of fiscal year 2019, \$15,000,000, to remain  
5 available until expended.

6 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

7 OCCUPATIONAL ILLNESS COMPENSATION FUND

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

15 BLACK LUNG DISABILITY TRUST FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 Such sums as may be necessary from the Black Lung  
18 Disability Trust Fund (the “Fund”), to remain available  
19 until expended, for payment of all benefits authorized by  
20 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-  
21 enue Code of 1986; and repayment of, and payment of  
22 interest on advances, as authorized by section 9501(d)(4)  
23 of that Act. In addition, the following amounts may be  
24 expended from the Fund for fiscal year 2018 for expenses  
25 of operation and administration of the Black Lung Bene-

1 fits program, as authorized by section 9501(d)(5): not to  
 2 exceed \$38,246,000 for transfer to the Office of Workers'  
 3 Compensation Programs, "Salaries and Expenses"; not to  
 4 exceed \$30,595,000 for transfer to Departmental Manage-  
 5 ment, "Salaries and Expenses"; not to exceed \$330,000  
 6 for transfer to Departmental Management, "Office of In-  
 7 spector General"; and not to exceed \$356,000 for pay-  
 8 ments into miscellaneous receipts for the expenses of the  
 9 Department of the Treasury.

10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION  
 11 SALARIES AND EXPENSES

12 For necessary expenses for the Occupational Safety  
 13 and Health Administration, \$552,787,000, including not  
 14 to exceed \$100,850,000 which shall be the maximum  
 15 amount available for grants to States under section 23(g)  
 16 of the Occupational Safety and Health Act (the "Act"),  
 17 which grants shall be no less than 50 percent of the costs  
 18 of State occupational safety and health programs required  
 19 to be incurred under plans approved by the Secretary  
 20 under section 18 of the Act; and, in addition, notwith-  
 21 standing 31 U.S.C. 3302, the Occupational Safety and  
 22 Health Administration may retain up to \$499,000 per fis-  
 23 cal year of training institute course tuition and fees, other-  
 24 wise authorized by law to be collected, and may utilize  
 25 such sums for occupational safety and health training and

1 education: *Provided*, That notwithstanding 31 U.S.C.  
2 3302, the Secretary is authorized, during the fiscal year  
3 ending September 30, 2018, to collect and retain fees for  
4 services provided to Nationally Recognized Testing Lab-  
5 oratories, and may utilize such sums, in accordance with  
6 the provisions of 29 U.S.C. 9a, to administer national and  
7 international laboratory recognition programs that ensure  
8 the safety of equipment and products used by workers in  
9 the workplace: *Provided further*, That none of the funds  
10 appropriated under this paragraph shall be obligated or  
11 expended to prescribe, issue, administer, or enforce any  
12 standard, rule, regulation, or order under the Act which  
13 is applicable to any person who is engaged in a farming  
14 operation which does not maintain a temporary labor  
15 camp and employs 10 or fewer employees: *Provided fur-*  
16 *ther*, That no funds appropriated under this paragraph  
17 shall be obligated or expended to administer or enforce  
18 any standard, rule, regulation, or order under the Act with  
19 respect to any employer of 10 or fewer employees who is  
20 included within a category having a Days Away, Re-  
21 stricted, or Transferred (“DART”) occupational injury  
22 and illness rate, at the most precise industrial classifica-  
23 tion code for which such data are published, less than the  
24 national average rate as such rates are most recently pub-  
25 lished by the Secretary, acting through the Bureau of

1 Labor Statistics, in accordance with section 24 of the Act,  
2 except—

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

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

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

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

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

22 (6) to take any action authorized by the Act  
23 with respect to complaints of discrimination against  
24 employees for exercising rights under the Act:



1 *Provided further*, That the foregoing proviso shall not  
2 apply to any person who is engaged in a farming operation  
3 which does not maintain a temporary labor camp and em-  
4 ploys 10 or fewer employees: *Provided further*, That  
5 \$10,537,000 shall be available for Susan Harwood train-  
6 ing grants, of which the Secretary shall reserve not less  
7 than \$4,500,000 for Susan Harwood Training Capacity  
8 Building Developmental grants, as described in Funding  
9 Opportunity Number SHTG-GY-16-02 (referenced in  
10 the notice of availability of funds published in the Federal  
11 Register on May 3, 2016 (81 Fed. Reg. 30568)) for pro-  
12 gram activities starting not later than September 30, 2018  
13 and lasting for a period of 12 months: *Provided further*,  
14 That not less than \$3,500,000 shall be for Voluntary Pro-  
15 tection Programs.

16 MINE SAFETY AND HEALTH ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses for the Mine Safety and  
19 Health Administration, \$373,816,000, including purchase  
20 and bestowal of certificates and trophies in connection  
21 with mine rescue and first-aid work, and the hire of pas-  
22 senger motor vehicles, including up to \$2,000,000 for  
23 mine rescue and recovery activities and not less than  
24 \$10,537,000 for State assistance grants: *Provided*, That  
25 amounts available for State assistance grants may be used

1 for the purchase and maintenance of new equipment re-  
2 quired by the final rule entitled “Lowering Miners’ Expo-  
3 sure to Respirable Coal Mine Dust, Including Continuous  
4 Personal Dust Monitors” published by the Department of  
5 Labor in the Federal Register on May 1, 2014 (79 Fed.  
6 Reg. 24813 et seq.), for operators that demonstrate finan-  
7 cial need as determined by the Secretary: *Provided further*,  
8 That notwithstanding 31 U.S.C. 3302, not to exceed  
9 \$750,000 may be collected by the National Mine Health  
10 and Safety Academy for room, board, tuition, and the sale  
11 of training materials, otherwise authorized by law to be  
12 collected, to be available for mine safety and health edu-  
13 cation and training activities: *Provided further*, That not-  
14 withstanding 31 U.S.C. 3302, the Mine Safety and Health  
15 Administration is authorized to collect and retain up to  
16 \$2,499,000 from fees collected for the approval and cer-  
17 tification of equipment, materials, and explosives for use  
18 in mines, and may utilize such sums for such activities:  
19 *Provided further*, That the Secretary is authorized to ac-  
20 cept lands, buildings, equipment, and other contributions  
21 from public and private sources and to prosecute projects  
22 in cooperation with other agencies, Federal, State, or pri-  
23 vate: *Provided further*, That the Mine Safety and Health  
24 Administration is authorized to promote health and safety  
25 education and training in the mining community through

1 cooperative programs with States, industry, and safety as-  
 2 sociations: *Provided further*, That the Secretary is author-  
 3 ized to recognize the Joseph A. Holmes Safety Association  
 4 as a principal safety association and, notwithstanding any  
 5 other provision of law, may provide funds and, with or  
 6 without reimbursement, personnel, including service of  
 7 Mine Safety and Health Administration officials as offi-  
 8 cers in local chapters or in the national organization: *Pro-*  
 9 *vided further*, That any funds available to the Department  
 10 of Labor may be used, with the approval of the Secretary,  
 11 to provide for the costs of mine rescue and survival oper-  
 12 ations in the event of a major disaster.

13 BUREAU OF LABOR STATISTICS

14 SALARIES AND EXPENSES

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

22 OFFICE OF DISABILITY EMPLOYMENT POLICY

23 SALARIES AND EXPENSES

24 For necessary expenses for the Office of Disability  
 25 Employment Policy to provide leadership, develop policy

1 and initiatives, and award grants furthering the objective  
2 of eliminating barriers to the training and employment of  
3 people with disabilities, \$38,203,000.

4 DEPARTMENTAL MANAGEMENT

5 SALARIES AND EXPENSES

6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for Departmental Manage-  
8 ment, including the hire of three passenger motor vehicles,  
9 \$336,536,000, together with not to exceed \$308,000,  
10 which may be expended from the Employment Security  
11 Administration account in the Unemployment Trust  
12 Fund: *Provided*, That \$59,825,000 for the Bureau of  
13 International Labor Affairs shall be available for obliga-  
14 tion through December 31, 2018: *Provided further*, That  
15 funds available to the Bureau of International Labor Af-  
16 fairs may be used to administer or operate international  
17 labor activities, bilateral and multilateral technical assist-  
18 ance, and microfinance programs, by or through contracts,  
19 grants, subgrants and other arrangements: *Provided fur-*  
20 *ther*, That not more than \$53,825,000 shall be for pro-  
21 grams to combat exploitative child labor internationally  
22 and not less than \$6,000,000 shall be used to implement  
23 model programs that address worker rights issues through  
24 technical assistance in countries with which the United  
25 States has free trade agreements or trade preference pro-

1 grams: *Provided further*, That \$8,040,000 shall be used  
2 for program evaluation and shall be available for obliga-  
3 tion through September 30, 2019: *Provided further*, That  
4 funds available for program evaluation may be used to ad-  
5 minister grants for the purpose of evaluation: *Provided*  
6 *further*, That grants made for the purpose of evaluation  
7 shall be awarded through fair and open competition: *Pro-*  
8 *vided further*, That funds available for program evaluation  
9 may be transferred to any other appropriate account in  
10 the Department for such purpose: *Provided further*, That  
11 the Committees on Appropriations of the House of Rep-  
12 resentatives and the Senate are notified at least 15 days  
13 in advance of any transfer: *Provided further*, That the  
14 funds available to the Women's Bureau may be used for  
15 grants to serve and promote the interests of women in the  
16 workforce: *Provided further*, That of the amounts made  
17 available to the Women's Bureau, \$994,000 shall be used  
18 for grants authorized by the Women in Apprenticeship  
19 and Nontraditional Occupations Act.

20 VETERANS EMPLOYMENT AND TRAINING

21 Not to exceed \$239,041,000 may be derived from the  
22 Employment Security Administration account in the Un-  
23 employment Trust Fund to carry out the provisions of  
24 chapters 41, 42, and 43 of title 38, United States Code,  
25 of which:

1           (1) \$175,000,000 is for Jobs for Veterans State  
2 grants under 38 U.S.C. 4102A(b)(5) to support dis-  
3 abled veterans' outreach program specialists under  
4 section 4103A of such title and local veterans' em-  
5 ployment representatives under section 4104(b) of  
6 such title, and for the expenses described in section  
7 4102A(b)(5)(C), which shall be available for obliga-  
8 tion by the States through December 31, 2018, and  
9 not to exceed 3 percent for the necessary Federal ex-  
10 penditures for data systems and contract support to  
11 allow for the tracking of participant and perform-  
12 ance information: *Provided*, That, in addition, such  
13 funds may be used to support such specialists and  
14 representatives in the provision of services to  
15 transitioning members of the Armed Forces who  
16 have participated in the Transition Assistance Pro-  
17 gram and have been identified as in need of inten-  
18 sive services, to members of the Armed Forces who  
19 are wounded, ill, or injured and receiving treatment  
20 in military treatment facilities or warrior transition  
21 units, and to the spouses or other family caregivers  
22 of such wounded, ill, or injured members;

23           (2) \$18,500,000 is for carrying out the Transi-  
24 tion Assistance Program under 38 U.S.C. 4113 and  
25 10 U.S.C. 1144;

1           (3) \$42,127,000 is for Federal administration  
2           of chapters 41, 42, and 43 of title 38, United States  
3           Code: *Provided*, That such funds shall be available  
4           in addition to amounts in the HIRE Vets Medallion  
5           Award Fund established by division O of the Con-  
6           solidated Appropriations Act, 2017 (Public Law  
7           115–31; 38 U.S.C. 4100 note), for necessary ex-  
8           penses of the HIRE Vets Medallion Award program  
9           authorized by such Act; and

10           (4) \$3,414,000 is for the National Veterans’  
11           Employment and Training Services Institute under  
12           38 U.S.C. 4109:

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

17           The HIRE Vets Medallion Award Fund, for this fis-  
18 cal year and thereafter, shall be available to the Secretary  
19 without fiscal year limitation for necessary expenses of the  
20 HIRE Vets Medallion Award program authorized by divi-  
21 sion O of the Consolidated Appropriations Act, 2017: *Pro-*  
22 *vided*, That such sums shall be in addition to any other  
23 funds available for such purposes, including funds avail-  
24 able under paragraph (3) of this heading: *Provided fur-*  
25 *ther*, That sections 6 and 2(d) of division O of the Consoli-

1 dated Appropriations Act, 2017 (Public Law 115–31; 38  
2 U.S.C. 4100 note) shall not apply.

3       In addition, from the General Fund of the Treasury,  
4 \$45,000,000 is for carrying out programs to assist home-  
5 less veterans and veterans at risk of homelessness who are  
6 transitioning from certain institutions under sections  
7 2021, 2021A, and 2023 of title 38, United States Code:  
8 *Provided*, That notwithstanding subsections (c)(3) and (d)  
9 of section 2023, the Secretary may award grants through  
10 September 30, 2018, to provide services under such sec-  
11 tion: *Provided further*, That services provided under sec-  
12 tion 2023 may include, in addition to services to the indi-  
13 viduals described in subsection (e) of such section, services  
14 to veterans recently released from incarceration who are  
15 at risk of homelessness.

16                                   IT MODERNIZATION

17       For necessary expenses for Department of Labor cen-  
18 tralized infrastructure technology investment activities re-  
19 lated to support systems and modernization, \$18,778,000,  
20 which shall be available through September 30, 2019.

21                                   OFFICE OF INSPECTOR GENERAL

22       For salaries and expenses of the Office of Inspector  
23 General in carrying out the provisions of the Inspector  
24 General Act of 1978, \$82,061,000, together with not to  
25 exceed \$5,660,000 which may be expended from the Em-



1 ployment Security Administration account in the Unem-  
2 ployment Trust Fund.

3 GENERAL PROVISIONS

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

9 (TRANSFER OF FUNDS)

10 SEC. 102. Not to exceed 1 percent of any discre-  
11 tionary funds (pursuant to the Balanced Budget and  
12 Emergency Deficit Control Act of 1985) which are appro-  
13 priated for the current fiscal year for the Department of  
14 Labor in this Act may be transferred between a program,  
15 project, or activity, but no such program, project, or activ-  
16 ity shall be increased by more than 3 percent by any such  
17 transfer: *Provided*, That the transfer authority granted by  
18 this section shall not be used to create any new program  
19 or to fund any project or activity for which no funds are  
20 provided in this Act: *Provided further*, That the Commit-  
21 tees on Appropriations of the House of Representatives  
22 and the Senate are notified at least 15 days in advance  
23 of any transfer.

24 SEC. 103. In accordance with Executive Order  
25 13126, none of the funds appropriated or otherwise made

1 available pursuant to this Act shall be obligated or ex-  
2 pended for the procurement of goods mined, produced,  
3 manufactured, or harvested or services rendered, in whole  
4 or in part, by forced or indentured child labor in industries  
5 and host countries already identified by the United States  
6 Department of Labor prior to enactment of this Act.

7       SEC. 104. Except as otherwise provided in this sec-  
8 tion, none of the funds made available to the Department  
9 of Labor for grants under section 414(c) of the American  
10 Competitiveness and Workforce Improvement Act of 1998  
11 (29 U.S.C. 2916a) may be used for any purpose other  
12 than competitive grants for training individuals who are  
13 older than 16 years of age and are not currently enrolled  
14 in school within a local educational agency in the occupa-  
15 tions and industries for which employers are using H-1B  
16 visas to hire foreign workers, and the related activities  
17 necessary to support such training.

18       SEC. 105. None of the funds made available by this  
19 Act under the heading “Employment and Training Ad-  
20 ministration” shall be used by a recipient or subrecipient  
21 of such funds to pay the salary and bonuses of an indi-  
22 vidual, either as direct costs or indirect costs, at a rate  
23 in excess of Executive Level II. This limitation shall not  
24 apply to vendors providing goods and services as defined  
25 in Office of Management and Budget Circular A-133.

1 Where States are recipients of such funds, States may es-  
2 tablish a lower limit for salaries and bonuses of those re-  
3 ceiving salaries and bonuses from subrecipients of such  
4 funds, taking into account factors including the relative  
5 cost-of-living in the State, the compensation levels for  
6 comparable State or local government employees, and the  
7 size of the organizations that administer Federal pro-  
8 grams involved including Employment and Training Ad-  
9 ministration programs.

10 (TRANSFER OF FUNDS)

11 SEC. 106. (a) Notwithstanding section 102, the Sec-  
12 retary may transfer funds made available to the Employ-  
13 ment and Training Administration by this Act, either di-  
14 rectly or through a set-aside, for technical assistance serv-  
15 ices to grantees to “Program Administration” when it is  
16 determined that those services will be more efficiently per-  
17 formed by Federal employees: *Provided*, That this section  
18 shall not apply to section 171 of the WIOA.

19 (b) Notwithstanding section 102, the Secretary may  
20 transfer not more than 0.5 percent of each discretionary  
21 appropriation made available to the Employment and  
22 Training Administration by this Act to “Program Admin-  
23 istration” in order to carry out program integrity activities  
24 relating to any of the programs or activities that are fund-  
25 ed under any such discretionary appropriations: *Provided*,

1 That notwithstanding section 102 and the preceding pro-  
2 viso, the Secretary may transfer not more than 0.5 percent  
3 of funds made available in paragraphs (1) and (2) of the  
4 “Office of Job Corps” account to paragraph (3) of such  
5 account to carry out program integrity activities related  
6 to the Job Corps program: *Provided further*, That funds  
7 transferred under the authority provided by this sub-  
8 section shall be available for obligation through September  
9 30, 2019.

10 (TRANSFER OF FUNDS)

11 SEC. 107. (a) The Secretary may reserve not more  
12 than 0.75 percent from each appropriation made available  
13 in this Act identified in subsection (b) in order to carry  
14 out evaluations of any of the programs or activities that  
15 are funded under such accounts. Any funds reserved under  
16 this section shall be transferred to “Departmental Man-  
17 agement” for use by the Office of the Chief Evaluation  
18 Officer within the Department of Labor, and shall be  
19 available for obligation through September 30, 2019: *Pro-*  
20 *vided*, That such funds shall only be available if the Chief  
21 Evaluation Officer of the Department of Labor submits  
22 a plan to the Committees on Appropriations of the House  
23 of Representatives and the Senate describing the evalua-  
24 tions to be carried out 15 days in advance of any transfer.

1 (b) The accounts referred to in subsection (a) are:  
2 “Training and Employment Services”, “Job Corps”,  
3 “Community Service Employment for Older Americans”,  
4 “State Unemployment Insurance and Employment Service  
5 Operations”, “Employee Benefits Security Administra-  
6 tion”, “Office of Workers’ Compensation Programs”,  
7 “Wage and Hour Division”, “Office of Federal Contract  
8 Compliance Programs”, “Office of Labor Management  
9 Standards”, “Occupational Safety and Health Adminis-  
10 tration”, “Mine Safety and Health Administration”, “Of-  
11 fice of Disability Employment Policy”, funding made  
12 available to the “Bureau of International Labor Affairs”  
13 and “Women’s Bureau” within the “Departmental Man-  
14 agement, Salaries and Expenses” account, and “Veterans  
15 Employment and Training”.

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

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

22 “(A) employed to adjust or evaluate claims re-  
23 sulting from or relating to such major disaster, by  
24 an employer not engaged, directly or through an af-  
25 filiate, in underwriting, selling, or marketing prop-

1       erty, casualty, or liability insurance policies or con-  
2       tracts;

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

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

10               “(i) interviewing insured individuals, indi-  
11       viduals who suffered injuries or other damages  
12       or losses arising from or relating to a disaster,  
13       witnesses, or physicians;

14               “(ii) inspecting property damage or review-  
15       ing factual information to prepare damage esti-  
16       mates;

17               “(iii) evaluating and making recommenda-  
18       tions regarding coverage or compensability of  
19       claims or determining liability or value aspects  
20       of claims;

21               “(iv) negotiating settlements; or

22               “(v) making recommendations regarding  
23       litigation.

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

1 “(3) For purposes of this subsection—

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

5 “(B) the term ‘employee employed to adjust or  
6 evaluate claims resulting from or relating to such  
7 major disaster’ means an individual who timely se-  
8 cured or secures a license required by applicable law  
9 to engage in and perform the activities described in  
10 clauses (i) through (v) of paragraph (1)(C) relating  
11 to a major disaster, and is employed by an employer  
12 that maintains worker compensation insurance cov-  
13 erage or protection for its employees, if required by  
14 applicable law, and withholds applicable Federal,  
15 State, and local income and payroll taxes from the  
16 wages, salaries and any benefits of such employees;  
17 and

18 “(C) the term ‘affiliate’ means a company that,  
19 by reason of ownership or control of 25 percent or  
20 more of the outstanding shares of any class of voting  
21 securities of one or more companies, directly or indi-  
22 rectly, controls, is controlled by, or is under common  
23 control with, another company.”.

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

1 (RESCISSION)

2 SEC. 109. Of the funds made available under the  
3 heading “Employment and Training Administration—  
4 Training and Employment Services” in division H of Pub-  
5 lic Law 115–31, \$34,000,000 is rescinded, to be derived  
6 from the amount made available in paragraph (2)(A)  
7 under such heading for the period October 1, 2017,  
8 through September 30, 2018.

9 SEC. 110. (a) FLEXIBILITY WITH RESPECT TO THE  
10 CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE  
11 SEAFOOD INDUSTRY.—

12 (1) IN GENERAL.—Subject to paragraph (2), if  
13 a petition for H–2B nonimmigrants filed by an em-  
14 ployer in the seafood industry is granted, the em-  
15 ployer may bring the nonimmigrants described in  
16 the petition into the United States at any time dur-  
17 ing the 120-day period beginning on the start date  
18 for which the employer is seeking the services of the  
19 nonimmigrants without filing another petition.

20 (2) REQUIREMENTS FOR CROSSINGS AFTER  
21 90TH DAY.—An employer in the seafood industry  
22 may not bring H–2B nonimmigrants into the United  
23 States after the date that is 90 days after the start  
24 date for which the employer is seeking the services  
25 of the nonimmigrants unless the employer—



1 (A) completes a new assessment of the  
2 local labor market by—

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

5 (ii) posting the job opportunity on the  
6 appropriate Department of Labor Elec-  
7 tronic Job Registry and at the employer’s  
8 place of employment; and

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

11 (i) applies for the job; and

12 (ii) will be available at the time and  
13 place of need.

14 (3) EXEMPTION FROM RULES WITH RESPECT  
15 TO STAGGERING.—The Secretary of Labor shall not  
16 consider an employer in the seafood industry who  
17 brings H-2B nonimmigrants into the United States  
18 during the 120-day period specified in paragraph (1)  
19 to be staggering the date of need in violation of sec-  
20 tion 655.20(d) of title 20, Code of Federal Regula-  
21 tions, or any other applicable provision of law.

22 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-  
23 tion, the term “H-2B nonimmigrants” means aliens ad-  
24 mitted to the United States pursuant to section

1 101(a)(15)(H)(ii)(B) of the Immigration and Nationality  
2 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

3       SEC. 111. The determination of prevailing wage for  
4 the purposes of the H-2B program shall be the greater  
5 of—(1) the actual wage level paid by the employer to other  
6 employees with similar experience and qualifications for  
7 such position in the same location; or (2) the prevailing  
8 wage level for the occupational classification of the posi-  
9 tion in the geographic area in which the H-2B non-  
10 immigrant will be employed, based on the best information  
11 available at the time of filing the petition. In the deter-  
12 mination of prevailing wage for the purposes of the H-  
13 2B program, the Secretary shall accept private wage sur-  
14 veys even in instances where Occupational Employment  
15 Statistics survey data are available unless the Secretary  
16 determines that the methodology and data in the provided  
17 survey are not statistically supported.

18       SEC. 112. None of the funds in this Act shall be used  
19 to enforce the definition of corresponding employment  
20 found in 20 CFR 655.5 or the three-fourths guarantee  
21 rule definition found in 20 CFR 655.20, or any references  
22 thereto. Further, for the purpose of regulating admission  
23 of temporary workers under the H-2B program, the defi-  
24 nition of temporary need shall be that provided in 8 CFR  
25 214.2(h)(6)(ii)(B).



1        SEC. 115. 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 in  
6 fiscal year 2018 by substituting “seven” for “six”.

7        This title may be cited as the “Department of Labor  
8 Appropriations Act, 2018”.

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”) *with respect to primary health care and the Native Hawaiian Health Care Act of 1988, \$1,491,522,000: Provided,*  
8 *That no more than \$1,000,000 shall be available until expended for carrying out the provisions of section 224(o)*  
9 *of the PHS Act: Provided further,* That no more than  
10 \$99,893,000 shall be available until expended for carrying  
11 out the provisions of sections 224(g)–(n) and (q) of the  
12 PHS Act, and for expenses incurred by the Department  
13 of Health and Human Services (referred to in this Act  
14 as “HHS”) pertaining to administrative claims made  
15 under such law.

19 HEALTH WORKFORCE  
20 For carrying out titles III, VII, and VIII of the PHS  
21 Act with respect to the health workforce, sections 1128E  
22 and 1921 of the Social Security Act, and the Health Care  
23 Quality Improvement Act of 1986, \$856,195,000: *Pro-*  
24 *vided,* That sections 747(c)(2), 751(j)(2), 762(k), and the  
25 proportional funding amounts in paragraphs (1) through

1 (4) of section 756(f) of the PHS Act shall not apply to  
2 funds made available under this heading: *Provided further*,  
3 That for any program operating under section 751 of the  
4 PHS Act on or before January 1, 2009, the Secretary of  
5 Health and Human Services (referred to in this title as  
6 the “Secretary”) may hereafter waive any of the require-  
7 ments contained in sections 751(d)(2)(A) and  
8 751(d)(2)(B) of such Act for the full project period of a  
9 grant under such section: *Provided further*, That no funds  
10 shall be available for section 340G–1 of the PHS Act: *Pro-*  
11 *vided further*, That fees collected for the disclosure of in-  
12 formation under section 427(b) of the Health Care Quality  
13 Improvement Act of 1986 and sections 1128E(d)(2) and  
14 1921 of the Social Security Act shall be sufficient to re-  
15 cover the full costs of operating the programs authorized  
16 by such sections and shall remain available until expended  
17 for the National Practitioner Data Bank: *Provided further*,  
18 That funds transferred to this account to carry out section  
19 846 and subpart 3 of part D of title III of the PHS Act  
20 may be used to make prior year adjustments to awards  
21 made under such sections.

22 MATERNAL AND CHILD HEALTH

23 For carrying out titles III, XI, XII, and XIX of the  
24 PHS Act with respect to maternal and child health, title  
25 V of the Social Security Act, and section 712 of the Amer-

1 ican Jobs Creation Act of 2004, \$848,617,000: *Provided*,  
2 That notwithstanding sections 502(a)(1) and 502(b)(1) of  
3 the Social Security Act, not more than \$80,593,000 shall  
4 be available for carrying out special projects of regional  
5 and national significance pursuant to section 501(a)(2) of  
6 such Act and \$10,276,000 shall be available for projects  
7 described in subparagraphs (A) through (F) of section  
8 501(a)(3) of such Act.

9 RYAN WHITE HIV/AIDS PROGRAM

10 For carrying out title XXVI of the PHS Act with  
11 respect to the Ryan White HIV/AIDS program,  
12 \$2,318,781,000, of which \$1,970,881,000 shall remain  
13 available to the Secretary through September 30, 2020,  
14 for parts A and B of title XXVI of the PHS Act, and  
15 of which not less than \$900,313,000 shall be for State  
16 AIDS Drug Assistance Programs under the authority of  
17 section 2616 or 311(c) of such Act.

18 HEALTH CARE SYSTEMS

19 For carrying out titles III and XII of the PHS Act  
20 with respect to health care systems, and the Stem Cell  
21 Therapeutic and Research Act of 2005, \$101,640,000, of  
22 which \$122,000 shall be available until expended for facili-  
23 ties renovations at the Gillis W. Long Hansen's Disease  
24 Center.

## RURAL HEALTH

1  
2 For carrying out titles III and IV of the PHS Act  
3 with respect to rural health, section 427(a) of the Federal  
4 Coal Mine Health and Safety Act of 1969, and sections  
5 711 and 1820 of the Social Security Act, \$160,560,000,  
6 of which \$43,609,000 from general revenues, notwith-  
7 standing section 1820(j) of the Social Security Act, shall  
8 be available for carrying out the Medicare rural hospital  
9 flexibility grants program: *Provided*, That of the funds  
10 made available under this heading for Medicare rural hos-  
11 pital flexibility grants, \$14,942,000 shall be available for  
12 the Small Rural Hospital Improvement Grant Program  
13 for quality improvement and adoption of health informa-  
14 tion technology and up to \$1,000,000 shall be to carry  
15 out section 1820(g)(6) of the Social Security Act, with  
16 funds provided for grants under section 1820(g)(6) avail-  
17 able for the purchase and implementation of telehealth  
18 services, including pilots and demonstrations on the use  
19 of electronic health records to coordinate rural veterans  
20 care between rural providers and the Department of Vet-  
21 erans Affairs electronic health record system: *Provided*  
22 *further*, That notwithstanding section 338J(k) of the PHS  
23 Act, \$10,000,000 shall be available for State Offices of  
24 Rural Health.



## 1 FAMILY PLANNING

2 For carrying out the program under title X of the  
3 PHS Act to provide for voluntary family planning  
4 projects, \$286,479,000: *Provided*, That amounts provided  
5 to said projects under such title shall not be expended for  
6 abortions, that all pregnancy counseling shall be nondirec-  
7 tive, and that such amounts shall not be expended for any  
8 activity (including the publication or distribution of lit-  
9 erature) that in any way tends to promote public support  
10 or opposition to any legislative proposal or candidate for  
11 public office: *Provided further*, That not less than 90 per-  
12 cent shall be used only for, and in support of, clinical serv-  
13 ices under section 1001 of the PHS Act: *Provided further*,  
14 That none of the funds made available in this Act, or any  
15 other appropriations Act in this or a prior fiscal year, shall  
16 be used to modify part 59 of title 42, Code of Federal  
17 Regulations.

## 18 PROGRAM MANAGEMENT

19 For program support in the Health Resources and  
20 Services Administration, \$154,000,000: *Provided*, That  
21 funds made available under this heading may be used to  
22 supplement program support funding provided under the  
23 headings “Primary Health Care”, “Health Workforce”,  
24 “Maternal and Child Health”, “Ryan White HIV/AIDS  
25 Program”, “Health Care Systems”, and “Rural Health”.

1 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

2 For payments from the Vaccine Injury Compensation  
3 Program Trust Fund (the “Trust Fund”), such sums as  
4 may be necessary for claims associated with vaccine-re-  
5 lated injury or death with respect to vaccines administered  
6 after September 30, 1988, pursuant to subtitle 2 of title  
7 XXI of the PHS Act, to remain available until expended:  
8 *Provided*, That for necessary administrative expenses, not  
9 to exceed \$7,750,000 shall be available from the Trust  
10 Fund to the Secretary.

11 CENTERS FOR DISEASE CONTROL AND PREVENTION

12 IMMUNIZATION AND RESPIRATORY DISEASES

13 For carrying out titles II, III, XVII, and XXI, and  
14 section 2821 of the PHS Act, titles II and IV of the Immi-  
15 gration and Nationality Act, and section 501 of the Ref-  
16 ugee Education Assistance Act, with respect to immuniza-  
17 tion and respiratory diseases, \$470,000,000.

18 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

19 DISEASES, AND TUBERCULOSIS PREVENTION

20 For carrying out titles II, III, XVII, and XXIII of  
21 the PHS Act with respect to HIV/AIDS, viral hepatitis,  
22 sexually transmitted diseases, and tuberculosis prevention,  
23 \$1,117,278,000.

## 1 EMERGING AND ZONOTIC INFECTIOUS DISEASES

2 For carrying out titles II, III, and XVII, and section  
3 2821 of the PHS Act, titles II and IV of the Immigration  
4 and Nationality Act, and section 501 of the Refugee Edu-  
5 cation Assistance Act, with respect to emerging and  
6 zoonotic infectious diseases, \$532,922,000.

## 7 CHRONIC DISEASE PREVENTION AND HEALTH

## 8 PROMOTION

9 For carrying out titles II, III, XI, XV, XVII, and  
10 XIX of the PHS Act with respect to chronic disease pre-  
11 vention and health promotion, \$817,596,000: *Provided*,  
12 That funds appropriated under this account may be avail-  
13 able for making grants under section 1509 of the PHS  
14 Act for not less than 21 States, tribes, or tribal organiza-  
15 tions: *Provided further*, That of the funds available under  
16 this heading, \$10,000,000 shall be available to continue  
17 and expand community specific extension and outreach  
18 programs to combat obesity in counties with the highest  
19 levels of obesity: *Provided further*, That the proportional  
20 funding requirements under section 1503(a) of the PHS  
21 Act shall not apply to funds made available under this  
22 heading.

1 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,  
2 DISABILITIES AND HEALTH

3 For carrying out titles II, III, XI, and XVII of the  
4 PHS Act with respect to birth defects, developmental dis-  
5 abilities, disabilities and health, \$139,560,000.

6 PUBLIC HEALTH SCIENTIFIC SERVICES

7 For carrying out titles II, III, and XVII of the PHS  
8 Act with respect to health statistics, surveillance, health  
9 informatics, and workforce development, \$489,397,000.

10 ENVIRONMENTAL HEALTH

11 For carrying out titles II, III, and XVII of the PHS  
12 Act with respect to environmental health, \$163,750,000.

13 INJURY PREVENTION AND CONTROL

14 For carrying out titles II, III, and XVII of the PHS  
15 Act with respect to injury prevention and control,  
16 \$291,059,000: *Provided*, That of the funds provided under  
17 this heading, \$112,000,000 shall be available for an evi-  
18 dence-based opioid drug overdose prevention program.

19 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND  
20 HEALTH

21 For carrying out titles II, III, and XVII of the PHS  
22 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501  
23 of the Federal Mine Safety and Health Act, section 13  
24 of the Mine Improvement and New Emergency Response  
25 Act, and sections 20, 21, and 22 of the Occupational Safe-

1 ty and Health Act, with respect to occupational safety and  
2 health, \$335,200,000.

3 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

4 COMPENSATION PROGRAM

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

11 GLOBAL HEALTH

12 For carrying out titles II, III, and XVII of the PHS  
13 Act with respect to global health, \$433,621,000, of which  
14 \$128,421,000 for international HIV/AIDS shall remain  
15 available through September 30, 2019: *Provided*, That  
16 funds may be used for purchase and insurance of official  
17 motor vehicles in foreign countries.

18 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

19 For carrying out titles II, III, and XVII of the PHS  
20 Act with respect to public health preparedness and re-  
21 sponse, and for expenses necessary to support activities  
22 related to countering potential biological, nuclear, radio-  
23 logical, and chemical threats to civilian populations,  
24 \$1,405,000,000, of which \$575,000,000 shall remain  
25 available until expended for the Strategic National Stock-

1 pile: *Provided*, That in the event the Director of the Cen-  
2 ters for Disease Control and Prevention (referred to in  
3 this title as “CDC”) activates the Emergency Operations  
4 Center, the Director of the CDC may detail CDC staff  
5 without reimbursement for up to 90 days to support the  
6 work of the CDC Emergency Operations Center, so long  
7 as the Director provides a notice to the Committees on  
8 Appropriations of the House of Representatives and the  
9 Senate within 15 days of the use of this authority and  
10 a full report within 30 days after use of this authority  
11 which includes the number of staff and funding level bro-  
12 ken down by the originating center and number of days  
13 detailed: *Provided further*, That funds appropriated under  
14 this heading may be used to support a contract for the  
15 operation and maintenance of an aircraft in direct support  
16 of activities throughout CDC to ensure the agency is pre-  
17 pared to address public health preparedness emergencies.

18 BUILDINGS AND FACILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For acquisition of real property, equipment, construc-  
21 tion, demolition, and renovation of facilities, \$10,000,000,  
22 which shall remain available until September 30, 2022:  
23 *Provided*, That funds previously set-aside by CDC for re-  
24 pair and upgrade of the Lake Lynn Experimental Mine  
25 and Laboratory shall be used to acquire a replacement

1 mine safety research facility: *Provided further*, That in ad-  
2 dition, the prior year unobligated balance of any amounts  
3 assigned to former employees in accounts of CDC made  
4 available for Individual Learning Accounts shall be cred-  
5 ited to and merged with the amounts made available under  
6 this heading to support the replacement of the mine safety  
7 research facility.

8 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

9 For carrying out titles II, III, XVII and XIX, and  
10 section 2821 of the PHS Act and for cross-cutting activi-  
11 ties and program support for activities funded in other  
12 appropriations included in this Act for the Centers for  
13 Disease Control and Prevention, \$113,570,000: *Provided*,  
14 That paragraphs (1) through (3) of subsection (b) of sec-  
15 tion 2821 of the PHS Act shall not apply to funds appro-  
16 priated under this heading and in all other accounts of  
17 the CDC: *Provided further*, That employees of CDC or the  
18 Public Health Service, both civilian and commissioned of-  
19 ficers, detailed to States, municipalities, or other organiza-  
20 tions under authority of section 214 of the PHS Act, or  
21 in overseas assignments, shall be treated as non-Federal  
22 employees for reporting purposes only and shall not be in-  
23 cluded within any personnel ceiling applicable to the Agen-  
24 cy, Service, or HHS during the period of detail or assign-  
25 ment: *Provided further*, That CDC may use up to \$10,000

1 from amounts appropriated to CDC in this Act for official  
2 reception and representation expenses when specifically  
3 approved by the Director of CDC: *Provided further*, That  
4 in addition, such sums as may be derived from authorized  
5 user fees, which shall be credited to the appropriation  
6 charged with the cost thereof: *Provided further*, That with  
7 respect to the previous proviso, authorized user fees from  
8 the Vessel Sanitation Program and the Respirator Certifi-  
9 cation Program shall be available through September 30,  
10 2019.

11 NATIONAL INSTITUTES OF HEALTH

12 NATIONAL CANCER INSTITUTE

13 For carrying out section 301 and title IV of the PHS  
14 Act with respect to cancer, \$5,558,270,000, of which up  
15 to \$30,000,000 may be used for facilities repairs and im-  
16 provements at the National Cancer Institute—Frederick  
17 Federally Funded Research and Development Center in  
18 Frederick, Maryland.

19 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

20 For carrying out section 301 and title IV of the PHS  
21 Act with respect to cardiovascular, lung, and blood dis-  
22 eases, and blood and blood products, \$3,322,774,000.



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 \$439,738,000.

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, \$1,935,597,000.

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 \$1,861,666,000.

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 \$5,127,866,000.

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 \$2,887,194,000, of which \$1,074,443,000 shall be from  
25 funds available under section 241 of the PHS Act: *Pro-*

1 *vided*, That not less than \$344,313,000 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 \$1,426,092,000.

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 \$758,552,000.

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 \$737,727,000.

17 NATIONAL INSTITUTE ON AGING

18 For carrying out section 301 and title IV of the PHS  
19 Act with respect to aging, \$2,535,539,000.

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, \$576,178,000.

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, \$451,768,000.

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, \$155,210,000.

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 \$500,491,000.

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, \$1,113,442,000.

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, \$1,681,568,000.

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 \$546,934,000.

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, \$371,151,000.

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 \$139,654,000.

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, \$297,784,000.

16 JOHN E. FOGARTY INTERNATIONAL CENTER

17 For carrying out the activities of the John E. Fogarty  
18 International Center (described in subpart 2 of part E of  
19 title IV of the PHS Act), \$74,380,000.

20 NATIONAL LIBRARY OF MEDICINE

21 For carrying out section 301 and title IV of the PHS  
22 Act with respect to health information communications,  
23 \$420,898,000: *Provided*, That of the amounts available for  
24 improvement of information systems, \$4,000,000 shall be  
25 available until September 30, 2019: *Provided further*, That

1 in fiscal year 2018, the National Library of Medicine may  
2 enter into personal services contracts for the provision of  
3 services in facilities owned, operated, or constructed under  
4 the jurisdiction of the National Institutes of Health (re-  
5 ferred to in this title as “NIH”).

6 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL  
7 SCIENCES

8 For carrying out section 301 and title IV of the PHS  
9 Act with respect to translational sciences, \$729,094,000:  
10 *Provided*, That up to \$24,496,593 shall be available to im-  
11 plement section 480 of the PHS Act, relating to the Cures  
12 Acceleration Network: *Provided further*, That at least  
13 \$533,076,000 is provided to the Clinical and Translational  
14 Sciences Awards program.

15 OFFICE OF THE DIRECTOR

16 For carrying out the responsibilities of the Office of  
17 the Director, NIH, \$1,796,970,000: *Provided*, That fund-  
18 ing shall be available for the purchase of not to exceed  
19 29 passenger motor vehicles for replacement only: *Pro-*  
20 *vided further*, That all funds credited to the NIH Manage-  
21 ment Fund shall remain available for one fiscal year after  
22 the fiscal year in which they are deposited: *Provided fur-*  
23 *ther*, That \$575,290,000 shall be available for the Com-  
24 mon Fund established under section 402A(c)(1) of the  
25 PHS Act: *Provided further*, That of the funds provided,

1 \$10,000 shall be for official reception and representation  
2 expenses when specifically approved by the Director of the  
3 NIH: *Provided further*, That the Office of AIDS Research  
4 within the Office of the Director of the NIH may spend  
5 up to \$8,000,000 to make grants for construction or ren-  
6 ovation of facilities as provided for in section  
7 2354(a)(5)(B) of the PHS Act: *Provided further*, That  
8 \$25,000,000 shall be used to carry out section 404I of  
9 the PHS Act (42 U.S.C. 283k), relating to biomedical and  
10 behavioral research facilities: *Provided further*, That the  
11 NIH shall open a funding opportunity with the objectives,  
12 eligibility, study populations, and review criteria of RFA  
13 HD-92-10 to be awarded strictly according to peer re-  
14 view: *Provided further*, That the purpose of the funding  
15 opportunity in the previous proviso shall be to determine  
16 the adequacy of such a donor network to serve as tissue  
17 sources for all related fields of biomedical research and  
18 shall be limited to donated human fetal tissue from still-  
19 births and spontaneous abortion: *Provided further*, That  
20 the Director may update such announcement to conform  
21 with current law, policy, and NIH practice.

22 In addition to other funds appropriated for the Com-  
23 mon Fund established under section 402A(c) of the PHS  
24 Act, \$12,600,000 is appropriated to the Common Fund  
25 from the 10-year Pediatric Research Initiative Fund de-

1 scribed in section 9008 of title 26, United States Code,  
2 for the purpose of carrying out section 402(b)(7)(B)(ii)  
3 of the PHS Act (relating to pediatric research), as author-  
4 ized in the Gabriella Miller Kids First Research Act.

5 BUILDINGS AND FACILITIES

6 For the study of, construction of, demolition of, ren-  
7 ovation of, and acquisition of equipment for, facilities of  
8 or used by NIH, including the acquisition of real property,  
9 \$128,863,000, to remain available through September 30,  
10 2022.

11 NIH INNOVATION ACCOUNT, CURES ACT

12 For necessary expenses to carry out the purposes de-  
13 scribed in section 1001(b)(4) of the 21st Century Cures  
14 Act, in addition to amounts available for such purposes  
15 in the appropriations provided to the National Institutes  
16 of Health in this Act, \$496,000,000, to remain available  
17 until expended: *Provided*, That such amounts are appro-  
18 priated pursuant to section 1001(b)(3) of such Act, are  
19 to be derived from amounts transferred under section  
20 1001(b)(2)(A) of such Act, and may be transferred by the  
21 Director of the National Institutes of Health to other ac-  
22 counts of the National Institutes of Health solely for the  
23 purposes provided in such Act: *Provided further*, That  
24 upon a determination by the Director that funds trans-  
25 ferred pursuant to the previous proviso are not necessary

1 for the purposes provided, such amounts may be trans-  
2 ferred back to the Account: *Provided further*, That the  
3 transfer authority provided under this heading is in addi-  
4 tion to any other transfer authority provided by law.

5 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

6 ADMINISTRATION

7 MENTAL HEALTH

8 For carrying out titles III, V, and XIX of the PHS  
9 Act with respect to mental health, and the Protection and  
10 Advocacy for Individuals with Mental Illness Act,  
11 \$1,147,998,000: *Provided*, That notwithstanding section  
12 520A(f)(2) of the PHS Act, no funds appropriated for car-  
13 rying out section 520A shall be available for carrying out  
14 section 1971 of the PHS Act: *Provided further*, That in  
15 addition to amounts provided herein, \$21,039,000 shall be  
16 available under section 241 of the PHS Act to carry out  
17 subpart I of part B of title XIX of the PHS Act to fund  
18 section 1920(b) technical assistance, national data, data  
19 collection and evaluation activities, and further that the  
20 total available under this Act for section 1920(b) activities  
21 shall not exceed 5 percent of the amounts appropriated  
22 for subpart I of part B of title XIX: *Provided further*, That  
23 up to 10 percent of the amounts made available to carry  
24 out the Children's Mental Health Services program may  
25 be used to carry out demonstration grants or contracts



1 for early interventions with persons not more than 25  
2 years of age at clinical high risk of developing a first epi-  
3 sode of psychosis: *Provided further*, That section  
4 520E(b)(2) of the PHS Act shall not apply to funds ap-  
5 propriated in this Act for fiscal year 2018: *Provided fur-*  
6 *ther*, That notwithstanding section 565(b)(1) of the PHS  
7 Act, technical assistance may be provided to a public enti-  
8 ty to establish or operate a system of comprehensive com-  
9 munity mental health services to children with a serious  
10 emotional disturbance, without regard to whether the pub-  
11 lic entity receives a grant under section 561(a) of such  
12 Act: *Provided further*, That States shall expend at least  
13 10 percent of the amount each receives for carrying out  
14 section 1911 of the PHS Act to support evidence-based  
15 programs that address the needs of individuals with early  
16 serious mental illness, including psychotic disorders, re-  
17 gardless of the age of the individual at onset: *Provided*  
18 *further*, That none of the funds provided for section 1911  
19 of the PHS Act shall be subject to section 241 of such  
20 Act: *Provided further*, That of the funds made available  
21 under this heading, \$15,000,000 shall be to carry out sec-  
22 tion 224 of the Protecting Access to Medicare Act of 2014  
23 (Public Law 113–93; 42 U.S.C. 290aa 22 note).



1 of the PHS Act and the Protection and Advocacy for Indi-  
2 viduals with Mental Illness Act in the Substance Abuse  
3 and Mental Health Services Administration,  
4 \$114,402,000: *Provided*, That in addition to amounts pro-  
5 vided herein, \$31,428,000 shall be available under section  
6 241 of the PHS Act to supplement funds available to  
7 carry out national surveys on drug abuse and mental  
8 health, to collect and analyze program data, and to con-  
9 duct public awareness and technical assistance activities:  
10 *Provided further*, That, in addition, fees may be collected  
11 for the costs of publications, data, data tabulations, and  
12 data analysis completed under title V of the PHS Act and  
13 provided to a public or private entity upon request, which  
14 shall be credited to this appropriation and shall remain  
15 available until expended for such purposes: *Provided fur-*  
16 *ther*, That amounts made available in this Act for carrying  
17 out section 501(m) of the PHS Act shall remain available  
18 through September 30, 2019: *Provided further*, That funds  
19 made available under this heading may be used to supple-  
20 ment program support funding provided under the head-  
21 ings “Mental Health”, “Substance Abuse Treatment”,  
22 and “Substance Abuse Prevention”.

1 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

2 HEALTHCARE RESEARCH AND QUALITY

3 For carrying out titles III and IX of the PHS Act,  
4 part A of title XI of the Social Security Act, and section  
5 1013 of the Medicare Prescription Drug, Improvement,  
6 and Modernization Act of 2003, \$324,000,000: *Provided*,  
7 That section 947(c) of the PHS Act shall not apply in  
8 fiscal year 2018: *Provided further*, That in addition,  
9 amounts received from Freedom of Information Act fees,  
10 reimbursable and interagency agreements, and the sale of  
11 data shall be credited to this appropriation and shall re-  
12 main available until September 30, 2019.

13 CENTERS FOR MEDICARE AND MEDICAID SERVICES

14 GRANTS TO STATES FOR MEDICAID

15 For carrying out, except as otherwise provided, titles  
16 XI and XIX of the Social Security Act, \$284,798,384,000,  
17 to remain available until expended.

18 For making, after May 31, 2018, payments to States  
19 under title XIX or in the case of section 1928 on behalf  
20 of States under title XIX of the Social Security Act for  
21 the last quarter of fiscal year 2018 for unanticipated costs  
22 incurred for the current fiscal year, such sums as may be  
23 necessary.

24 For making payments to States or in the case of sec-  
25 tion 1928 on behalf of States under title XIX of the Social

1 Security Act for the first quarter of fiscal year 2019,  
2 \$134,847,759,000, to remain available until expended.

3 Payment under such title XIX may be made for any  
4 quarter with respect to a State plan or plan amendment  
5 in effect during such quarter, if submitted in or prior to  
6 such quarter and approved in that or any subsequent  
7 quarter.

8 PAYMENTS TO HEALTH CARE TRUST FUNDS

9 For payment to the Federal Hospital Insurance  
10 Trust Fund and the Federal Supplementary Medical In-  
11 surance Trust Fund, as provided under sections 217(g),  
12 1844, and 1860D–16 of the Social Security Act, sections  
13 103(c) and 111(d) of the Social Security Amendments of  
14 1965, section 278(d)(3) of Public Law 97–248, and for  
15 administrative expenses incurred pursuant to section  
16 201(g) of the Social Security Act, \$323,497,300,000.

17 In addition, for making matching payments under  
18 section 1844 and benefit payments under section 1860D–  
19 16 of the Social Security Act that were not anticipated  
20 in budget estimates, such sums as may be necessary.

21 PROGRAM MANAGEMENT

22 For carrying out, except as otherwise provided, titles  
23 XI, XVIII, XIX, and XXI of the Social Security Act, titles  
24 XIII and XXVII of the PHS Act, the Clinical Laboratory  
25 Improvement Amendments of 1988, and other responsibil-

ities of the Centers for Medicare and Medicaid Services,  
not to exceed \$3,669,744,000, to be transferred from the  
Federal Hospital Insurance Trust Fund and the Federal  
Supplementary Medical Insurance Trust Fund, as author-  
ized by section 201(g) of the Social Security Act; together  
with all funds collected in accordance with section 353 of  
the PHS Act and section 1857(e)(2) of the Social Security  
Act, funds retained by the Secretary pursuant to section  
302 of the Tax Relief and Health Care Act of 2006; and  
such sums as may be collected from authorized user fees  
and the sale of data, which shall be credited to this ac-  
count and remain available until September 30, 2023: *Pro-*  
*vided*, That all funds derived in accordance with 31 U.S.C.  
9701 from organizations established under title XIII of  
the PHS Act shall be credited to and available for carrying  
out the purposes of this appropriation: *Provided further*,  
That the Secretary is directed to collect fees in fiscal year  
2018 from Medicare Advantage organizations pursuant to  
section 1857(e)(2) of the Social Security Act and from eli-  
gible organizations with risk-sharing contracts under sec-  
tion 1876 of that Act pursuant to section 1876(k)(4)(D)  
of that Act.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for pro-  
gram integrity and program management, \$745,000,000,

1 to remain available through September 30, 2019, to be  
2 transferred from the Federal Hospital Insurance Trust  
3 Fund and the Federal Supplementary Medical Insurance  
4 Trust Fund, as authorized by section 201(g) of the Social  
5 Security Act, of which \$584,766,000 shall be for the Cen-  
6 ters for Medicare and Medicaid Services program integrity  
7 activities, of which \$84,398,000 shall be for the Depart-  
8 ment of Health and Human Services Office of Inspector  
9 General to carry out fraud and abuse activities authorized  
10 by section 1817(k)(3) of such Act, and of which  
11 \$75,836,000 shall be for the Department of Justice to  
12 carry out fraud and abuse activities authorized by section  
13 1817(k)(3) of such Act: *Provided*, That the report re-  
14 quired by section 1817(k)(5) of the Social Security Act  
15 for fiscal year 2018 shall include measures of the oper-  
16 ational efficiency and impact on fraud, waste, and abuse  
17 in the Medicare, Medicaid, and CHIP programs for the  
18 funds provided by this appropriation: *Provided further*,  
19 That of the amount provided under this heading,  
20 \$311,000,000 is provided to meet the terms of section  
21 251(b)(2)(C)(ii) of the Balanced Budget and Emergency  
22 Deficit Control Act of 1985, as amended, and  
23 \$434,000,000 is additional new budget authority specified  
24 for purposes of section 251(b)(2)(C) of such Act: *Provided*  
25 *further*, That the Secretary shall support the full cost of

1 the Senior Medicare Patrol program to combat health care  
 2 fraud and abuse from the funds provided to this account.

3       ADMINISTRATION FOR CHILDREN AND FAMILIES

4           PAYMENTS TO STATES FOR CHILD SUPPORT

5           ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

6       For carrying out, except as otherwise provided, titles  
 7 I, IV–D, X, XI, XIV, and XVI of the Social Security Act  
 8 and the Act of July 5, 1960, \$2,995,400,000, to remain  
 9 available until expended; and for such purposes for the  
 10 first quarter of fiscal year 2019, \$1,400,000,000, to re-  
 11 main available until expended.

12       For carrying out, after May 31 of the current fiscal  
 13 year, except as otherwise provided, titles I, IV–D, X, XI,  
 14 XIV, and XVI of the Social Security Act and the Act of  
 15 July 5, 1960, for the last 3 months of the current fiscal  
 16 year for unanticipated costs, incurred for the current fiscal  
 17 year, such sums as may be necessary.

18           LOW INCOME HOME ENERGY ASSISTANCE

19       For making payments under subsections (b) and (d)  
 20 of section 2602 of the Low Income Home Energy Assist-  
 21 ance Act of 1981, \$3,390,304,000: *Provided*, That all but  
 22 \$491,000,000 of this amount shall be allocated as though  
 23 the total appropriation for such payments for fiscal year  
 24 2018 was less than \$1,975,000,000: *Provided further*,  
 25 That notwithstanding section 2609A(a), of the amounts



1 appropriated under section 2602(b), not more than  
2 \$2,988,000 of such amounts may be reserved by the Sec-  
3 retary for technical assistance, training, and monitoring  
4 of program activities for compliance with internal controls,  
5 policies and procedures and may, in addition to the au-  
6 thorities provided in section 2609A(a)(1), use such funds  
7 through contracts with private entities that do not qualify  
8 as nonprofit organizations.

9 REFUGEE AND ENTRANT ASSISTANCE

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses for refugee and entrant as-  
12 sistance activities authorized by section 414 of the Immi-  
13 gration and Nationality Act and section 501 of the Ref-  
14 ugee Education Assistance Act of 1980, and for carrying  
15 out section 462 of the Homeland Security Act of 2002,  
16 section 235 of the William Wilberforce Trafficking Victims  
17 Protection Reauthorization Act of 2008, the Trafficking  
18 Victims Protection Act of 2000 (“TVPA”), and the Tor-  
19 ture Victims Relief Act of 1998, \$1,506,691,000, of which  
20 \$1,475,201,000 shall remain available through September  
21 30, 2020 for carrying out such sections 414, 501, 462,  
22 and 235: *Provided*, That amounts available under this  
23 heading to carry out the TVPA shall also be available for  
24 research and evaluation with respect to activities under  
25 such Act: *Provided further*, That the limitation in section

1 205 of this Act regarding transfers increasing any appro-  
2 priation shall apply to transfers to appropriations under  
3 this heading by substituting “10 percent” for “3 percent”.

4 PAYMENTS TO STATES FOR THE CHILD CARE AND  
5 DEVELOPMENT BLOCK GRANT

6 For carrying out the Child Care and Development  
7 Block Grant Act of 2014 (“CCDBG Act”),  
8 \$2,856,000,000 shall be used to supplement, not supplant  
9 State general revenue funds for child care assistance for  
10 low-income families: *Provided*, That technical assistance  
11 under section 658I(a)(3) of such Act may be provided di-  
12 rectly, or through the use of contracts, grants, cooperative  
13 agreements, or interagency agreements: *Provided further*,  
14 That all funds made available to carry out section 418  
15 of the Social Security Act (42 U.S.C. 618), including  
16 funds appropriated for that purpose in such section 418  
17 or any other provision of law, shall be subject to the res-  
18 ervation of funds authority in paragraphs (4) and (5) of  
19 section 658O(a) of the CCDBG Act.

20 SOCIAL SERVICES BLOCK GRANT

21 For making grants to States pursuant to section  
22 2002 of the Social Security Act, \$1,700,000,000: *Pro-*  
23 *vided*, That notwithstanding subparagraph (B) of section  
24 404(d)(2) of such Act, the applicable percent specified  
25 under such subparagraph for a State to carry out State

1 programs pursuant to title XX–A of such Act shall be 10  
2 percent.

3 CHILDREN AND FAMILIES SERVICES PROGRAMS

4 For carrying out, except as otherwise provided, the  
5 Runaway and Homeless Youth Act, the Head Start Act,  
6 the Every Student Succeeds Act, the Child Abuse Preven-  
7 tion and Treatment Act, sections 303 and 313 of the  
8 Family Violence Prevention and Services Act, the Native  
9 American Programs Act of 1974, title II of the Child  
10 Abuse Prevention and Treatment and Adoption Reform  
11 Act of 1978 (adoption opportunities), part B–1 of title IV  
12 and sections 429, 473A, 477(i), 1110, 1114A, and 1115  
13 of the Social Security Act, and the Community Services  
14 Block Grant Act (“CSBG Act”), and for necessary admin-  
15 istrative expenses to carry out titles I, IV, V, X, XI, XIV,  
16 XVI, and XX–A of the Social Security Act, the Act of  
17 July 5, 1960, the Low-Income Home Energy Assistance  
18 Act of 1981, the Child Care and Development Block Grant  
19 Act of 2014, the Assets for Independence Act, title IV of  
20 the Immigration and Nationality Act, and section 501 of  
21 the Refugee Education Assistance Act of 1980,  
22 \$11,284,368,000, of which \$37,943,000, to remain avail-  
23 able through September 30, 2019, shall be for grants to  
24 States for adoption and legal guardianship incentive pay-  
25 ments, as defined by section 473A of the Social Security

1 Act and may be made for adoptions and legal  
2 guardianships completed before September 30, 2018: *Pro-*  
3 *vided*, That \$9,253,095,000 shall be for making payments  
4 under the Head Start Act: *Provided further*, That of the  
5 amount in the previous proviso, \$8,588,095,000 shall be  
6 available for payments under section 640 of the Head  
7 Start Act: *Provided further*, That of the amount provided  
8 for making payments under the Head Start Act,  
9 \$25,000,000 shall be available for allocation by the Sec-  
10 retary to supplement activities described in paragraphs  
11 (7)(B) and (9) of section 641(c) of such Act under the  
12 Designation Renewal System, established under the au-  
13 thority of sections 641(c)(7), 645A(b)(12) and 645A(d)  
14 of such Act: *Provided further*, That notwithstanding such  
15 section 640, of the amount provided for making payments  
16 under the Head Start Act, and in addition to funds other-  
17 wise available under such section 640, \$640,000,000 shall  
18 be available through March 31, 2019 for Early Head Start  
19 programs as described in section 645A of such Act, for  
20 conversion of Head Start services to Early Head Start  
21 services as described in section 645(a)(5)(A) of such Act,  
22 for discretionary grants for high quality infant and toddler  
23 care through Early Head Start-Child Care Partnerships,  
24 to entities defined as eligible under section 645A(d) of  
25 such Act, for training and technical assistance for such

1 activities, and for up to \$14,000,000 in Federal costs of  
2 administration and evaluation, and, notwithstanding sec-  
3 tion 645A(c)(2) of such Act, these funds are available to  
4 serve children under age 4: *Provided further*, That funds  
5 described in the preceding two provisos shall not be in-  
6 cluded in the calculation of “base grant” in subsequent  
7 fiscal years, as such term is used in section 640(a)(7)(A)  
8 of such Act: *Provided further*, That \$250,000,000 shall be  
9 available until December 31, 2018 for carrying out sec-  
10 tions 9212 and 9213 of the Every Student Succeeds Act:  
11 *Provided further*, That up to 3 percent of the funds in  
12 the preceding proviso shall be available for technical as-  
13 sistance and evaluation related to grants awarded under  
14 such section 9212: *Provided further*, That \$727,383,000  
15 shall be for making payments under the CSBG Act: *Pro-*  
16 *vided further*, That \$27,733,000 shall be for sections 680  
17 and 678E(b)(2) of the CSBG Act, of which not less than  
18 \$19,883,000 shall be for section 680(a)(2) and not less  
19 than \$7,500,000 shall be for section 680(a)(3)(B) of such  
20 Act: *Provided further*, That, notwithstanding section  
21 675C(a)(3) of such Act, to the extent Community Services  
22 Block Grant funds are distributed as grant funds by a  
23 State to an eligible entity as provided under such Act, and  
24 have not been expended by such entity, they shall remain  
25 with such entity for carryover into the next fiscal year for

1 expenditure by such entity consistent with program pur-  
2 poses: *Provided further*, That the Secretary shall establish  
3 procedures regarding the disposition of intangible assets  
4 and program income that permit such assets acquired  
5 with, and program income derived from, grant funds au-  
6 thorized under section 680 of the CSBG Act to become  
7 the sole property of such grantees after a period of not  
8 more than 12 years after the end of the grant period for  
9 any activity consistent with section 680(a)(2)(A) of the  
10 CSBG Act: *Provided further*, That intangible assets in the  
11 form of loans, equity investments and other debt instru-  
12 ments, and program income may be used by grantees for  
13 any eligible purpose consistent with section 680(a)(2)(A)  
14 of the CSBG Act: *Provided further*, That these procedures  
15 shall apply to such grant funds made available after No-  
16 vember 29, 1999: *Provided further*, That funds appro-  
17 priated for section 680(a)(2) of the CSBG Act shall be  
18 available for financing construction and rehabilitation and  
19 loans or investments in private business enterprises owned  
20 by community development corporations: *Provided further*,  
21 That \$156,000,000 shall be for carrying out the Family  
22 Violence Prevention and Services Act, of which  
23 \$5,000,000 shall be allocated notwithstanding section  
24 303(a)(2) of such Act for carrying out section 309 of such  
25 Act: *Provided further*, That \$1,864,000 shall be for a

1 human services case management system for federally de-  
2 clared disasters, to include a comprehensive national case  
3 management contract and Federal costs of administering  
4 the system: *Provided further*, That up to \$2,000,000 shall  
5 be for improving the Public Assistance Reporting Informa-  
6 tion System, including grants to States to support data  
7 collection for a study of the system's effectiveness.

8 PROMOTING SAFE AND STABLE FAMILIES

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

17 PAYMENTS FOR FOSTER CARE AND PERMANENCY

18 For carrying out, except as otherwise provided, title  
19 IV-E of the Social Security Act, \$6,225,000,000.

20 For carrying out, except as otherwise provided, title  
21 IV-E of the Social Security Act, for the first quarter of  
22 fiscal year 2019, \$2,700,000,000.

23 For carrying out, after May 31 of the current fiscal  
24 year, except as otherwise provided, section 474 of title IV-  
25 E of the Social Security Act, for the last 3 months of the

1 current fiscal year for unanticipated costs, incurred for the  
2 current fiscal year, such sums as may be necessary.

3           ADMINISTRATION FOR COMMUNITY LIVING  
4           AGING AND DISABILITY SERVICES PROGRAMS  
5           (INCLUDING TRANSFER OF FUNDS)

6           For carrying out, to the extent not otherwise pro-  
7 vided, the Older Americans Act of 1965 (“OAA”), titles  
8 III and XXIX of the PHS Act, sections 1252 and 1253  
9 of the PHS Act, section 119 of the Medicare Improve-  
10 ments for Patients and Providers Act of 2008, title XX-  
11 B of the Social Security Act, the Developmental Disabil-  
12 ities Assistance and Bill of Rights Act, parts 2 and 5 of  
13 subtitle D of title II of the Help America Vote Act of  
14 2002, the Assistive Technology Act of 1998, titles II and  
15 VII (and section 14 with respect to such titles) of the Re-  
16 habilitation Act of 1973, and for Department-wide coordi-  
17 nation of policy and program activities that assist individ-  
18 uals with disabilities, \$1,919,000,000: together with  
19 \$47,115,000 to be transferred from the Federal Hospital  
20 Insurance Trust Fund and the Federal Supplementary  
21 Medical Insurance Trust Fund to carry out section 4360  
22 of the Omnibus Budget Reconciliation Act of 1990: *Pro-*  
23 *vided*, That amounts appropriated under this heading may  
24 be used for grants to States under section 361 of the OAA  
25 only for disease prevention and health promotion pro-



1 grams and activities which have been demonstrated  
2 through rigorous evaluation to be evidence-based and ef-  
3 fective: *Provided further*, That of amounts made available  
4 under this heading to carry out sections 311, 331, and  
5 336 of the OAA, up to one percent of such amounts shall  
6 be available for developing and implementing evidence-  
7 based practices for enhancing senior nutrition: *Provided*  
8 *further*, That notwithstanding any other provision of this  
9 Act, funds made available under this heading to carry out  
10 section 311 of the OAA may be transferred to the Sec-  
11 retary of Agriculture in accordance with such section: *Pro-*  
12 *vided further*, That \$2,000,000 shall be for competitive  
13 grants to support alternative financing programs that pro-  
14 vide for the purchase of assistive technology devices, such  
15 as a low-interest loan fund; an interest buy-down program;  
16 a revolving loan fund; a loan guarantee; or an insurance  
17 program: *Provided further*, That applicants shall provide  
18 an assurance that, and information describing the manner  
19 in which, the alternative financing program will expand  
20 and emphasize consumer choice and control: *Provided fur-*  
21 *ther*, That State agencies and community-based disability  
22 organizations that are directed by and operated for indi-  
23 viduals with disabilities shall be eligible to compete: *Pro-*  
24 *vided further*, That none of the funds made available under  
25 this heading may be used by an eligible system (as defined

1 in section 102 of the Protection and Advocacy for Individ-  
2 uals with Mental Illness Act (42 U.S.C. 10802)) to con-  
3 tinue to pursue any legal action in a Federal or State  
4 court on behalf of an individual or group of individuals  
5 with a developmental disability (as defined in section  
6 102(8)(A) of the Developmental Disabilities and Assist-  
7 ance and Bill of Rights Act of 2000 (20 U.S.C.  
8 15002(8)(A)) that is attributable to a mental impairment  
9 (or a combination of mental and physical impairments),  
10 that has as the requested remedy the closure of State op-  
11 erated intermediate care facilities for people with intellec-  
12 tual or developmental disabilities, unless reasonable public  
13 notice of the action has been provided to such individuals  
14 (or, in the case of mental incapacitation, the legal guard-  
15 ians who have been specifically awarded authority by the  
16 courts to make healthcare and residential decisions on be-  
17 half of such individuals) who are affected by such action,  
18 within 90 days of instituting such legal action, which in-  
19 forms such individuals (or such legal guardians) of their  
20 legal rights and how to exercise such rights consistent with  
21 current Federal Rules of Civil Procedure: *Provided further*,  
22 That the limitations in the immediately preceding proviso  
23 shall not apply in the case of an individual who is neither  
24 competent to consent nor has a legal guardian, nor shall

1 the proviso apply in the case of individuals who are a ward  
2 of the State or subject to public guardianship.

3 OFFICE OF THE SECRETARY

4 GENERAL DEPARTMENTAL MANAGEMENT

5 For necessary expenses, not otherwise provided, for  
6 general departmental management, including hire of six  
7 passenger motor vehicles, and for carrying out titles III,  
8 XVII, XXI, and section 229 of the PHS Act, the United  
9 States-Mexico Border Health Commission Act, and re-  
10 search studies under section 1110 of the Social Security  
11 Act, \$470,629,000, together with \$64,828,000 from the  
12 amounts available under section 241 of the PHS Act to  
13 carry out national health or human services research and  
14 evaluation activities: *Provided*, That of this amount,  
15 \$53,900,000 shall be for minority AIDS prevention and  
16 treatment activities: *Provided further*, That of the funds  
17 made available under this heading, \$101,000,000 shall be  
18 for making competitive contracts and to continue funding  
19 grants to public and private entities to the same extent  
20 and in the same manner as those grants were funded in  
21 fiscal year 2016 to fund medically accurate and age appro-  
22 priate programs that reduce teen pregnancy and for the  
23 Federal costs associated with administering and evalu-  
24 ating such contracts and grants, of which not more than  
25 10 percent of the available funds shall be for training and

1 technical assistance, evaluation, outreach, and additional  
2 program support activities, and of the remaining amount  
3 75 percent shall be for replicating programs that have  
4 been proven effective through rigorous evaluation to re-  
5 duce teenage pregnancy, behavioral risk factors underlying  
6 teenage pregnancy, or other associated risk factors, and  
7 25 percent shall be available for research and demonstra-  
8 tion grants to develop, replicate, refine, and test additional  
9 models and innovative strategies for preventing teenage  
10 pregnancy: *Provided further*, That of the amounts pro-  
11 vided under this heading from amounts available under  
12 section 241 of the PHS Act, \$6,800,000 shall be available  
13 to carry out evaluations (including longitudinal evalua-  
14 tions) of teenage pregnancy prevention approaches: *Pro-*  
15 *vided further*, That of the funds made available under this  
16 heading, \$25,000,000 shall be for making competitive  
17 grants which exclusively implement education in sexual  
18 risk avoidance (defined as voluntarily refraining from non-  
19 marital sexual activity): *Provided further*, That funding for  
20 such competitive grants for sexual risk avoidance shall use  
21 medically accurate information referenced to peer-re-  
22 viewed publications by educational, scientific, govern-  
23 mental, or health organizations; implement an evidence-  
24 based approach integrating research findings with prac-  
25 tical implementation that aligns with the needs and de-

1 sired outcomes for the intended audience; and teach the  
2 benefits associated with self-regulation, success sequenc-  
3 ing for poverty prevention, healthy relationships, goal set-  
4 ting, and resisting sexual coercion, dating violence, and  
5 other youth risk behaviors such as underage drinking or  
6 illicit drug use without normalizing teen sexual activity:  
7 *Provided further*, That no more than 10 percent of the  
8 funding for such competitive grants for sexual risk avoid-  
9 ance shall be available for technical assistance and admin-  
10 istrative costs of such programs: *Provided further*, That  
11 funds provided in this Act for embryo adoption activities  
12 may be used to provide to individuals adopting embryos,  
13 through grants and other mechanisms, medical and ad-  
14 ministrative services deemed necessary for such adoptions:  
15 *Provided further*, That such services shall be provided con-  
16 sistent with 42 CFR 59.5(a)(4).

17 ACCOUNT FOR THE STATE RESPONSE TO THE OPIOID  
18 ABUSE CRISIS, CURES ACT

19 For necessary expenses to carry out the purposes de-  
20 scribed in section 1003(c) of the 21st Century Cures Act,  
21 \$500,000,000 to remain available until expended: *Pro-*  
22 *vided*, That such amounts are appropriated pursuant to  
23 section 1003(b)(3) of such Act, are to be derived from  
24 amounts transferred under section 1003(b)(2)(A) of such  
25 Act, and may be transferred by the Secretary of Health

1 and Human Services to other accounts of the Department  
2 solely for the purposes provided in such Act: *Provided fur-*  
3 *ther*, That upon a determination by the Secretary that  
4 funds transferred pursuant to the previous proviso are not  
5 necessary for the purposes provided, such amounts may  
6 be transferred back to the Account: *Provided further*, That  
7 the transfer authority provided under this heading is in  
8 addition to any other transfer authority provided by law.

9 OFFICE OF MEDICARE HEARINGS AND APPEALS

10 For expenses necessary for the Office of Medicare  
11 Hearings and Appeals, \$107,381,000, to be transferred in  
12 appropriate part from the Federal Hospital Insurance  
13 Trust Fund and the Federal Supplementary Medical In-  
14 surance Trust Fund: *Provided*, That of amounts the Sec-  
15 retary retains for adjudications related to Recovery Audit  
16 Contractor (RAC) appeals under section 1893(h)(1)(c) of  
17 the Social Security Act, \$10,000,000 shall be used as ad-  
18 ditional funds for the necessary expenses of the Office of  
19 Medicare Hearings and Appeals and the Departmental  
20 Appeals Board to process RAC-related appeals, and to es-  
21 tablish a process to provide educational feedback from  
22 such Office and Board to the Centers for Medicare and  
23 Medicaid Services to reduce the claims overturn rate from  
24 the claims that are reviewed by such Office or Board.

1 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH  
2 INFORMATION TECHNOLOGY

3 For expenses necessary for the Office of the National  
4 Coordinator for Health Information Technology, including  
5 grants, contracts, and cooperative agreements for the de-  
6 velopment and advancement of interoperable health infor-  
7 mation technology, \$60,367,000.

8 OFFICE OF INSPECTOR GENERAL

9 For expenses necessary for the Office of Inspector  
10 General, including the hire of passenger motor vehicles for  
11 investigations, in carrying out the provisions of the Inspec-  
12 tor General Act of 1978, \$80,000,000: *Provided*, That of  
13 such amount, necessary sums shall be available for pro-  
14 viding protective services to the Secretary and inves-  
15 tigating non-payment of child support cases for which non-  
16 payment is a Federal offense under 18 U.S.C. 228.

17 OFFICE FOR CIVIL RIGHTS

18 For expenses necessary for the Office for Civil  
19 Rights, \$38,798,000.

20 RETIREMENT PAY AND MEDICAL BENEFITS FOR  
21 COMMISSIONED OFFICERS

22 For retirement pay and medical benefits of Public  
23 Health Service Commissioned Officers as authorized by  
24 law, for payments under the Retired Serviceman's Family  
25 Protection Plan and Survivor Benefit Plan, and for med-

1 ical care of dependents and retired personnel under the  
2 Dependents' Medical Care Act, such amounts as may be  
3 required during the current fiscal year.

4 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY  
5 FUND

6 For expenses necessary to support activities related  
7 to countering potential biological, nuclear, radiological,  
8 chemical, and cybersecurity threats to civilian populations,  
9 and for other public health emergencies, \$950,958,000, of  
10 which \$511,700,000 shall remain available through Sep-  
11 tember 30, 2019, for expenses necessary to support ad-  
12 vanced research and development pursuant to section  
13 319L of the PHS Act and other administrative expenses  
14 of the Biomedical Advanced Research and Development  
15 Authority: *Provided*, That funds provided under this head-  
16 ing for the purpose of acquisition of security counter-  
17 measures shall be in addition to any other funds available  
18 for such purpose: *Provided further*, That products pur-  
19 chased with funds provided under this heading may, at  
20 the discretion of the Secretary, be deposited in the Stra-  
21 tegic National Stockpile pursuant to section 319F-2 of  
22 the PHS Act: *Provided further*, That \$5,000,000 of the  
23 amounts made available to support emergency operations  
24 shall remain available through September 30, 2020.



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

5 For an additional amount for expenses necessary to  
6 prepare for or respond to an influenza pandemic,  
7 \$92,000,000; of which \$75,000,000 shall be available until  
8 expended, for activities including the development and  
9 purchase of vaccine, antivirals, necessary medical supplies,  
10 diagnostics, and other surveillance tools: *Provided*, That  
11 notwithstanding section 496(b) of the PHS Act, funds  
12 may be used for the construction or renovation of privately  
13 owned facilities for the production of pandemic influenza  
14 vaccines and other biologics, if the Secretary finds such  
15 construction or renovation necessary to secure sufficient  
16 supplies of such vaccines or biologics.

17 GENERAL PROVISIONS

18 SEC. 201. Funds appropriated in this title shall be  
19 available for not to exceed \$50,000 for official reception  
20 and representation expenses when specifically approved by  
21 the Secretary.

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



1 no funds are provided in this Act: *Provided further*, That  
2 the Committees on Appropriations of the House of Rep-  
3 resentatives and the Senate are notified at least 15 days  
4 in advance of any transfer.

5       SEC. 206. In lieu of the timeframe specified in section  
6 338E(c)(2) of the PHS Act, terminations described in  
7 such section may occur up to 60 days after the execution  
8 of a contract awarded in fiscal year 2018 under section  
9 338B of such Act.

10       SEC. 207. None of the funds appropriated in this Act  
11 may be made available to any entity under title X of the  
12 PHS Act unless the applicant for the award certifies to  
13 the Secretary that it encourages family participation in  
14 the decision of minors to seek family planning services and  
15 that it provides counseling to minors on how to resist at-  
16 tempts to coerce minors into engaging in sexual activities.

17       SEC. 208. Notwithstanding any other provision of  
18 law, no provider of services under title X of the PHS Act  
19 shall be exempt from any State law requiring notification  
20 or the reporting of child abuse, child molestation, sexual  
21 abuse, rape, or incest.

22       SEC. 209. None of the funds appropriated by this Act  
23 (including funds appropriated to any trust fund) may be  
24 used to carry out the Medicare Advantage program if the  
25 Secretary denies participation in such program to an oth-

1 erwise eligible entity (including a Provider Sponsored Or-  
2 ganization) because the entity informs the Secretary that  
3 it will not provide, pay for, provide coverage of, or provide  
4 referrals for abortions: *Provided*, That the Secretary shall  
5 make appropriate prospective adjustments to the capita-  
6 tion payment to such an entity (based on an actuarially  
7 sound estimate of the expected costs of providing the serv-  
8 ice to such entity's enrollees): *Provided further*, That noth-  
9 ing in this section shall be construed to change the Medi-  
10 care program's coverage for such services and a Medicare  
11 Advantage organization described in this section shall be  
12 responsible for informing enrollees where to obtain infor-  
13 mation about all Medicare covered services.

14 SEC. 210. None of the funds made available in this  
15 title may be used, in whole or in part, to advocate or pro-  
16 mote gun control.

17 SEC. 211. The Secretary shall make available through  
18 assignment not more than 60 employees of the Public  
19 Health Service to assist in child survival activities and to  
20 work in AIDS programs through and with funds provided  
21 by the Agency for International Development, the United  
22 Nations International Children's Emergency Fund or the  
23 World Health Organization.

24 SEC. 212. In order for HHS to carry out inter-  
25 national health activities, including HIV/AIDS and other

1 infectious disease, chronic and environmental disease, and  
2 other health activities abroad during fiscal year 2018:

3           (1) The Secretary may exercise authority equiv-  
4 alent to that available to the Secretary of State in  
5 section 2(c) of the State Department Basic Authori-  
6 ties Act of 1956. The Secretary shall consult with  
7 the Secretary of State and relevant Chief of Mission  
8 to ensure that the authority provided in this section  
9 is exercised in a manner consistent with section 207  
10 of the Foreign Service Act of 1980 and other appli-  
11 cable statutes administered by the Department of  
12 State.

13           (2) The Secretary is authorized to provide such  
14 funds by advance or reimbursement to the Secretary  
15 of State as may be necessary to pay the costs of ac-  
16 quisition, lease, alteration, renovation, and manage-  
17 ment of facilities outside of the United States for  
18 the use of HHS. The Department of State shall co-  
19 operate fully with the Secretary to ensure that HHS  
20 has secure, safe, functional facilities that comply  
21 with applicable regulation governing location, set-  
22 back, and other facilities requirements and serve the  
23 purposes established by this Act. The Secretary is  
24 authorized, in consultation with the Secretary of  
25 State, through grant or cooperative agreement, to

1 make available to public or nonprofit private institu-  
2 tions or agencies in participating foreign countries,  
3 funds to acquire, lease, alter, or renovate facilities in  
4 those countries as necessary to conduct programs of  
5 assistance for international health activities, includ-  
6 ing activities relating to HIV/AIDS and other infec-  
7 tious diseases, chronic and environmental diseases,  
8 and other health activities abroad.

9 (3) The Secretary is authorized to provide to  
10 personnel appointed or assigned by the Secretary to  
11 serve abroad, allowances and benefits similar to  
12 those provided under chapter 9 of title I of the For-  
13 eign Service Act of 1980, and 22 U.S.C. 4081  
14 through 4086 and subject to such regulations pre-  
15 scribed by the Secretary. The Secretary is further  
16 authorized to provide locality-based comparability  
17 payments (stated as a percentage) up to the amount  
18 of the locality-based comparability payment (stated  
19 as a percentage) that would be payable to such per-  
20 sonnel under section 5304 of title 5, United States  
21 Code if such personnel's official duty station were in  
22 the District of Columbia. Leaves of absence for per-  
23 sonnel under this subsection shall be on the same  
24 basis as that provided under subchapter I of chapter  
25 63 of title 5, United States Code, or section 903 of

1 the Foreign Service Act of 1980, to individuals serv-  
2 ing in the Foreign Service.

3 (TRANSFER OF FUNDS)

4 SEC. 213. The Director of the NIH, jointly with the  
5 Director of the Office of AIDS Research, may transfer up  
6 to 3 percent among institutes and centers from the total  
7 amounts identified by these two Directors as funding for  
8 research pertaining to the human immunodeficiency virus:  
9 *Provided*, That the Committees on Appropriations of the  
10 House of Representatives and the Senate are notified at  
11 least 15 days in advance of any transfer.

12 (TRANSFER OF FUNDS)

13 SEC. 214. Of the amounts made available in this Act  
14 for NIH, the amount for research related to the human  
15 immunodeficiency virus, as jointly determined by the Di-  
16 rector of NIH and the Director of the Office of AIDS Re-  
17 search, shall be made available to the “Office of AIDS  
18 Research” account. The Director of the Office of AIDS  
19 Research shall transfer from such account amounts nec-  
20 essary to carry out section 2353(d)(3) of the PHS Act.

21 SEC. 215. (a) AUTHORITY.—Notwithstanding any  
22 other provision of law, the Director of NIH (“Director”)  
23 may use funds authorized under section 402(b)(12) of the  
24 PHS Act to enter into transactions (other than contracts,  
25 cooperative agreements, or grants) to carry out research

1 identified pursuant to or research and activities described  
2 in such section 402(b)(12).

3 (b) PEER REVIEW.—In entering into transactions  
4 under subsection (a), the Director may utilize such peer  
5 review procedures (including consultation with appropriate  
6 scientific experts) as the Director determines to be appro-  
7 priate to obtain assessments of scientific and technical  
8 merit. Such procedures shall apply to such transactions  
9 in lieu of the peer review and advisory council review pro-  
10 cedures that would otherwise be required under sections  
11 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,  
12 and 494 of the PHS Act.

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

19 (TRANSFER OF FUNDS)

20 SEC. 217. Of the amounts made available for NIH,  
21 1 percent of the amount made available for National Re-  
22 search Service Awards (“NRSA”) shall be made available  
23 to the Administrator of the Health Resources and Services  
24 Administration to make NRSA awards for research in pri-  
25 mary medical care to individuals affiliated with entities



1 who have received grants or contracts under sections 736,  
2 739, or 747 of the PHS Act, and 1 percent of the amount  
3 made available for NRSA shall be made available to the  
4 Director of the Agency for Healthcare Research and Qual-  
5 ity to make NRSA awards for health service research.

6 SEC. 218. (a) The Biomedical Advanced Research  
7 and Development Authority (“BARDA”) may enter into  
8 a contract, for more than one but no more than 10 pro-  
9 gram years, for purchase of research services or of security  
10 countermeasures, as that term is defined in section 319F-  
11 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)),  
12 if—

13 (1) funds are available and obligated—

14 (A) for the full period of the contract or  
15 for the first fiscal year in which the contract is  
16 in effect; and

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

19 (2) the Secretary determines that a multi-year  
20 contract will serve the best interests of the Federal  
21 Government by encouraging full and open competi-  
22 tion or promoting economy in administration, per-  
23 formance, and operation of BARDA’s programs.

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



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

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

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

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

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

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

24 or

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

4           SEC. 221. The Secretary shall publish, as part of the  
5           fiscal year 2019 budget of the President submitted under  
6           section 1105(a) of title 31, United States Code, informa-  
7           tion that details the uses of all funds used by the Centers  
8           for Medicare and Medicaid Services specifically for Health  
9           Insurance Exchanges for each fiscal year since the enact-  
10          ment of the ACA and the proposed uses for such funds  
11          for fiscal year 2019. Such information shall include, for  
12          each such fiscal year, the amount of funds used for each  
13          activity specified under the heading “Health Insurance  
14          Exchange Transparency” in the report accompanying this  
15          Act.

16          SEC. 222. (a) The Secretary shall provide to the  
17          Committees on Appropriations of the House of Represent-  
18          atives and the Senate:

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

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

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

5 SEC. 223. None of the funds made available by this  
6 Act from the Federal Hospital Insurance Trust Fund or  
7 the Federal Supplemental Medical Insurance Trust Fund,  
8 or transferred from other accounts funded by this Act to  
9 the “Centers for Medicare and Medicaid Services—Pro-  
10 gram Management” account, may be used for payments  
11 under section 1342(b)(1) of Public Law 111–148 (relating  
12 to risk corridors).

13 SEC. 224. In addition to the amounts otherwise avail-  
14 able for “Centers for Medicare and Medicaid Services,  
15 Program Management”, the Secretary of Health and  
16 Human Services may transfer up to \$305,000,000 to such  
17 account from the Federal Hospital Insurance Trust Fund  
18 and the Federal Supplementary Medical Insurance Trust  
19 Fund to support program management activity related to  
20 the Medicare Program: *Provided*, That except for the fore-  
21 going purpose, such funds may not be used to support any  
22 provision of Public Law 111–148 or Public Law 111–152  
23 (or any amendment made by either such Public Law) or  
24 to supplant any other amounts within such account.

1        SEC. 225. The Secretary shall include in the fiscal  
2 year 2019 budget justification an analysis of how section  
3 2713 of the PHS Act will impact eligibility for discre-  
4 tionary HHS programs.

5        SEC. 226. Effective during the period beginning on  
6 November 1, 2015 and ending January 1, 2020, any pro-  
7 vision of law that refers (including through cross-reference  
8 to another provision of law) to the current recommenda-  
9 tions of the United States Preventive Services Task Force  
10 with respect to breast cancer screening, mammography,  
11 and prevention shall be administered by the Secretary in-  
12 volved as if—

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

18            (2) such recommendations last issued before  
19 2009 applied to any screening mammography modal-  
20 ity under section 1861(jj) of the Social Security Act  
21 (42 U.S.C. 1395x(jj)).

22        SEC. 227. In making Federal financial assistance, the  
23 provisions relating to indirect costs in part 75 of title 45,  
24 Code of Federal Regulations, including with respect to the  
25 approval of deviations from negotiated rates, shall con-

1 tinue to apply to the National Institutes of Health to the  
2 same extent and in the same manner as such provisions  
3 were applied in the third quarter of fiscal year 2017. None  
4 of the funds appropriated in this or prior Acts or otherwise  
5 made available to the Department of Health and Human  
6 Services or to any department or agency may be used to  
7 develop or implement a modified approach to such provi-  
8 sions, or to intentionally or substantially expand the fiscal  
9 effect of the approval of such deviations from negotiated  
10 rates beyond the proportional effect of such approvals in  
11 such quarter.

12 (RESCISSION)

13 SEC. 228. Of the unobligated balances available in  
14 the “Nonrecurring Expenses Fund” established in section  
15 223 of division G of Public Law 110–161, \$560,000,000  
16 are hereby rescinded.

17 (RESCISSION)

18 SEC. 229. Of the unobligated balances available  
19 under the heading “Refugee and Entrant Assistance”  
20 from prior appropriations acts, for carrying out section  
21 462 of the Homeland Security Act of 2002 and section  
22 235 of the William Wilberforce Trafficking Victims Pro-  
23 tection Reauthorization Act of 2008, \$140,000,000 are  
24 hereby rescinded.

1        This title may be cited as the “Department of Health  
2 and Human Services Appropriations Act, 2018”.



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”), \$16,169,198,000, of which  
9 \$5,251,398,000 shall become available on July 1, 2018,  
10 and shall remain available through September 30, 2019,  
11 and of which \$10,841,177,000 shall become available on  
12 October 1, 2018, and shall remain available through Sep-  
13 tember 30, 2019, for academic year 2018–2019: *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 \$5,000,000 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, 2017, 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 \$3,831,754,000 shall be for targeted grants under section  
24 1125 of the ESEA: *Provided further*, That  
25 \$3,831,754,000 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, \$1,340,112,000, of which \$1,200,242,000 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 shall be for  
12 construction under section 7007(a), \$69,313,000 shall be  
13 for Federal property payments under section 7002, and  
14 \$4,835,000, to remain available until expended, shall be  
15 for facilities maintenance under section 7008: *Provided*,  
16 That for purposes of computing the amount of a payment  
17 for an eligible local educational agency under section  
18 7003(a) for school year 2017–2018, children enrolled in  
19 a school of such agency that would otherwise be eligible  
20 for payment under section 7003(a)(1)(B) of such Act, but  
21 due to the deployment of both parents or legal guardians,  
22 or a parent or legal guardian having sole custody of such  
23 children, or due to the death of a military parent or legal  
24 guardian while on active duty (so long as such children  
25 reside on Federal property as described in section

1 7003(a)(1)(B)), are no longer eligible under such section,  
2 shall be considered as eligible students under such section,  
3 provided such students remain in average daily attendance  
4 at a school in the same local educational agency they at-  
5 tended prior to their change in eligibility status.

6 SCHOOL IMPROVEMENT PROGRAMS

7 For carrying out school improvement activities au-  
8 thorized by part B of title I, part A of title II, subpart  
9 1 of part A of title IV, part B of title IV, part B of title  
10 V, and parts B and C of title VI of the ESEA; the McKin-  
11 ney-Vento Homeless Assistance Act; section 203 of the  
12 Educational Technical Assistance Act of 2002; the Com-  
13 pact of Free Association Amendments Act of 2003; and  
14 the Civil Rights Act of 1964, \$4,458,567,000, of which  
15 \$2,638,002,000 shall become available on July 1, 2018,  
16 and remain available through September 30, 2019, and  
17 of which \$1,681,441,000 shall become available on Octo-  
18 ber 1, 2018, and shall remain available through September  
19 30, 2019, for academic year 2018–2019: *Provided*, That  
20 \$369,100,000 shall be for part B of title I: *Provided fur-*  
21 *ther*, That \$1,191,673,000 shall be for part B of title IV:  
22 *Provided further*, That \$33,397,000 shall be for part B  
23 of title VI and may be used for construction, renovation,  
24 and modernization of any elementary school, secondary  
25 school, or structure related to an elementary school or sec-

1 onday school, run by the Department of Education of the  
2 State of Hawaii, that serves a predominantly Native Ha-  
3 waiian student body: *Provided further*, That \$32,453,000  
4 shall be for part C of title VI and shall be awarded on  
5 a competitive basis, and also may be used for construction:  
6 *Provided further*, That \$50,000,000 shall be available to  
7 carry out section 203 of the Educational Technical Assist-  
8 ance Act of 2002 and the Secretary shall make such ar-  
9 rangements as determined to be necessary to ensure that  
10 the Bureau of Indian Education has access to services pro-  
11 vided under this section: *Provided further*, That  
12 \$16,699,000 shall be available to carry out the Supple-  
13 mental Education Grants program for the Federated  
14 States of Micronesia and the Republic of the Marshall Is-  
15 lands: *Provided further*, That the Secretary may reserve  
16 up to 5 percent of the amount referred to in the previous  
17 proviso to provide technical assistance in the implementa-  
18 tion of these grants: *Provided further*, That \$175,840,000  
19 shall be for part B of title V: *Provided further*, That  
20 \$450,000,000 shall be available for grants under subpart  
21 1 of part A of title IV: *Provided further*, That notwith-  
22 standing subsections (a) and (b) of section 4105 of such  
23 Act, each State may use funds reserved under section  
24 4104(a)(1) of such Act to award subgrants, on a competi-  
25 tive basis, to local educational agencies receiving a grant

1 under part A of title I, or consortia of such local edu-  
2 cational agencies, of such Act, to enable the agencies or  
3 consortia to support activities authorized under one or  
4 more of sections 4107, 4108, and 4109(a) of such Act:  
5 *Provided further*, That each such subgrant shall be subject  
6 to the same terms and conditions as an allocation provided  
7 under section 4105 of such Act, except as otherwise pro-  
8 vided in this Act: *Provided further*, That each State that  
9 awards such subgrants shall award such subgrants with  
10 priority given to local educational agencies, or consortia  
11 of local educational agencies, with the greatest need based  
12 on the number or percentage of children counted under  
13 section 1124(c), in a manner that ensures geographic di-  
14 versity among subgrant recipients representing rural, sub-  
15 urban, and urban areas, and in a manner that distributes  
16 the total amount of funds available to the State under sec-  
17 tion 4104(a)(1) consistent with the requirements de-  
18 scribed in subparagraphs (C) through (E) of section  
19 4106(e)(2) of such Act: *Provided further*, That each such  
20 subgrant awarded shall be for a term of one year and in  
21 an amount of not less than \$10,000, and a subgrant re-  
22 cipient shall not be subject to any of the distribution re-  
23 quirements described in subparagraphs (C) through (E)  
24 of subsections (e)(2) and (f), of section 4106 of such Act:  
25 *Provided further*, That notwithstanding section 4109(b) of

1 such Act, a subgrant recipient using such subgrant funds  
2 to carry out only activities authorized under section  
3 4109(a) of such Act may use not more than 25 percent  
4 of the subgrant funds for purchasing technology infra-  
5 structure as described in such section 4109(b): *Provided*  
6 *further*, That amounts made available under this heading  
7 to a State agency awarding such subgrants shall remain  
8 available until September 30, 2019.

#### 9 INDIAN EDUCATION

10 For expenses necessary to carry out, to the extent  
11 not otherwise provided, title VI, part A of the ESEA,  
12 \$165,239,000, of which \$57,993,000 shall be for subpart  
13 2 of part A of title VI and \$6,865,000 shall be for subpart  
14 3 of part A of title VI.

#### 15 INNOVATION AND IMPROVEMENT

16 For carrying out activities authorized by subparts 1,  
17 3 and 4 of part B of title II, and parts C and D and  
18 subparts 1 and 4 of part F of title IV of the ESEA,  
19 \$880,375,000: *Provided*, That \$253,815,000 shall be for  
20 subparts 1, 3 and 4 of part B of title II and shall be made  
21 available without regard to sections 2201, 2231(b) and  
22 2241: *Provided further*, That \$531,560,000 shall be for  
23 parts C and D and subpart 4 of part F of title IV, and  
24 shall be made available without regard to sections 4311,  
25 4409(a), and 4601 of the ESEA: *Provided further*, That

1 section 4303(d)(3)(A)(i) shall not apply to the funds avail-  
2 able for part C of title IV: *Provided further*, That of the  
3 funds available for part C of title IV, the Secretary shall  
4 use not less than \$31,000,000 to carry out section 4304,  
5 of which not more than \$10,000,000 shall be available to  
6 carry out section 4304(k), not more than \$110,000,000  
7 to carry out section 4305(b), and not less than  
8 \$11,000,000 to carry out the activities in section  
9 4305(a)(3): *Provided further*, That notwithstanding sec-  
10 tion 4601(b), \$95,000,000 shall be available through De-  
11 cember 31, 2018 for subpart 1 of part F of title IV.

12 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

13 For carrying out activities authorized by subparts 2  
14 and 3 of part F of title IV of the ESEA, \$131,254,000:  
15 *Provided*, That \$58,000,000 shall be available for section  
16 4631, of which up to \$5,000,000, to remain available until  
17 expended, shall be for the Project School Emergency Re-  
18 sponse to Violence (“Project SERV”) program: *Provided*  
19 *further*, That \$73,254,000 shall be available through De-  
20 cember 31, 2018, for section 4624: *Provided further*, That  
21 section 4623(b) of the ESEA shall apply to funds appro-  
22 priated for Promise Neighborhoods under this heading in  
23 prior appropriations acts: *Provided further*, That, no later  
24 than March 31, 2018, the Secretary shall award extension  
25 grants under such section on a competitive basis to grant-

1 ees who have demonstrated positive and promising results  
2 during their initial implementation grant and propose to  
3 continue pursuing ambitious goals during an extension of  
4 that grant.

5 ENGLISH LANGUAGE ACQUISITION

6 For carrying out part A of title III of the ESEA,  
7 \$737,400,000, which shall become available on July 1,  
8 2018, and shall remain available through September 30,  
9 2019, except that 6.5 percent of such amount shall be  
10 available on October 1, 2017, and shall remain available  
11 through September 30, 2019, to carry out activities under  
12 section 3111(c)(1)(C).

13 SPECIAL EDUCATION

14 For carrying out the Individuals with Disabilities  
15 Education Act (IDEA) and the Special Olympics Sport  
16 and Empowerment Act of 2004, \$13,066,858,000, of  
17 which \$3,546,259,000 shall become available on July 1,  
18 2018, and shall remain available through September 30,  
19 2019, and of which \$9,283,383,000 shall become available  
20 on October 1, 2018, and shall remain available through  
21 September 30, 2019, for academic year 2018–2019: *Pro-*  
22 *vided*, That the amount for section 611(b)(2) of the IDEA  
23 shall be equal to the lesser of the amount available for  
24 that activity during fiscal year 2017, increased by the  
25 amount of inflation as specified in section 619(d)(2)(B)



1 of the IDEA, or the percent change in the funds appro-  
2 priated under section 611(i) of the IDEA, but not less  
3 than the amount for that activity during fiscal year 2017:  
4 *Provided further*, That the Secretary shall, without regard  
5 to section 611(d) of the IDEA, distribute to all other  
6 States (as that term is defined in section 611(g)(2)), sub-  
7 ject to the third proviso, any amount by which a State's  
8 allocation under section 611, from funds appropriated  
9 under this heading, is reduced under section  
10 612(a)(18)(B), according to the following: 85 percent on  
11 the basis of the States' relative populations of children  
12 aged 3 through 21 who are of the same age as children  
13 with disabilities for whom the State ensures the avail-  
14 ability of a free appropriate public education under this  
15 part, and 15 percent to States on the basis of the States'  
16 relative populations of those children who are living in pov-  
17 erty: *Provided further*, That the Secretary may not dis-  
18 tribute any funds under the previous proviso to any State  
19 whose reduction in allocation from funds appropriated  
20 under this heading made funds available for such a dis-  
21 tribution: *Provided further*, That the States shall allocate  
22 such funds distributed under the second proviso to local  
23 educational agencies in accordance with section 611(f):  
24 *Provided further*, That the amount by which a State's allo-  
25 cation under section 611(d) of the IDEA is reduced under

1 section 612(a)(18)(B) and the amounts distributed to  
2 States under the previous provisos in fiscal year 2012 or  
3 any subsequent year shall not be considered in calculating  
4 the awards under section 611(d) for fiscal year 2013 or  
5 for any subsequent fiscal years: *Provided further*, That,  
6 notwithstanding the provision in section 612(a)(18)(B) re-  
7 garding the fiscal year in which a State's allocation under  
8 section 611(d) is reduced for failure to comply with the  
9 requirement of section 612(a)(18)(A), the Secretary may  
10 apply the reduction specified in section 612(a)(18)(B) over  
11 a period of consecutive fiscal years, not to exceed five,  
12 until the entire reduction is applied: *Provided further*,  
13 That the Secretary may, in any fiscal year in which a  
14 State's allocation under section 611 is reduced in accord-  
15 ance with section 612(a)(18)(B), reduce the amount a  
16 State may reserve under section 611(e)(1) by an amount  
17 that bears the same relation to the maximum amount de-  
18 scribed in that paragraph as the reduction under section  
19 612(a)(18)(B) bears to the total allocation the State  
20 would have received in that fiscal year under section  
21 611(d) in the absence of the reduction: *Provided further*,  
22 That the Secretary shall either reduce the allocation of  
23 funds under section 611 for any fiscal year following the  
24 fiscal year for which the State fails to comply with the  
25 requirement of section 612(a)(18)(A) as authorized by

1 section 612(a)(18)(B), or seek to recover funds under sec-  
2 tion 452 of the General Education Provisions Act (20  
3 U.S.C. 1234a): *Provided further*, That the funds reserved  
4 under 611(c) of the IDEA may be used to provide tech-  
5 nical assistance to States to improve the capacity of the  
6 States to meet the data collection requirements of sections  
7 616 and 618 and to administer and carry out other serv-  
8 ices and activities to improve data collection, coordination,  
9 quality, and use under parts B and C of the IDEA: *Pro-*  
10 *vided further*, That the Secretary may use funds made  
11 available for the State Personnel Development Grants pro-  
12 gram under part D, subpart 1 of IDEA to evaluate pro-  
13 gram performance under such subpart.

#### 14 REHABILITATION SERVICES

15 For carrying out, to the extent not otherwise pro-  
16 vided, the Rehabilitation Act of 1973 and the Helen Keller  
17 National Center Act, \$3,562,418,000, of which  
18 \$3,452,931,000 shall be for grants for vocational rehabili-  
19 tation services under title I of the Rehabilitation Act: *Pro-*  
20 *vided*, That the Secretary may use amounts provided in  
21 this Act that remain available subsequent to the reallocot-  
22 ment of funds to States pursuant to section 110(b) of the  
23 Rehabilitation Act for innovative activities aimed at im-  
24 proving the outcomes of individuals with disabilities as de-  
25 fined in section 7(20)(B) of the Rehabilitation Act, includ-

1 ing activities aimed at improving the education and post-  
 2 school outcomes of children receiving Supplemental Secu-  
 3 rity Income (“SSI”) and their families that may result  
 4 in long-term improvement in the SSI child recipient’s eco-  
 5 nomic status and self-sufficiency: *Provided further*, That  
 6 States may award subgrants for a portion of the funds  
 7 to other public and private, nonprofit entities: *Provided*  
 8 *further*, That any funds made available subsequent to real-  
 9 lotment for innovative activities aimed at improving the  
 10 outcomes of individuals with disabilities shall remain avail-  
 11 able until September 30, 2019.

12 SPECIAL INSTITUTIONS FOR PERSONS WITH  
 13 DISABILITIES

14 AMERICAN PRINTING HOUSE FOR THE BLIND

15 For carrying out the Act to promote the Education  
 16 of the Blind of March 3, 1879, \$25,431,000.

17 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

18 For the National Technical Institute for the Deaf  
 19 under titles I and II of the Education of the Deaf Act  
 20 of 1986, \$70,016,000: *Provided*, That from the total  
 21 amount available, the Institute may at its discretion use  
 22 funds for the endowment program as authorized under  
 23 section 207 of such Act.

## 1 GALLAUDET UNIVERSITY

2 For the Kendall Demonstration Elementary School,  
3 the Model Secondary School for the Deaf, and the partial  
4 support of Gallaudet University under titles I and II of  
5 the Education of the Deaf Act of 1986, \$121,275,000:  
6 *Provided*, That from the total amount available, the Uni-  
7 versity may at its discretion use funds for the endowment  
8 program as authorized under section 207 of such Act.

## 9 CAREER, TECHNICAL, AND ADULT EDUCATION

10 For carrying out, to the extent not otherwise pro-  
11 vided, the Carl D. Perkins Career and Technical Edu-  
12 cation Act of 2006 and the Adult Education and Family  
13 Literacy Act (“AEFLA”), \$1,720,686,000, of which  
14 \$929,686,000 shall become available on July 1, 2018, and  
15 shall remain available through September 30, 2019, and  
16 of which \$791,000,000 shall become available on October  
17 1, 2018, and shall remain available through September 30,  
18 2019: *Provided*, That of the amounts made available for  
19 AEFLA, \$13,712,000 shall be for national leadership ac-  
20 tivities under section 242.

## 21 STUDENT FINANCIAL ASSISTANCE

22 For carrying out subparts 1, 3, and 10 of part A,  
23 and part C of title IV of the HEA, \$24,198,210,000,  
24 which shall remain available through September 30, 2019.

1       The maximum Pell Grant for which a student shall  
2 be eligible during award year 2018–2019 shall be \$4,960.

3                               STUDENT AID ADMINISTRATION

4       For Federal administrative expenses to carry out part  
5 D of title I, and subparts 1, 3, 9, and 10 of part A, and  
6 parts B, C, D, and E of title IV of the HEA, and subpart  
7 1 of part A of title VII of the Public Health Service Act,  
8 \$1,576,854,000, to remain available through September  
9 30, 2019: *Provided*, That the Secretary shall allocate new  
10 student loan borrower accounts to eligible student loan  
11 servicers on the basis of their performance compared to  
12 all loan servicers utilizing established common metrics,  
13 and on the basis of the capacity of each servicer to process  
14 new and existing accounts: *Provided further*, That the Sec-  
15 retary shall, no later than September 30, 2017, allow stu-  
16 dent loan borrowers who are consolidating Federal student  
17 loans to select from any student loan servicer to service  
18 their new consolidated student loan: *Provided further*,  
19 That in order to promote accountability and high-quality  
20 service to borrowers, the Secretary shall not issue any con-  
21 tract solicitation for a new Federal student loan servicing  
22 solution unless such a solution provides for the participa-  
23 tion of multiple student loan servicers that contract di-  
24 rectly with the Department of Education and allocates

1 student loan borrower accounts to eligible student loan  
2 servicers based on performance.

3 HIGHER EDUCATION

4 For carrying out, to the extent not otherwise pro-  
5 vided, titles II, III, IV, V, VI, and VII of the HEA, the  
6 Mutual Educational and Cultural Exchange Act of 1961,  
7 and section 117 of the Carl D. Perkins Career and Tech-  
8 nical Education Act of 2006, \$2,048,439,000: *Provided*,  
9 That notwithstanding any other provision of law, funds  
10 made available in this Act to carry out title VI of the HEA  
11 and section 102(b)(6) of the Mutual Educational and Cul-  
12 tural Exchange Act of 1961 may be used to support visits  
13 and study in foreign countries by individuals who are par-  
14 ticipating in advanced foreign language training and inter-  
15 national studies in areas that are vital to United States  
16 national security and who plan to apply their language  
17 skills and knowledge of these countries in the fields of gov-  
18 ernment, the professions, or international development:  
19 *Provided further*, That of the funds referred to in the pre-  
20 ceding proviso up to 1 percent may be used for program  
21 evaluation, national outreach, and information dissemina-  
22 tion activities: *Provided further*, That up to 1.5 percent  
23 of the funds made available under chapter 2 of subpart  
24 2 of part A of title IV of the HEA may be used for evalua-  
25 tion.





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

5                    INSTITUTE OF EDUCATION SCIENCES

6        For carrying out activities authorized by the Edu-  
7 cation Sciences Reform Act of 2002, the National Assess-  
8 ment of Educational Progress Authorization Act, section  
9 208 of the Educational Technical Assistance Act of 2002,  
10 and section 664 of the Individuals with Disabilities Edu-  
11 cation Act, \$600,267,000, which shall remain available  
12 through September 30, 2019: *Provided*, That funds avail-  
13 able to carry out section 208 of the Educational Technical  
14 Assistance Act may be used to link Statewide elementary  
15 and secondary data systems with early childhood, postsec-  
16 ondary, and workforce data systems, or to further develop  
17 such systems: *Provided further*, That up to \$6,000,000 of  
18 the funds available to carry out section 208 of the Edu-  
19 cational Technical Assistance Act may be used for awards  
20 to public or private organizations or agencies to support  
21 activities to improve data coordination, quality, and use  
22 at the local, State, and national levels.

## 1 DEPARTMENTAL MANAGEMENT

## 2 PROGRAM ADMINISTRATION

3 For carrying out, to the extent not otherwise pro-  
4 vided, the Department of Education Organization Act, in-  
5 cluding rental of conference rooms in the District of Co-  
6 lumbia and hire of three passenger motor vehicles,  
7 \$430,000,000.

## 8 OFFICE FOR CIVIL RIGHTS

9 For expenses necessary for the Office for Civil  
10 Rights, as authorized by section 203 of the Department  
11 of Education Organization Act, \$117,000,000.

## 12 OFFICE OF INSPECTOR GENERAL

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

## 16 GENERAL PROVISIONS

17 SEC. 301. No funds appropriated in this Act may be  
18 used for the transportation of students or teachers (or for  
19 the purchase of equipment for such transportation) in  
20 order to overcome racial imbalance in any school or school  
21 system, or for the transportation of students or teachers  
22 (or for the purchase of equipment for such transportation)  
23 in order to carry out a plan of racial desegregation of any  
24 school or school system.



1 granted by this section shall not be used to create any  
2 new program or to fund any project or activity for which  
3 no funds are provided in this Act: *Provided further*, That  
4 the Committees on Appropriations of the House of Rep-  
5 resentatives and the Senate are notified at least 15 days  
6 in advance of any transfer.

7       SEC. 305. Section 105(f)(1)(B)(ix) of the Compact  
8 of Free Association Amendments Act of 2003 (48 U.S.C.  
9 1921d(f)(1)(B)(ix)) shall be applied by substituting  
10 “2018” for “2017”.

11       SEC. 306. Funds appropriated in this Act and con-  
12 solidated for evaluation purposes under section 8601(c) of  
13 the ESEA shall be available from July 1, 2018, through  
14 September 30, 2019.

15       SEC. 307. (a) An institution of higher education that  
16 maintains an endowment fund supported with funds ap-  
17 propriated for title III or V of the HEA for fiscal year  
18 2018 may use the income from that fund to award schol-  
19 arships to students, subject to the limitation in section  
20 331(c)(3)(B)(i) of the HEA. The use of such income for  
21 such purposes, prior to the enactment of this Act, shall  
22 be considered to have been an allowable use of that in-  
23 come, subject to that limitation.

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



1 “(B) EXCEPTION.—

2 “(i) IN GENERAL.—Any Federal Pell  
3 Grant that a student received during a pe-  
4 riod described in subclause (I) or (II) of  
5 clause (ii) shall not count towards the stu-  
6 dent’s duration limits under this para-  
7 graph.

8 “(ii) APPLICABLE PERIODS.—Clause  
9 (i) shall apply with respect to any Federal  
10 Pell Grant awarded to a student to attend  
11 an institution—

12 “(I) during a period—

13 “(aa) for which the student  
14 received a loan under this title;  
15 and

16 “(bb) for which the loan de-  
17 scribed in item (aa) is forgiven  
18 under—

19 “(AA) section 437(e)(1)  
20 or 464(g)(1) due to the clos-  
21 ing of the institution or false  
22 certification; or

23 “(BB) section 455(h)  
24 due to the student’s success-

1                   ful assertion of a defense to  
2                   repayment of the loan; or  
3                   “(II) during a period for which  
4                   the student did not receive a loan  
5                   under this title but for which, if the  
6                   student had received such a loan, the  
7                   student would have qualified for loan  
8                   forgiveness under subclause (I)(bb).”.

9           SEC. 313. The period of time provided to the Sec-  
10 retary in section 498(h)(2) of the Higher Education Act  
11 may be extended up to an additional 18 months for insti-  
12 tutions where the Secretary withdrew recognition of their  
13 accreditor on December 12, 2016, if the institution does  
14 not remain with or reapply to the accrediting agency which  
15 accredited the institution on December 12, 2016.

16           This title may be cited as the “Department of Edu-  
17 cation Appropriations Act, 2018”.

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 contract requirements of the Committee as prescribed  
13 under section 51–3.2 of title 41, Code of Federal Regula-  
14 tions, the Committee shall enter into a written agreement  
15 with any such central nonprofit agency: *Provided further*,  
16 That such agreement entered into under the preceding  
17 proviso shall contain such auditing, oversight, and report-  
18 ing provisions as necessary to implement chapter 85 of  
19 title 41, United States Code: *Provided further*, That such  
20 agreement shall include the elements listed under this  
21 heading in the explanatory statement accompanying Pub-  
22 lic Law 114–113: *Provided further*, That a fee may not  
23 be charged under section 51–3.5 of title 41, Code of Fed-  
24 eral Regulations, unless such fee is under the terms of  
25 the written agreement between the Committee and any



1 such central nonprofit agency: *Provided further*, That no  
2 less than \$1,250,000 shall be available for the Office of  
3 Inspector General.

4 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
5 OPERATING EXPENSES

6 For necessary expenses for the Corporation for Na-  
7 tional and Community Service (referred to in this title as  
8 “CNCS”) to carry out the Domestic Volunteer Service Act  
9 of 1973 (referred to in this title as “1973 Act”) and the  
10 National and Community Service Act of 1990 (referred  
11 to in this title as “1990 Act”), \$736,429,000, notwith-  
12 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and  
13 501(a)(4)(F) of the 1990 Act: *Provided*, That of the  
14 amounts provided under this heading: (1) up to 1 percent  
15 of program grant funds may be used to defray the costs  
16 of conducting grant application reviews, including the use  
17 of outside peer reviewers and electronic management of  
18 the grants cycle; (2) \$16,538,000 shall be available to pro-  
19 vide assistance to State commissions on national and com-  
20 munity service, under section 126(a) of the 1990 Act and  
21 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)  
22 \$30,000,000 shall be available to carry out subtitle E of  
23 the 1990 Act; and (4) \$3,800,000 shall be available for  
24 expenses authorized under section 501(a)(4)(F) of the  
25 1990 Act, which, notwithstanding the provisions of section

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

6 PAYMENT TO THE NATIONAL SERVICE TRUST

7 (INCLUDING TRANSFER OF FUNDS)

8 For payment to the National Service Trust estab-  
9 lished under subtitle D of title I of the 1990 Act,  
10 \$195,000,000, to remain available until expended: *Pro-*  
11 *vided*, That CNCS may transfer additional funds from the  
12 amount provided within “Operating Expenses” allocated  
13 to grants under subtitle C of title I of the 1990 Act to  
14 the National Service Trust upon determination that such  
15 transfer is necessary to support the activities of national  
16 service participants and after notice is transmitted to the  
17 Committees on Appropriations of the House of Represent-  
18 atives and the Senate: *Provided further*, That amounts ap-  
19 propriated for or transferred to the National Service Trust  
20 may be invested under section 145(b) of the 1990 Act  
21 without regard to the requirement to apportion funds  
22 under 31 U.S.C. 1513(b).

23 SALARIES AND EXPENSES

24 For necessary expenses of administration as provided  
25 under section 501(a)(5) of the 1990 Act and under section

1 504(a) of the 1973 Act, including payment of salaries, au-  
2 thorized travel, hire of passenger motor vehicles, the rental  
3 of conference rooms in the District of Columbia, the em-  
4 ployment of experts and consultants authorized under 5  
5 U.S.C. 3109, and not to exceed \$2,500 for official recep-  
6 tion and representation expenses, \$81,737,000.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector  
9 General in carrying out the Inspector General Act of 1978,  
10 \$5,750,000.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 401. CNCS shall make any significant changes  
13 to program requirements, service delivery or policy only  
14 through public notice and comment rulemaking. For fiscal  
15 year 2018, during any grant selection process, an officer  
16 or employee of CNCS shall not knowingly disclose any cov-  
17 ered grant selection information regarding such selection,  
18 directly or indirectly, to any person other than an officer  
19 or employee of CNCS that is authorized by CNCS to re-  
20 ceive such information.

21 SEC. 402. AmeriCorps programs receiving grants  
22 under the National Service Trust program shall meet an  
23 overall minimum share requirement of 24 percent for the  
24 first 3 years that they receive AmeriCorps funding, and  
25 thereafter shall meet the overall minimum share require-

1 ment as provided in section 2521.60 of title 45, Code of  
2 Federal Regulations, without regard to the operating costs  
3 match requirement in section 121(e) or the member sup-  
4 port Federal share limitations in section 140 of the 1990  
5 Act, and subject to partial waiver consistent with section  
6 2521.70 of title 45, Code of Federal Regulations.

7       SEC. 403. Donations made to CNCS under section  
8 196 of the 1990 Act for the purposes of financing pro-  
9 grams and operations under titles I and II of the 1973  
10 Act or subtitle B, C, D, or E of title I of the 1990 Act  
11 shall be used to supplement and not supplant current pro-  
12 grams and operations.

13       SEC. 404. In addition to the requirements in section  
14 146(a) of the 1990 Act, use of an educational award for  
15 the purpose described in section 148(a)(4) shall be limited  
16 to individuals who are veterans as defined under section  
17 101 of the Act.

18       SEC. 405. For the purpose of carrying out section  
19 189D of the 1990 Act—

20           (1) entities described in paragraph (a) of such  
21 section shall be considered “qualified entities” under  
22 section 3 of the National Child Protection Act of  
23 1993 (“NCPA”);

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

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

9           SEC. 406. Notwithstanding sections 139(b), 146 and  
10          147 of the 1990 Act, an individual who successfully com-  
11          pletes a term of service of not less than 1,200 hours dur-  
12          ing a period of not more than one year may receive a na-  
13          tional service education award having a value of 70 per-  
14          cent of the value of a national service education award  
15          determined under section 147(a) of the Act.

16                   CORPORATION FOR PUBLIC BROADCASTING

17          For payment to the Corporation for Public Broad-  
18          casting (“CPB”), as authorized by the Communications  
19          Act of 1934, an amount which shall be available within  
20          limitations specified by that Act, for the fiscal year 2020,  
21          \$445,000,000: *Provided*, That none of the funds made  
22          available to CPB by this Act shall be used to pay for re-  
23          ceptions, parties, or similar forms of entertainment for  
24          Government officials or employees: *Provided further*, That  
25          none of the funds made available to CPB by this Act shall

1 be available or used to aid or support any program or ac-  
 2 tivity from which any person is excluded, or is denied ben-  
 3 efits, or is discriminated against, on the basis of race,  
 4 color, national origin, religion, or sex: *Provided further,*  
 5 That none of the funds made available to CPB by this  
 6 Act shall be used to apply any political test or qualification  
 7 in selecting, appointing, promoting, or taking any other  
 8 personnel action with respect to officers, agents, and em-  
 9 ployees of CPB: *Provided further,* That none of the funds  
 10 made available to CPB by this Act shall be used to support  
 11 the Television Future Fund or any similar purpose.

12 In addition, for the costs associated with replacing  
 13 and upgrading the public broadcasting interconnection  
 14 system and other technologies and services that create in-  
 15 frastructure and efficiencies within the public media sys-  
 16 tem, \$20,000,000.

17 FEDERAL MEDIATION AND CONCILIATION SERVICE

18 SALARIES AND EXPENSES

19 For expenses necessary for the Federal Mediation  
 20 and Conciliation Service (“Service”) to carry out the func-  
 21 tions vested in it by the Labor-Management Relations Act,  
 22 1947, including hire of passenger motor vehicles; for ex-  
 23 penses necessary for the Labor-Management Cooperation  
 24 Act of 1978; and for expenses necessary for the Service  
 25 to carry out the functions vested in it by the Civil Service

1 Reform Act, \$46,650,000, including up to \$900,000 to re-  
2 main available through September 30, 2019, for activities  
3 authorized by the Labor-Management Cooperation Act of  
4 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,  
5 fees charged, up to full-cost recovery, for special training  
6 activities and other conflict resolution services and tech-  
7 nical assistance, including those provided to foreign gov-  
8 ernments and international organizations, and for arbitra-  
9 tion services shall be credited to and merged with this ac-  
10 count, and shall remain available until expended: *Provided*  
11 *further*, That fees for arbitration services shall be available  
12 only for education, training, and professional development  
13 of the agency workforce: *Provided further*, That the Direc-  
14 tor of the Service is authorized to accept and use on behalf  
15 of the United States gifts of services and real, personal,  
16 or other property in the aid of any projects or functions  
17 within the Director's jurisdiction.

18 FEDERAL MINE SAFETY AND HEALTH REVIEW

19 COMMISSION

20 SALARIES AND EXPENSES

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

## 1       INSTITUTE OF MUSEUM AND LIBRARY SERVICES

## 2       OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

## 3                               AND ADMINISTRATION

4       For carrying out the Museum and Library Services  
5 Act of 1996 and the National Museum of African Amer-  
6 ican History and Culture Act, \$235,000,000.

## 7       MEDICAID AND CHIP PAYMENT AND ACCESS

## 8                               COMMISSION

## 9                               SALARIES AND EXPENSES

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

## 12       MEDICARE PAYMENT ADVISORY COMMISSION

## 13                               SALARIES AND EXPENSES

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

## 19       NATIONAL COUNCIL ON DISABILITY

## 20                               SALARIES AND EXPENSES

21       For expenses necessary for the National Council on  
22 Disability as authorized by title IV of the Rehabilitation  
23 Act of 1973, \$3,250,000.



## 1 NATIONAL LABOR RELATIONS BOARD

## 2 SALARIES AND EXPENSES

3 For expenses necessary for the National Labor Rela-  
4 tions Board to carry out the functions vested in it by the  
5 Labor-Management Relations Act, 1947, and other laws,  
6 \$274,224,000: *Provided*, That no part of this appropria-  
7 tion shall be available to organize or assist in organizing  
8 agricultural laborers or used in connection with investiga-  
9 tions, hearings, directives, or orders concerning bargaining  
10 units composed of agricultural laborers as referred to in  
11 section 2(3) of the Act of July 5, 1935, and as amended  
12 by the Labor-Management Relations Act, 1947, and as de-  
13 fined in section 3(f) of the Act of June 25, 1938, and  
14 including in said definition employees engaged in the  
15 maintenance and operation of ditches, canals, reservoirs,  
16 and waterways when maintained or operated on a mutual,  
17 nonprofit basis and at least 95 percent of the water stored  
18 or supplied thereby is used for farming purposes.

## 19 ADMINISTRATIVE PROVISIONS

20 SEC. 407. None of the funds provided by this Act  
21 or previous Acts making appropriations for the National  
22 Labor Relations Board may be used to issue any new ad-  
23 ministrative directive or regulation that would provide em-  
24 ployees any means of voting through any electronic means

1 in an election to determine a representative for the pur-  
2 poses of collective bargaining.

3 NATIONAL MEDIATION BOARD

4 SALARIES AND EXPENSES

5 For expenses necessary to carry out the provisions  
6 of the Railway Labor Act, including emergency boards ap-  
7 pointed by the President, \$13,800,000.

8 OCCUPATIONAL SAFETY AND HEALTH REVIEW

9 COMMISSION

10 SALARIES AND EXPENSES

11 For expenses necessary for the Occupational Safety  
12 and Health Review Commission, \$13,225,000.

13 RAILROAD RETIREMENT BOARD

14 DUAL BENEFITS PAYMENTS ACCOUNT

15 For payment to the Dual Benefits Payments Ac-  
16 count, authorized under section 15(d) of the Railroad Re-  
17 tirement Act of 1974, \$22,000,000, which shall include  
18 amounts becoming available in fiscal year 2018 pursuant  
19 to section 224(e)(1)(B) of Public Law 98–76; and in addi-  
20 tion, an amount, not to exceed 2 percent of the amount  
21 provided herein, shall be available proportional to the  
22 amount by which the product of recipients and the average  
23 benefit received exceeds the amount available for payment  
24 of vested dual benefits: *Provided*, That the total amount  
25 provided herein shall be credited in 12 approximately

1 equal amounts on the first day of each month in the fiscal  
2 year.

3 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

4 ACCOUNTS

5 For payment to the accounts established in the  
6 Treasury for the payment of benefits under the Railroad  
7 Retirement Act for interest earned on unnegotiated  
8 checks, \$150,000, to remain available through September  
9 30, 2019, which shall be the maximum amount available  
10 for payment pursuant to section 417 of Public Law 98–  
11 76.

12 LIMITATION ON ADMINISTRATION

13 For necessary expenses for the Railroad Retirement  
14 Board (“Board”) for administration of the Railroad Re-  
15 tirement Act and the Railroad Unemployment Insurance  
16 Act, \$114,500,000, to be derived in such amounts as de-  
17 termined by the Board from the railroad retirement ac-  
18 counts and from moneys credited to the railroad unem-  
19 ployment insurance administration fund: *Provided*, That  
20 notwithstanding section 7(b)(9) of the Railroad Retire-  
21 ment Act this limitation may be used to hire attorneys  
22 only through the excepted service: *Provided further*, That  
23 the previous proviso shall not change the status under  
24 Federal employment laws of any attorney hired by the  
25 Railroad Retirement Board prior to January 1, 2013.

## 1     LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

2           For expenses necessary for the Office of Inspector  
3 General for audit, investigatory and review activities, as  
4 authorized by the Inspector General Act of 1978, not more  
5 than \$11,000,000, to be derived from the railroad retire-  
6 ment accounts and railroad unemployment insurance ac-  
7 count.

## 8                   SOCIAL SECURITY ADMINISTRATION

## 9           PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

10          For payment to the Federal Old-Age and Survivors  
11 Insurance Trust Fund and the Federal Disability Insur-  
12 ance Trust Fund, as provided under sections 201(m) and  
13 1131(b)(2) of the Social Security Act, \$11,400,000.

## 14           SUPPLEMENTAL SECURITY INCOME PROGRAM

15          For carrying out titles XI and XVI of the Social Se-  
16 curity Act, section 401 of Public Law 92–603, section 212  
17 of Public Law 93–66, as amended, and section 405 of  
18 Public Law 95–216, including payment to the Social Secu-  
19 rity trust funds for administrative expenses incurred pur-  
20 suant to section 201(g)(1) of the Social Security Act,  
21 \$38,450,927,000, to remain available until expended: *Pro-*  
22 *vided*, That any portion of the funds provided to a State  
23 in the current fiscal year and not obligated by the State  
24 during that year shall be returned to the Treasury: *Pro-*  
25 *vided further*, That not more than \$101,000,000 shall be

1 available for research and demonstrations under sections  
2 1110, 1115, and 1144 of the Social Security Act, and re-  
3 main available through September 30, 2020.

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

8 For making benefit payments under title XVI of the  
9 Social Security Act for the first quarter of fiscal year  
10 2019, \$19,500,000,000, to remain available until ex-  
11 pended.

12 LIMITATION ON ADMINISTRATIVE EXPENSES

13 For necessary expenses, including the hire of two pas-  
14 senger motor vehicles, and not to exceed \$20,000 for offi-  
15 cial reception and representation expenses, not more than  
16 \$11,873,945,000 may be expended, as authorized by sec-  
17 tion 201(g)(1) of the Social Security Act, from any one  
18 or all of the trust funds referred to in such section: *Pro-*  
19 *vided*, That not less than \$2,300,000 shall be for the So-  
20 cial Security Advisory Board: *Provided further*, That unob-  
21 ligated balances of funds provided under this paragraph  
22 at the end of fiscal year 2018 not needed for fiscal year  
23 2018 shall remain available until expended to invest in the  
24 Social Security Administration information technology  
25 and telecommunications hardware and software infra-

1 structure, including related equipment and non-payroll ad-  
2 ministrative expenses associated solely with this informa-  
3 tion technology and telecommunications infrastructure:  
4 *Provided further*, That the Commissioner of Social Secu-  
5 rity shall notify the Committees on Appropriations of the  
6 House of Representatives and the Senate prior to making  
7 unobligated balances available under the authority in the  
8 previous proviso: *Provided further*, That reimbursement to  
9 the trust funds under this heading for expenditures for  
10 official time for employees of the Social Security Adminis-  
11 tration pursuant to 5 U.S.C. 7131, and for facilities or  
12 support services for labor organizations pursuant to poli-  
13 cies, regulations, or procedures referred to in section  
14 7135(b) of such title shall be made by the Secretary of  
15 the Treasury, with interest, from amounts in the general  
16 fund not otherwise appropriated, as soon as possible after  
17 such expenditures are made.

18       Of the total amount made available under this head-  
19 ing, not more than \$1,735,000,000, to remain available  
20 through March 31, 2019, is for the costs associated with  
21 continuing disability reviews under titles II and XVI of  
22 the Social Security Act, including work-related continuing  
23 disability reviews to determine whether earnings derived  
24 from services demonstrate an individual's ability to engage  
25 in substantial gainful activity, for the cost associated with

1 conducting redeterminations of eligibility under title XVI  
2 of the Social Security Act, for the cost of co-operative dis-  
3 ability investigation units, and for the cost associated with  
4 the prosecution of fraud in the programs and operations  
5 of the Social Security Administration by Special Assistant  
6 United States Attorneys: *Provided*, That, of such amount,  
7 \$273,000,000 is provided to meet the terms of section  
8 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emer-  
9 gency Deficit Control Act of 1985, as amended, and  
10 \$1,462,000,000 is additional new budget authority speci-  
11 fied for purposes of section 251(b)(2)(B) of such Act: *Pro-*  
12 *vided further*, That the Commissioner shall provide to the  
13 Congress (at the conclusion of the fiscal year) a report  
14 on the obligation and expenditure of these funds, similar  
15 to the reports that were required by section 103(d)(2) of  
16 Public Law 104–121 for fiscal years 1996 through 2002.

17 In addition, \$118,000,000 to be derived from admin-  
18 istration fees in excess of \$5.00 per supplementary pay-  
19 ment collected pursuant to section 1616(d) of the Social  
20 Security Act or section 212(b)(3) of Public Law 93–66,  
21 which shall remain available until expended. To the extent  
22 that the amounts collected pursuant to such sections in  
23 fiscal year 2018 exceed \$118,000,000, the amounts shall  
24 be available in fiscal year 2019 only to the extent provided  
25 in advance in appropriations Acts.

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

5                            OFFICE OF INSPECTOR GENERAL  
6                            (INCLUDING TRANSFER OF FUNDS)

7        For expenses necessary for the Office of Inspector  
8 General in carrying out the provisions of the Inspector  
9 General Act of 1978, \$30,000,000, together with not to  
10 exceed \$75,500,000, to be transferred and expended as  
11 authorized by section 201(g)(1) of the Social Security Act  
12 from the Federal Old-Age and Survivors Insurance Trust  
13 Fund and the Federal Disability Insurance Trust Fund.

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



## TITLE V

## GENERAL PROVISIONS

## (TRANSFER OF FUNDS)

1           SEC. 501. The Secretaries of Labor, Health and  
2 Human Services, and Education are authorized to transfer  
3 unexpended balances of prior appropriations to accounts  
4 corresponding to current appropriations provided in this  
5 Act. Such transferred balances shall be used for the same  
6 purpose, and for the same periods of time, for which they  
7 were originally appropriated.

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

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

1 lation, administrative action, or order issued by the execu-  
2 tive branch of any State or local government, except in  
3 presentation to the executive branch of any State or local  
4 government itself.

5 (b) No part of any appropriation contained in this  
6 Act or transferred pursuant to section 4002 of Public Law  
7 111–148 shall be used to pay the salary or expenses of  
8 any grant or contract recipient, or agent acting for such  
9 recipient, related to any activity designed to influence the  
10 enactment of legislation, appropriations, regulation, ad-  
11 ministrative action, or Executive order proposed or pend-  
12 ing before the Congress or any State government, State  
13 legislature or local legislature or legislative body, other  
14 than for normal and recognized executive-legislative rela-  
15 tionships or participation by an agency or officer of a  
16 State, local or tribal government in policymaking and ad-  
17 ministrative processes within the executive branch of that  
18 government.

19 (c) The prohibitions in subsections (a) and (b) shall  
20 include any activity to advocate or promote any proposed,  
21 pending or future Federal, State or local tax increase, or  
22 any proposed, pending, or future requirement or restric-  
23 tion on any legal consumer product, including its sale or  
24 marketing, including but not limited to the advocacy or  
25 promotion of gun control.

1        SEC. 504. The Secretaries of Labor and Education  
2 are authorized to make available not to exceed \$28,000  
3 and \$20,000, respectively, from funds available for sala-  
4 ries and expenses under titles I and III, respectively, for  
5 official reception and representation expenses; the Direc-  
6 tor of the Federal Mediation and Conciliation Service is  
7 authorized to make available for official reception and rep-  
8 resentation expenses not to exceed \$5,000 from the funds  
9 available for “Federal Mediation and Conciliation Service,  
10 Salaries and Expenses”; and the Chairman of the Na-  
11 tional Mediation Board is authorized to make available for  
12 official reception and representation expenses not to ex-  
13 ceed \$5,000 from funds available for “National Mediation  
14 Board, Salaries and Expenses”.

15        SEC. 505. When issuing statements, press releases,  
16 requests for proposals, bid solicitations and other docu-  
17 ments describing projects or programs funded in whole or  
18 in part with Federal money, all grantees receiving Federal  
19 funds included in this Act, including but not limited to  
20 State and local governments and recipients of Federal re-  
21 search grants, shall clearly state—

22            (1) the percentage of the total costs of the pro-  
23            gram or project which will be financed with Federal  
24            money;

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

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

6           SEC. 506. (a) None of the funds appropriated in this  
7           Act, and none of the funds in any trust fund to which  
8           funds are appropriated in this Act, shall be expended for  
9           any abortion.

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

14          (c) The term “health benefits coverage” means the  
15          package of services covered by a managed care provider  
16          or organization pursuant to a contract or other arrange-  
17          ment.

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

20                 (1) if the pregnancy is the result of an act of  
21                 rape or incest; or

22                 (2) in the case where a woman suffers from a  
23                 physical disorder, physical injury, or physical illness,  
24                 including a life-endangering physical condition  
25                 caused by or arising from the pregnancy itself, that

1 would, as certified by a physician, place the woman  
2 in danger of death unless an abortion is performed.

3 (b) Nothing in the preceding section shall be con-  
4 strued as prohibiting the expenditure by a State, locality,  
5 entity, or private person of State, local, or private funds  
6 (other than a State's or locality's contribution of Medicaid  
7 matching funds).

8 (c) Nothing in the preceding section shall be con-  
9 strued as restricting the ability of any managed care pro-  
10 vider from offering abortion coverage or the ability of a  
11 State or locality to contract separately with such a pro-  
12 vider for such coverage with State funds (other than a  
13 State's or locality's contribution of Medicaid matching  
14 funds).

15 (d)(1) None of the funds made available in this Act  
16 may be made available to a Federal agency or program,  
17 or to a State or local government, if such agency, program,  
18 or government subjects any institutional or individual  
19 health care entity to discrimination on the basis that the  
20 health care entity does not provide, pay for, provide cov-  
21 erage of, or refer for abortions.

22 (2) In this subsection, the term "health care entity"  
23 includes an individual physician or other health care pro-  
24 fessional, a hospital, a provider-sponsored organization, a  
25 health maintenance organization, a health insurance plan,

1 or any other kind of health care facility, organization, or  
2 plan.

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

5 (1) the creation of a human embryo or embryos  
6 for research purposes; or

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

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

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

1 (b) The limitation in subsection (a) shall not apply  
2 when there is significant medical evidence of a therapeutic  
3 advantage to the use of such drug or other substance or  
4 that federally sponsored clinical trials are being conducted  
5 to determine therapeutic advantage.

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

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

17 (1) such entity is otherwise a contractor with  
18 the United States and is subject to the requirement  
19 in 38 U.S.C. 4212(d) regarding submission of an  
20 annual report to the Secretary of Labor concerning  
21 employment of certain veterans; and

22 (2) such entity has not submitted a report as  
23 required by that section for the most recent year for  
24 which such requirement was applicable to such enti-  
25 ty.

1        SEC. 512. None of the funds made available in this  
2 Act may be transferred to any department, agency, or in-  
3 strumentality of the United States Government, except  
4 pursuant to a transfer made by, or transfer authority pro-  
5 vided in, this Act or any other appropriation Act.

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

13        SEC. 514. (a) None of the funds provided under this  
14 Act, or provided under previous appropriations Acts to the  
15 agencies funded by this Act that remain available for obli-  
16 gation or expenditure in fiscal year 2018, or provided from  
17 any accounts in the Treasury of the United States derived  
18 by the collection of fees available to the agencies funded  
19 by this Act, shall be available for obligation or expenditure  
20 through a reprogramming of funds that—

- 21            (1) creates new programs;
- 22            (2) eliminates a program, project, or activity;
- 23            (3) increases funds or personnel by any means  
24 for any project or activity for which funds have been  
25 denied or restricted;



1           (4) relocates an office or employees;  
2           (5) reorganizes or renames offices;  
3           (6) reorganizes programs or activities; or  
4           (7) contracts out or privatizes any functions or  
5           activities presently performed by Federal employees;  
6 unless the Committees on Appropriations of the House of  
7 Representatives and the Senate are consulted 15 days in  
8 advance of such reprogramming or of an announcement  
9 of intent relating to such reprogramming, whichever oc-  
10 curs earlier, and are notified in writing 10 days in advance  
11 of such reprogramming.

12           (b) None of the funds provided under this Act, or  
13 provided under previous appropriations Acts to the agen-  
14 cies funded by this Act that remain available for obligation  
15 or expenditure in fiscal year 2018, or provided from any  
16 accounts in the Treasury of the United States derived by  
17 the collection of fees available to the agencies funded by  
18 this Act, shall be available for obligation or expenditure  
19 through a reprogramming of funds in excess of \$500,000  
20 or 10 percent, whichever is less, that—

21           (1) augments existing programs, projects (in-  
22 cluding construction projects), or activities;

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

1           (3) results from any general savings from a re-  
2           duction in personnel which would result in a change  
3           in existing programs, activities, or projects as ap-  
4           proved by Congress;  
5           unless the Committees on Appropriations of the House of  
6           Representatives and the Senate are consulted 15 days in  
7           advance of such reprogramming or of an announcement  
8           of intent relating to such reprogramming, whichever oc-  
9           curs earlier, and are notified in writing 10 days in advance  
10          of such reprogramming.

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

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

21          SEC. 516. Within 45 days of enactment of this Act,  
22          each department and related agency funded through this  
23          Act shall submit an operating plan that details at the pro-  
24          gram, project, and activity level any funding allocations  
25          for fiscal year 2018 that are different than those specified

1 in this Act, the accompanying detailed table in the report  
2 accompanying this Act, or the fiscal year 2018 budget re-  
3 quest.

4       SEC. 517. The Secretaries of Labor, Health and  
5 Human Services, and Education shall each prepare and  
6 submit to the Committees on Appropriations of the House  
7 of Representatives and the Senate a report on the number  
8 and amount of contracts, grants, and cooperative agree-  
9 ments exceeding \$500,000 in value and awarded by the  
10 Department on a non-competitive basis during each quar-  
11 ter of fiscal year 2018, but not to include grants awarded  
12 on a formula basis or directed by law. Such report shall  
13 include the name of the contractor or grantee, the amount  
14 of funding, the governmental purpose, including a jus-  
15 tification for issuing the award on a non-competitive basis.  
16 Such report shall be transmitted to the Committees within  
17 30 days after the end of the quarter for which the report  
18 is submitted.

19       SEC. 518. None of the funds appropriated in this Act  
20 shall be expended or obligated by the Commissioner of So-  
21 cial Security, for purposes of administering Social Security  
22 benefit payments under title II of the Social Security Act,  
23 to process any claim for credit for a quarter of coverage  
24 based on work performed under a social security account  
25 number that is not the claimant's number and the per-

1 formance of such work under such number has formed the  
2 basis for a conviction of the claimant of a violation of sec-  
3 tion 208(a)(6) or (7) of the Social Security Act.

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

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

1 drug use, and such program is operating in accordance  
2 with State and local law.

3 SEC. 521. (a) None of the funds made available in  
4 this Act may be used to maintain or establish a computer  
5 network unless such network blocks the viewing,  
6 downloading, and exchanging of pornography.

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

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

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

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

23 (2) attendance at and support for scientific con-  
24 ferences shall be tabulated separately from and not  
25 included in agency totals.

1        SEC. 524. Federal agencies funded under this Act  
2 shall clearly state within the text, audio, or video used for  
3 advertising or educational purposes, including emails or  
4 Internet postings, that the communication is printed, pub-  
5 lished, or produced and disseminated at U.S. taxpayer ex-  
6 pense. The funds used by a Federal agency to carry out  
7 this requirement shall be derived from amounts made  
8 available to the agency for advertising or other commu-  
9 nications regarding the programs and activities of the  
10 agency.

11        SEC. 525. (a) Federal agencies may use Federal dis-  
12 cretionary funds that are made available in this Act to  
13 carry out up to 10 Performance Partnership Pilots. Such  
14 Pilots shall be governed by the provisions of section 526  
15 of division H of Public Law 113–76, except that in car-  
16 rying out such Pilots section 526 shall be applied by sub-  
17 stituting “FISCAL YEAR 2018” for “FISCAL YEAR 2014”  
18 in the title of subsection (b) and by substituting “Sep-  
19 tember 30, 2022” for “September 30, 2018” each place  
20 it appears: *Provided*, That such pilots shall include com-  
21 munities that have experienced civil unrest.

22        (b) In addition, Federal agencies may use Federal  
23 discretionary funds that are made available in this Act to  
24 participate in Performance Partnership Pilots that are  
25 being carried out pursuant to the authority provided by

1 section 526 of division H of Public Law 113–76, section  
2 524 of division G of Public Law 113–235, section 525 of  
3 division H of Public Law 114–113, and section 525 of  
4 division H of Public Law 115–31.

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

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

22 (RESCISSION)

23 SEC. 527. Of the funds made available for fiscal year  
24 2018 under section 3403 of Public Law 111–148,  
25 \$15,000,000 are rescinded.

1 (RESCISSION)

2 SEC. 528. Of the funds made available for purposes  
3 of carrying out section 2105(a)(3) of the Social Security  
4 Act, \$88,613,000 are hereby rescinded.

5 (RESCISSION)

6 SEC. 529. Of any available amounts appropriated  
7 under section 301(b)(3) of Public Law 114–10,  
8 \$3,145,905,000 are hereby rescinded.

9 SEC. 530. Amounts deposited in the Child Enroll-  
10 ment Contingency Fund prior to the beginning of fiscal  
11 year 2018 under section 2104(n)(2) of the Social Security  
12 Act and the income derived from investment of those  
13 funds pursuant to section 2104(n)(2)(C) of that Act, shall  
14 not be available for obligation in this fiscal year.

15 This Act may be cited as the “Departments of Labor,  
16 Health and Human Services, and Education, and Related  
17 Agencies Appropriations Act, 2018”.





Calendar No. 215

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1771**

[Report No. 115-150]

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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, 2018, and for other purposes.

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SEPTEMBER 7, 2017

Read twice and placed on the calendar